



**Felippe De Rosa Miranda**

**The Brick Wall:  
The National Rifle Association and the Arms  
Trade Treaty as a case of framing effects on  
norm diffusion**

**DISSERTAÇÃO DE MESTRADO**

Thesis presented to the Programa de Pós-Graduação em Relações Internacionais of the Instituto de Relações Internacionais, PUC-Rio in partial fulfillment of the requirements for the degree of Mestre em Relações Internacionais

Advisor: Prof. Kai Michael Kenkel

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*Ao meus pais Duílio e Marise,  
por nunca me deixar desistir e pelo  
amor incondicional em todos os  
momentos da minha vida.*

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## Abstract

De Rosa Miranda, Felipe; Kenkel, Kai Michael (Advisor). **The Brick Wall: The National Rifle Association and the Arms Trade Treaty as a case of framing effects on norm diffusion.** Rio de Janeiro, 2015, 200 p. MA Dissertation – Instituto de Relações Internacionais, Pontifícia Universidade Católica do Rio de Janeiro.

This research intends to analyze how discursive practices may impact norm diffusion mechanisms, focusing on local political groups' resistance processes regarding international norms. In this sense, regarding American participation in the development of an international treaty on small arms and light weapons (SALW) at the United Nations over the past two decades, the work intends to highlight the points from which internal social agents create resistance. Represented in this research as the National Rifle Association (NRA) and its members, these agents can mobilize domestic normative frameworks to create a narrative that frames the advancement of small arms regulation as a potential threat to freedom and personal safety. Through a descriptive and critical discourse analysis, 35 NRA pronouncements containing the key words "United Nations" and "Gun control" were analyzed in order to show the construction of this narrative through these speeches. Three pillars were identified: (1) the association of an allegedly domestic effort of gun control to an international coalition of foreign interests with the same objective; (2) the capability to appropriate values of defense, protection, expertise and efficiency against this joint effort, which is characterized as a menace, biased, inefficient and naïve; and (3) the categorization of these efforts as a potential threat to which they are everlastingly vulnerable unless they unite and resist. This research shows that these three pillars can enable a resistance environment that performs a dual function: while these narrative influences international norm diffusion, these actors use this process to strengthen their domestic agenda.

## Keywords

Norm diffusion; framing; small arms and light weapons; United States Of America; discourse analysis; National Rifle Association.

## Resumo

De Rosa Miranda, Felipe; Kenkel, Kai Michael. **A Parede de Tijolos: A Associação Nacional de Rifles e o Tratado de Comércio de Armas Convencionais como estudo de caso sobre os efeitos de *framing* na difusão normativa**. Rio de Janeiro, 2015, 200 p. Dissertação de Mestrado – Instituto de Relações Internacionais, Pontifícia Universidade Católica do Rio de Janeiro.

A dissertação almeja analisar como práticas discursivas podem impactar os mecanismos de difusão normativa, focando nos processos de resistência à norma internacional por parte de grupos políticos dentro de Estados. Observando a participação norte-americana nos debates sobre um tratado internacional de armas pequenas e armas leves (APAL) no âmbito das Nações Unidas nas últimas duas décadas, o trabalho pretende ressaltar os pontos pelos quais atores sociais internos criam resistência. Representados dentro da pesquisa pela Associação Nacional de Rifles e seus membros, esses atores conseguem mobilizar arcabouços normativos domésticos para criar uma narrativa que enquadra o avanço da regulação de pequenas armas como uma ameaça à liberdade e a segurança individual. Por meio de uma análise de discurso descritiva e crítica, foram analisados 35 pronunciamentos da NRA e seus membros contendo as palavras-chaves “United Nations” e “Gun control” com o objetivo de mostrar a construção dessa narrativa. Três pilares foram identificados: (1) a associação de um suposto esforço interno de restrição de armas leves junto a uma coalizão de interesses internacionais com o mesmo objetivo; (2) a apropriação por parte desses agentes de valores como defesa, proteção, conhecimento e eficiência e contraposição a essa coalizão de forças internacionais que são uma ameaça, tendenciosas, ineficientes e ingênuas; e (3) a categorização desses esforços conjuntos como uma potencial ameaça cuja presença é perene e deve ser resistida de modo contínuo. Esses três pilares estabelecem um ambiente de resistência que executa uma dupla função: ao mesmo tempo em que influencia a difusão normativa internacional, esses atores se utilizam desse processo para fortalecer a sua agenda interna.

## Palavras-chave

Difusão normativa; framing; armas pequenas e armas leves; Estados Unidos da América; análise de discurso; Associação Nacional de Rifles.

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## **List of Abbreviations**

ATF – Bureau of Alcohol, Tobacco, Firearms and Explosives

ATT – Arms Trade Treaty

BMS – PoA's Biannual Meeting of States

ECOSOC – United Nations Economic and Social Committee

GGE – Group of Governmental Experts

INGOs - International Non-Governmental Organization

ISS – International Security Studies

NFA – National Firearms Act

NGOs - Non-Governmental Organizations

NRA – National Rifle Association

NRA-ILA – National Rifle Association – Institute of Legislative Action

OAS – Organization of American States

PoA - Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

PrepCom – Preparatory Committee

SALW – Small Arms and Light Weapons

SEATO - South East Asia Treaty Organization

UN – United Nations

UNESCO - United Nations Educational Scientific and Cultural Organization

UNGA – United Nations General Assembly

## Introduction

On September 26<sup>th</sup> 2014, Alton Alexander Nolen, a 30-year-old man living in Oklahoma, entered a food processing plant. He attacked the first persons he encountered, beheading 54-year-old Colleen Hufford and hurting several others. Nolen was only stopped after the business's CEO – who was also a reserve deputy sheriff – fired shots at him. This episode made the scene on news media outlets in a series of spin-offs and analyses. Fox News anchor Steve Doocy stated this was a “heroic act” and then posed the question: "So with yet another example of how guns save lives, why do President Obama and his administration continue to wage a war on the Second Amendment?" (Johnson, 2014).

The “war on the Second Amendment” Doocy characterizes lies at the heart of gun control debates in the United States. The Second Amendment of the United States Bill of Rights states “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.” Although one may regard the content of the 2<sup>nd</sup> Amendment as simple, the multiple interpretations it has and their effects on American society are significant. Some of these multiple interpretations question whether the Second Amendment guarantees an individual right to bear arms. Gun rights advocates and their political activism, spearheaded by the National Rifle Association (NRA) argue that the right to bear arms is an essential right, such as free speech, which cannot be target of any regulation or constraints (Winkler, 2013, p.9). As the NRA's Executive Vice-President, Wayne LaPierre, states: “The Right to Keep and Bear Arms in defense of self, family and country is ultimately self-evident and is part of the Bill of Rights to the United States Constitution. Reduced to its core, it is about fundamental individual freedom, human worth, and self-destiny.” (2011).

As in a war with its multiple battles, domestic actors understand this fight does not limit itself to the domestic agenda. Therefore, the international agenda on gun violence reduction emerges as another front. The international community, mainly through the United Nations and other regional organization, shed some

light on gun violence in the early 1990s. Throughout the past two decades, important mechanisms arose to establish general procedures on manufacture, transfer, import and export of firearms. Changing the long-standing tradition the United States had followed on small arms-related issues—remaining generally absent or negative on the matter—the Obama administration joined United Nations efforts to draft the Arms Trade Treaty (ATT). The ATT, as its 1<sup>st</sup> article argues, concern the regulation of the international gun trade, posing barriers to illegal arms deals. The treaty entered into force on December 24th, 2014, 90 days after the 50th state-party signed it (UN, n.d). After a record of non-cooperation on the issue, the United States signed the treaty, a moment marked by Secretary of State John Kerry’s statement that that “we [USA] would never think about supporting a treaty that is inconsistent with the rights of Americans citizens to be able to exercise their guaranteed rights under our constitution.” (2013). LaPierre had reminded the ATT preparatory committee of his views on US support, stating “[t]he cornerstone of our freedom is the Second Amendment. Neither the United Nations, nor any other foreign influence, has the authority to meddle with the freedoms guaranteed by our Bill of Rights, endowed by our Creator, and due to all humankind.” Two months away from the ATT’s entry into force, after the events in Oklahoma, Doocy argued that Obama Administration was “attempting to now get us to enact a treaty to make it very, very difficult to carry guns ” (Fox, 2014) while NRA addresses its members should be united “to prevent and reverse the damage the administration’s “change” is inflicting on American freedom and our sovereignty” (NRA-ILA, 2011).

It is interesting to recall that public opinion polls show distinct approaches, posing questions on the clear-cut perspective LaPierre puts forward on the 2<sup>nd</sup> Amendment and gun control issues. In 2001, 72% of gun owners supported background checks and a five-day wait period to buy guns; 66% supported enlarging background checks; and 77% supported mandatory shooting safety courses for buyers (Winkler, 2013, p.87). In a poll from June, 2014, 92% of all gun owners supported background checks, resulting an even more robust percentage. The same poll shows a more robust analysis: the 92% of gun owners that approve backgrounds checks decreases to only 50% of the same sample

which affirmed supporting “gun control”. When the term used is “strict gun control”, the number is reduced even further to 47% (Malloy, 2014, p. 1-4).

When one regards the United States positions on the ATT negotiations and the contended political discourses here represented by LaPierre and Doocy, some questions emerge. How do the language and discursive practices these actors engage in influence political outcomes? How can domestic discourses target this international initiative as potentially harmful? How do these practices constrain or support the international norm? Finally, how do these domestic practices interact and which are their effects on international debates?

To answer these questions, the present study will combine the norm diffusion and framing literatures on International Relations. This fusion intends to expand the explanatory power of both fields. Norm diffusion - the transmission process whereby a norm disseminates in the international system, from a state to another – supports its conclusion derived from a process where internal political debate is taken for granted in a fair share of early works (Finnemore, 1993; Finnemore and Sikkink, 1996, Checkel, 1997). In an attempt to include internal agency, the “second wave” of norm diffusion scholarship encompassed domestic political forces, but still inscribed them into rigid subjective backgrounds that limit actor agency. The processes of localization and subsidiarity (Acharya 2004, 2009, 2011; Prantl & Nakano, 2011) undervalue the impact discourses have to boost resistance on its early phases. The impact discourses may have on resistance appears within these cultural and subjective priors’ rigid establishments. This characterization takes for granted the ability actors have through discourse to constructing a new reality over these narratives, change these subjective background and influence behavior. In this sense, literature only regards norm diffusion as a process not observing in which way actors can use diffusion as a tool to their own interests.

Domestic political discourses can influence and shape political outcomes on international norm diffusion. In this sense, one must consider the impact discursive practices have in addressing these norms. Discursive practices, understood as “conversation and written communications of movement members that occur primarily in the context of, or in relation to, movement activities.” can underscore narratives and, most importantly, create realities. Framing emerges as

a powerful tool in order to create this reality. Framing process intend to address an events in a given perspective of reality where there is not any novelty, but the “manner in which they are spliced together and articulated, such that a new angle of vision, vantage point, and/or interpretation is provided” (Benford and Snow, 2000, p. 623). In this sense, whenever a group of actors engage in framing processes, they intend to create a specific narrative given an arrangement of these events. Most importantly, within these arrangements, previous experiences emerge recalling reactions based on these experiences. In this sense, an actor can shape this reality, assign values and construct a narrative aiming to recall specific reactions in order to conquer public audience. The present study intends to address the impact discourses have on norm diffusion, observing how actor can built resistance up through these discourses.

Together, these two movements - framing as a political process and the effects it has on norm diffusion – present an important field of inquiry, which this research intends to address. As one regards how the NRA addresses the ATT and how it previously acted with regard to other mechanisms such as the *Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects* (PoA), a narrative of an attack on freedom and liberty emerges. Observing the American role and influence on arms production, sales and transfers, the discourses towards the ATT are an interesting example on the effects internal political debates can have on international efforts over this issue.

In this sense, the analysis shows that norm diffusion is not only a process resulting from subjective matchmaking and convergence. When one observes how internal actors can engage in discursive practices to hinder norm diffusion, a broader understanding of the whole process of diffusion arises. These practices can aim into the international norm using the diffusion elements as a tool to reinforce its domestic position. This is particularly important since, observing norm diffusion both as a process and as a tool, one can further understand how resisting or cooperating with this process can foment domestic agendas and have effects on the whole range of international diffusion.

Before continuing to the next chapter, a delimitation regarding the focus is worth mentioning. This thesis intends to expand the analytical focus of norm

diffusion theory. The present work takes the United States' participation in the ATT as a case study to observe how domestic actors engaged in frame activities in order to hinder international norms on gun violence reduction to reach USA shores. The United States and small arms and light weapons (SALW) present an interesting case to observe this relationship. Two important points arise to the case selection: (1) the country relevance on the issue, both as a consumer, producer and exporter and (2) the internal coordination within the social actors – mainly, in this study, NRA and its members - to resist gun control measures at home and abroad. Moreover, an important characteristic within this political process emerges as interesting point to regard norm diffusion: the political shift on the USA ATT's participation and the reactions this shifted caused. As the research shows, the international mechanisms do not intend to control civilian ownership or propose a gun ban. Using ATT discussions on United Nations, NRA and its members frame these international measures as directly aiming the right to bear arms. Furthermore, this activity tries to build a scenario where without gun rights there is also no freedom and security.

The work aims to show the internal structures of these discursive practices, in which way they try to establish connections and have success into creating this “reality”. The process to frame international mechanism on gun violence reduction and arms trade targets the internal audience. Norm diffusion becomes a tool for internal agents to strengthen their internal agenda as well as influence the process where foreign norm appear contrary to their interests. Norm diffusion appears both as a process, where these agents tackle a foreign norm that they consider inappropriate to their worldview meanwhile use these discussions to create where these world views emerge as universal, common to all Americans. Resistance gains a further boost with these discursive practices using norm diffusion as a tool: they frame threats and emulate vulnerability in face of a narrative where cultural and normative backgrounds are shaped in order to fit this characterization. Discourses alter these subjective perceptions, as well as serve as guides to these discourses in co-constitution processes.

I hold that conservative actors from American domestic policy based on a specific normative background and through a specific discursive process, frame international efforts on SALW control as a threat to United States survival and a

disruptive process of intervention to subdue and dominate the country. This frame articulation consists first of framing internal danger over an external threat, decreasing both security and greatness guns brought to USA, as well as individual liberty granted in the Second Amendment. Thereon, actors engage in this framing process consonant to emulate an internal vulnerability, small and heroic lobby groups confronting a powerful external structure, impersonated in a Super-state alike United Nations.

Chapter one contributes with a bibliographical overview on norm diffusion and framing literature in the International Relations discipline. From neorealists and liberal institutionalists to constructivists, the chapter intends to first show how norm diffusion emerges within the discipline, including each group of scholars' premises and contributions. Nonetheless, this chapter also reviews the framing literature, in order to show what this tasks intends and how actors can engage in these discursive practices. This bibliographical revision intends to give substance to Chapter 2, which intends to present the theoretical framework this research intends to forward. This chapter intends to further discuss the gaps the literature has on early phases of norm diffusion. Furthermore, the methodological considerations about the discourse analysis developed on this dissertation are also an important component of Chapter 2.

Chapter 3 aims to discuss the emergence of small arms and light weapons as an important subject on International Relations and international security studies. This chapter reflects on the expansion of the concept of security towards a more individualist conception. The consolidation of the concept of "human security" and the effects gun violence had in the early 1990s propelled SALW onto the international agenda. The second part of this chapter describes and analyzes the content of three main international mechanisms on gun violence reduction: The Firearms Protocol, the PoA and the ATT. The chapter brings an analysis on resolutions' content and tries to highlight important advances and setbacks.

Chapter 4 focuses in detail on domestic debates on gun control and their effects on the United States' diplomatic positions on United Nations mechanisms. In this sense, the chapter is divided in two parts. First, there is an assessment on how gun legislation emerged in United States. This assessment captures the early

historical relationship the first Americans had in guns and gun control. Debates on the colonial rule on United States, the birth of the Second Amendment, domestic gun control on the 19<sup>th</sup> century and its developments on the 20<sup>th</sup> century are all part of this historical review. Second, the chapter analyzes the United States behavior on the PoA and the preparatory talks on the ATT. Important to mention, these engagements are significant to understand the initial position of both Bush administration on the subject, but also to observe as these positions begin to change, the NRA and gun advocates reaction towards the NRA.

Chapter 5 presents the empirical discourse analysis of NRA and its members regarding the ATT. This chapter presents three main aspects of this framing effort in order to mobilize resistance toward the ATT. This chapter intends to analyze thee discourses in order to corroborate with the argument here presented. These discourses show that internal actors engage into framing efforts to mobilize resistance to the international norm, associating events and recalling results in order to obtain this resistance behavior. Domestic activism intends to distinct but, nevertheless, associate movements: to advocate in an international forum, a “bully pulpit” to push an agenda, with domestic audience on target. These movements contribute to hinder norm diffusion internationally and give strength to domestic agenda on gun control. The chapter observes these discursive practices and analyzes its impact on norm diffusion and framing theory. The last chapter presents a conclusion on this research, noting important points of the discussions and inquiring some questions that may lead to further research.

# 1

## Norms and International Relations

Over the course of the past two decades, international relations scholarship has turned its attention to norms as a field of study (Acharya, 2011, p. 95). The end of the Cold War showed the inability of mainstream theories to explain change, triggering scholars to inquire what the role of ideas and norms was in the international political landscape<sup>1</sup>. The central question guiding this turn began years earlier with regards to assessing to what extent individual or collective ideas could shape political change (Keohane, 1984; Krasner, 1982; Keohane & Goldstein, 1993). Scholars sought to outline a framework accounting for normative background as an explaining variable for state behavior, producing distinct results on international politics dynamics (Cortell and Davies, 2000, p. 65).

This chapter will address the main contributions to the development of norm scholarship. Initially, the rationalist approach to norms understood ideas as mainly “road maps” and, as such, having an effect on state behavior. Norms and ideas could limit the actors array of choices and induce actions along these paths (Krasner, 1982; Goldstein & Keohane, 1993; Keohane, 1982, 1984). Subsequently, constructivist literature altered this relationship offering further research intended to evidence the constitutive role ideas and norms may have on state behavior. Constructivist authors argued agency and structure have an essential relationship, resulting in an interaction of co-constitution between those levels (Checkel, 1997; Kozłowski & Kratochwil, 1994; Wendt, 1992, 1994, 1999). Notably, this literature observed the impact that ideas had on interests and political action, underlining how ideas, interests and norms - including in the form of “culture” - interact and produce effects upon each other simultaneously (Katzenstein et al., 1996). Therefore, foreign policy, in terms of political action, appeared directly related as a product of this intertwined normative background. Ideas not only produce change on the system, but also experience variation as a

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<sup>1</sup> The end of the Cold War triggered questions in several fields within International Relations. Mainstream theories could not long serve as central pillars facing the geopolitical changes ongoing though the 90's. This chapter will perceive the importance of this shift into the normative field. Chapter 3 observes the impact of new rationales on the international security studies field.

result of these changes. Noteworthy, this was the first step to challenge the traditional positivist material factors.

Once norms scholarship literature expanded its ontological structure under constructivist influence, distinct conceptions emerged on the academic landscape about the conditions these norms would spread. This “wave”<sup>2</sup> of norm diffusion literature, as Acharya (2009, p. 2-5) defines it, focused on why and how given norms could diffuse within the international system. First, it addressed this propagation as a “moral cosmopolitan” effect, a universalized push to propagate their diffusion by transnational actors. The focus was essentially systemic, such as whether international organizations could serve as entrepreneurs and venues of socialization and diffusion<sup>3</sup>. Amitav Acharya labels these “moral cosmopolitan” authors as the first “wave” of norm diffusion literature, predominantly stressing their focus on how international system supports and transmits these ideas (Finnemore, 1993; Finnemore & Sikkink, 1998; Greenhill, 2010; Risse, Ropp & Sikkink, 1999, p.14-15).

Subsequently, the second “wave” conversely focused on domestic influences and political structures to analyze norm change (Acharya, 2004, 2011; Badescu & Weiss, 2010; Prantl & Nakano, 2004; Solingen, 2012). Cultural and domestic factors function as a filter, compelling international norms to present a cultural match with local norms. This focus mainly relies on observing how local environments can also affect and shape diffusion (Checkel, 1999). Within this perspective, the international norm does not appear as “taught” by an international agent, but as an element of a process where acceptance or rejection are essentially the result of local dynamics. To accept or reject this norm is as a process where domestic variables can have an impact on the output, based mainly on the position of the actor and his background on the system<sup>4</sup>.

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<sup>2</sup> Acharya, 2009, Ch.2 and Cortell and Davies, 2000 use the concept of wave to highlight a set of authors on norms scholarship similar conclusions concerning the issue on a given timeframe.

<sup>3</sup> Amitav Acharya gives important consideration on what he call “unfortunate tendencies” of this “wave” of literature on norm diffusion. This contribution overstates the role of transnational actors and their “teaching mechanism”. Transnational actors upheld an “international prescription” to propagate the norm. This contribution does not entail the regional, national and local feedback potentials on norm acceptance or entrepreneurship. For more on the subject: Acharya, A. *Whose ideas matter*, 2009, p. 10-11.

<sup>4</sup> The present work presents a new approach regarding a given state normative background and actors’ behavior regarding norm diffusion. As chapter 2 will argue, these normative backgrounds,

In order to understand properly the aforementioned contributions to norm diffusion, the present section will address the role of norms and ideas in the academic international relations literature. It begins with a rationalist overview of the subject, stressing realist and liberal insights on how a norm could result in political change, underscoring the fundamental contributions advanced by the authors. The text then turns to the constructivist approach to the diffusion of norm, anchored in their ontological conception within the co-constitution process involving agents and structures. Both waves of scholarship on norm diffusion are covered, with a view to explaining and understanding their strengths as well as their limitations. A final section provides a general overview on the framing literature to understand how a domestic actor can engage this acceptance or rejection.

### **1.1. The rationalist approach**

The analysis of state behavior is central to the international relations field. The initial motivation behind the first efforts on the subject was to understand how states would behave in a given anarchical structure. The main objective was to build an analytical framework allowing one to identify which political structures were useful to outline recurrent standards in the international system. The neo-realist paradigm in the discipline argued that the anarchical nature of the international system compelled state conduct, and that self-help served as the only behavior in such an environment (Waltz, 2010, p.116-120). State conduct was an output derived from a compelling anarchical international system and political change was only marginally possible.

As Waltz states, international relations analysts were concerned with general phenomena that occurred on a repetitive basis<sup>5</sup>. This theoretical

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understood in terms of cultural and institutional prior backgrounds, are at the center of a discursive battle. Actors do not only use them as guidelines to accept or reject an international norm, but also shape these elements based in their world view and interests. In this sense, these elements gain a more dynamic constitution, serving as powerful targets of discursive mobilization in order to conquer domestic audience and support. Chapter 2 will further discuss the theoretical framework proposed.

<sup>5</sup> Waltz (1979, p. 121-122) argues that neo-realism should be a general theory, as the Theory of Gravity: it explains why leaves fall and does not encompass – nor it should – the explanations about possible variations of directions of each leaf falling.

formulation intends to explain state behavior as an inexorable effect of structure; in the specific case, it attempts to explain how an anarchical international system restrains political action by the state. Anarchy inflicts on states the burden always to act so as to maximize their capacity to survive and prosper (*idem*, 2010). State conduct is fixed, therefore, exclusively in terms of self-help to assure survival. Ideas would only played a peripheral role on realist agenda, as Jervis (1976, p. 3-5) work on the concept of perception, mainly the impact of cognitive factors on state understanding of world affairs. As Richard K. Ashley (1988, p. 227-228) and R.B.J. Walker (1993) argue, neo-realism created a specific spatial-temporal logic within the discipline. The unique state behavior acceptable in this system is to fight for survival, constrained by a structure that only allows perpetual conflictive behavior to assure its security over existential threats. This theoretical tradition conditioned the discipline to intuitively reason that states have a singular behavior, as unitary actors, thus not addressing the internal dynamics and processes that produce these actions.

Liberal institutionalists, on other hand, questioned this pessimistic prognostic, and began inquiring into the nature of states' interactions within and with the international system. Concerned with the incentives to desert cooperation, these scholars sought/attempted/worked to structure a framework, nonetheless still deeply rooted in a rationalist ontology, that would monitor and asses those incentive mechanisms. According to this literature, increases on fluxes of capital and information furnished a reality of integration among actors (Keohane, 1982, p. 354). The liberal institutionalist literature focused on the power of institutions and regimes to provide stability and help actors pursue cooperative behavior by increasing communication, assuring interaction and structuring enforcement mechanisms to coerce defectors.

Liberal institutionalism particularly shed light on how regimes and institutions could maintain international order. The concept of international order – highlighting a foreseeable pattern of interaction and behavior – tried to establish a political landscape where anarchy would not necessary lead to conflict. Institutions appeared as mechanism to build confidence by providing information among the actors and securing cooperation by establishing enforcement measures. Noteworthy, the main concern of those authors was, in one hand, to develop a

comprehensive framework where one could assess a non-strictly conflictive political landscape, and, in the other, still rely on a rationalist approach of pay-off structures that would guide behavior. The State is still rational and unitary; incentives and gain maximization still guide its conduct regarding political action. (Keohane, 1984).

Regime literature would focus less on agency – who is acting on behalf of whom – and more precisely on the engagement characteristics and enforcements. Krasner (1982, p.185) defines regimes as a “set of principles, norms, rules, and decision making procedures around which actor expectations converge in a given issue-area”. Although these authors questioned the role of norms and rules in political behavior (Barnett, 1995, p. 490-491; Goldstein & Keohane, 1993, p. 3; Keohane, 1982, 1984), the literature analyzed the concept of “norm” and “principle” regardless of state internal constitution. This led to the omission of domestic variables from observation concerning state behavior and interest formation (Checkel, 1999, p. 84). Subjective and ideational structures appear only as “road maps”, serving as parameters, when “uncertain environments” present themselves to a given actor (Goldstein & Keohane, 1993, p. 14). Liberalism and regime theory do not question the relationship between reality and beliefs, focusing on the impact the former has on the latter, and do not engage in discussions of how they shape one another mutually<sup>6</sup>. There is no effect on identity or interest, but merely a restriction of paths and actions to take (idem, 1993, p.7-10; Klotz, 1995).

One important point regarding norm diffusion in the liberal literature is that norms and rules expand as functions of state interest. Normative diffusion arrangements and participation are a direct product of these actors’ rational choices, with a view to the maintenance or order and achieving maximum payoff. (idem, 1982, p. 325-327; Abbott et al, 2009). Therefore, an important point to question is how IR, as a discipline, translated norms and regimes as state interest. Deeply rooted in the United State and United Kingdom, IR theory merged its own ontology with foreign policy doctrine to foster (neo) liberal economic measures of integration and national markets opening to international economy. This

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<sup>6</sup> Goldstein and Keohane try to distance themselves from, on one hand, the realist, but, on the other, the reflexivists which the lack of empirical research jeopardizes the analysis.

association between regime expansion and “Western policy making” is an important feature to understand the concept of resistance to international normative frameworks (Acharya, 2004, 2009, 2011; Thornton, 1980; Zartman, 1973). This rejection understands these regimes as mechanism of domination and serve a purpose of interfere in domestic matters by the means of an international organization apparatus (Acharya, 2011).

## **1.2. Constructivism, identity and norms**

The effort in which realist and liberal authors engaged also centralized a unitary structure of agency, standardizing behaviors and interactions within the system. One essential topic of this thesis is to assess how an agent’s domestic variables can shape its conduct on the political forum. Alexander Wendt’s contribution is an important cornerstone in questioning the rationalist rationale laid down by Kenneth Waltz, Robert Keohane and others. Wendt observes that among these mainstream<sup>7</sup> formulations, material factors - such as power capabilities - were more significant than ideational factors to explanatory arguments on state behavior. Ideas, identity and norms were taken for granted on the analysis, being exogenous to the process analyzed. Stressing the importance of identifying interest formation within these agents, the constructivist literature focused how social practices build agent conduct and on the notion that there is no permissive anarchy constraining actors operating on the system.

Wendt’s focus is to argue agents’ ideational aspects matters more than material ones, the latter formally defined in terms of power and resources by realist authors. Interactions among those agents are essentially non-material. These structures not only control conduct but also shape interests and identities (Wendt, 1999, p.193). The author still addresses the state as an entity with territorial boundaries, with monopoly over the use of force and exclusive jurisprudence over its citizens. Nonetheless, Wendt adds a new dimension to this rationale: society as an actor that constitutes state subjectivity. This dimension

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<sup>7</sup>Although the term “mainstream” is contested, in the presents work “mainstream” authors and theories are those bore by rationalists, mainly realists and liberals.

diverges internally in how the state constitutes itself, therefore shaping identities distinctly. Constructivists do not define behavior exogenously, deriving it from the compelling systemic anarchy, but rather from determined social relationships instead. Wendt argues that this “corporate identity” is responsible for molding state behavior, discerning it from individual identity, but, simultaneously, structuring an analogy among them.

In a previous work, while laying out his definition of constructivism, Wendt argues the importance of identity-building and collective action *vis-a-vis* state behavior in the international system:

[c]onstructivism is a structural theory of the international system that makes the following core claims: (1) states are the principal units of analysis for international political theory; (2) the key structures in the states system are intersubjective, rather than material; and (3) state identities and interests are in important part constructed by these social structures, rather than given exogenously to the system by human nature or domestic politics. The second claim opposes realism. The third opposes systemic theories that are rationalist in form, whether they are “as if” theories that bracket interest formation, or unit-level, “reductionist” ones (Waltz 1979) that say interests “really are” exogenous. The result is one form of structural idealism or “idea-ism” (Wendt, 1994, p. 385)

This corporate identity reflects its unions of individualities, resulting in a sense of collective consciousness - “we-feeling”- from interaction between those individuals. There are four main motivations where this identity arises: (1) physical security/autonomy, including fundamentally a desire of differentiation from other actors; (2) foreseeable interaction, which motivates states to pursue stable social interactions; (3) acknowledgement as a state by their peers beyond the use of physical force; and (4) development of a mechanism to provide an ideal level to human aspirations. In this sense, a state would satisfy its interest in function of how it defines its interest to others (Wendt, 1994, p. 385-386).

Interaction among social identities and interests are an important point of Wendt’s work. There are domestic and systemic variables to define state conduct and one should observe both in interaction. Regarding domestic variables, there are three important points: (1) the state, once constituted by individuals, can perform a conduct that centers itself on dynamic collective domestic identities, and not static, pre-determined identities as rationalists would argue; (2) states can

manage other states' interest in order to solve an internal demand; and (3) the convergence between these two previous factors gives nationalism and collective sense of identity importance they can provide to a social group. This is particularly important, once one could argue a State can act more or less nationalist according to their necessity of unity required (idem, 1994, p. 387).

Peter Katzenstein structures an important theoretical movement in this inquiry for the impact of ideas and norms in political change. In observing the security studies literature, the author questions the concept of national interest as an exogenous fact constrained by the international system (1996, p. 1). The author affirms on the first chapter of the seminal *The Culture of National Security* (1996) that the notion of national security – opposing the conception of rationalist approach - is not fixed on states' conduct. There are two elements that discern this conception among states: the cultural-institutional complex, and state identity.

Katzenstein brings a new dimension to the discussion when he tries to define, alongside fellow constructivists, the importance of norms, identity and culture to international relations. The author addresses in the introduction that previous explanations professed by realists and liberals are not trustworthy face a post-Cold War reality. There is a specific set of identities<sup>8</sup> and norms<sup>9</sup> that outline state behavior and they are individually defined (idem, 1996, p. 3-6). Importantly, his work would question the concept of a pre-determined state identity and its rigid behavior. The author tries to shed light on the development of this identity and the impact it has on norms, vice-versa.

In a chapter on the same book, Wendt, Richard Jepperson and Katzenstein propose an analytical framework to understand how these concepts affect each other in the agent-structure relationship (Figure 1). They deconstruct the agent into three parts: identity; interests; and behaviors, understood, in this case, as foreign policy. Katzenstein et al. argue these factors are intertwined and influence each other as much as they affect the structure. They establish the correlation amid those parts as follow:

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<sup>8</sup> Katzenstein defines identity as “a shorthand label for varying constructions of nation- and statehood.” (1996, p. 3).

<sup>9</sup> There are several definitions to the concept of norms. However, Katzenstein (1996, p.3) defines norms as “collective expectations for the proper behavior of actors with a given identity”.

(1) Effects of norms: Cultural or institutional elements of states' environments - in this volume, most often norms - shape the national security interests or (directly) the security policies of states; (2) Effects of norms; Cultural or institutional elements of states' global or domestic environments--in this volume, most often norms--shape state identity; (3) Effects of identity: Variation in state identity, or changes in state identity, affect the national security interests or policies of states; (4) Effects of identity. Configurations of state identity affect interstate normative structures, such as regimes or security communities; [e] (5) Recursivity: State policies both reproduce and reconstruct cultural and institutional structure. (Katzenstein et al, 1996, p. 55)

Katzenstein, Jepperson and Wendt structure a link illustrating how identities – internal sense of collectiveness – impact interests that, in turn, impact foreign policy—therefore having an effect at the international level. An important aspect to highlight on this study is how cultural and institutional elements – defined mainly as “norms” – can impact state behavior concerning foreign policy at the same time they are affected by state identities. Conduct ruling between agent and structure is a co-constitution process outlining how a state will act based upon its normative domestic context. Identities can affect international politics deeply once, defining boundaries and doctrines to state behavior, they affect the understanding of international agenda and define political interests (Katzenstein et al, 1996, p. 59-62).

Noteworthy, Katzenstein, Jepperson and Wendt stress an important concept for understanding state action on foreign policy: identity regulates agency, norms regulate structure. In one hand, the concept of identity gives strength to the idea of nation and community, defining the conception of domestic and enabling the projection of this collective image outward. On the other, the concept of norm has an effect on this projection throughout the system, ruling conduct regarding these systemic constraints. Norms could constitute identity, offering behavior expectative to a given context or prescribing an appropriate conduct (Katzenstein et al, 1996, p.63). As Checkel (1999, p. 84) argues, constructivists shed light on the fact that ideas do not simply regulate and constrain state behavior, but constitute them in the relationship between this agent and the international system as a structure.

Although important advances were possible through the constructivists' contribution, Checkel (1999, p.85) argues there are still important gaps in this

theoretical line of reasoning<sup>10</sup>. First, these authors take for granted the propagating mechanism of these norms and do not account for casual mechanisms enhancing norm diffusion. Second, and most important, they do not take account of to which extent a norm would affect one agent but would fail to have the same effect on another. This literature places too much emphasis on how the structure conditions agency behavior, still omitting important domestic variables that can account for these variations.

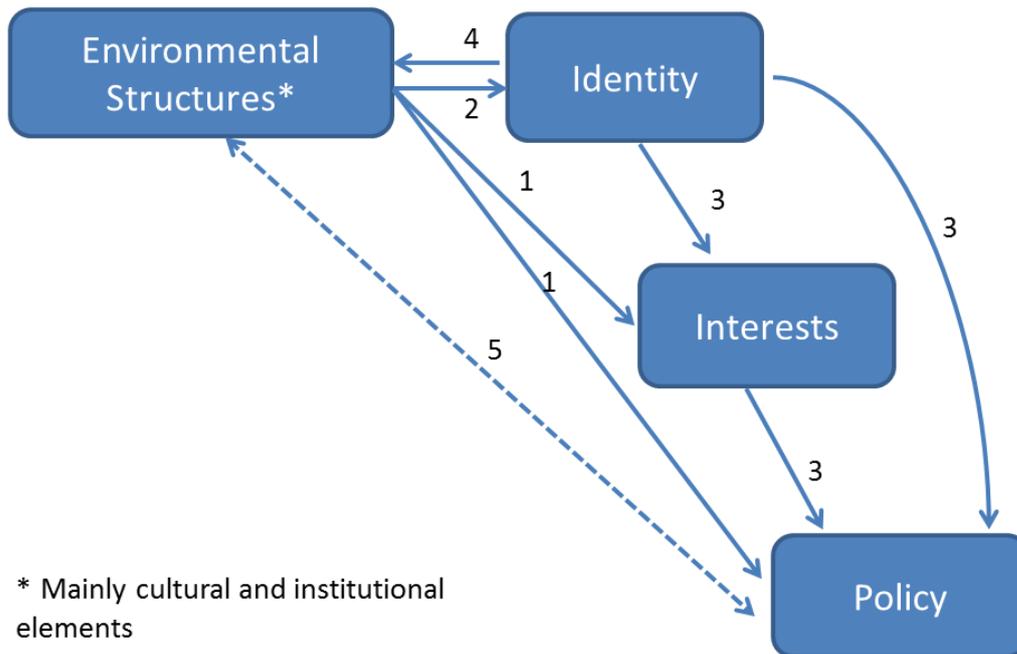


Figure 1 – Framework of interaction (Katzenstein et al., 1996, p. 55)

### 1.3. “Waves” of norm diffusion

Formerly reviewing how international relations theory began to understand norm and its relations, the questions over norm diffusion began to emerge to understand how these “proper rules of behavior” would rise as an international standard of conduct. First, contributions over diffusion focused mainly on affirming that this movement happened as a result of a “universalized push” by institutions. Subsequently, international organizations played an

<sup>10</sup> Checkel definition of “constructivist branch” of IR theory is considerable wide, classifying several authors under this label, not necessarily only on Agent-Structure, but also in the discussion on Norm Diffusion. For more on the subject, Checkel, 1999, p. 85 – 86.

important role in initial research on the matter. Secondly, authors would move forward into considering domestic variables more deeply, observing how this feature could affect acceptance or rejection.

These two moments reflect substantial differences and constitute two distinct “waves” of norm diffusion scholarship. The first wave focused on what Acharya (2004, p.242) has dubbed “moral cosmopolitanism”. In it, authors observed and empirically analyzed a set of norms that had “universal” status: this is an international movement towards the discussion and transmission of those notions. These authors highlight the role of international organizations, both as norm entrepreneurs (Finnemore, 1993; Finnemore and Sikkink, 1998; Klotz, 1995) or as venue (Greenhill, 2010). At last, this wave relies substantially on the role of pressures (Acharya, 2009, p.10, Nadelman, 1990, p. 483) to propagate the norm to an actor who do not believe in it and convert him. The second wave, in turn, is fundamentally interested in analyzing how domestic variables can influence norm diffusion in- and outward (Acharya, 2004, 2009, 2011; Badescu & Weiss, 2010; Checkel, 1999; Cortell and Davies, 2000; Legro, 1997, Risse, 1995).

The first wave began to analyze this organizational change and their patterns, questioning in which extent norms are responsible to state change. This change would be a result from normative incentives from international organization, proving that norm diffusion could alter the international political landscape (Finnemore, 1993, p. 566-568). Notwithstanding, circumscribed in a very positive and rationalist methodological approach, the first wave studies tried to observe if norms could play an important part to explain political change within the constructivist framework.

Martha Finnemore (1993) focuses on observing norm dynamic and political change as new conception to understand diffusion. In her article, *International organizations as teachers of norms: the United Nations Educational, Scientific, and Cultural Organization and science policy*, she argues that there was an international push to expand a set of normative and structural constructs among states on science coordination policy. The United Nations Educational Scientific and Cultural Organization (UNESCO) functioned as an entrepreneur to diffuse the general norm to maintain a science policy bureaucracy to manage the subject with efficiency, transmitting the conception of these

organizational changes as a state duty. Moreover, the central argument upheld was an international provision of this apparatus, emerging within the IO and spreading to states supplied by UNESCO (Finnemore, 1993, p. 554-566). In spite of an essentially systemic framework, Finnemore addresses both the emergence of new norms and its diffusion as central elements to political change on science administration internationally.

In a later work, Finnemore and Kathryn Sikkink (1998) advance this characterization of norm emergence and its diffusion. Norm genesis and transmission through agents became the fundamental issue to observe and assess change. Although the primary focus remained on the international system as a structure, Finnemore and Sikkink (1998, p. 896) articulate the domestic structures as significant variables to this process. Norm entrepreneurship would move forward by national actors trying to change its political status or prestige, which they would adapt this international norm to their national environment, characterizing this process as an important two-level game (Putnam, 1988)<sup>11</sup>.

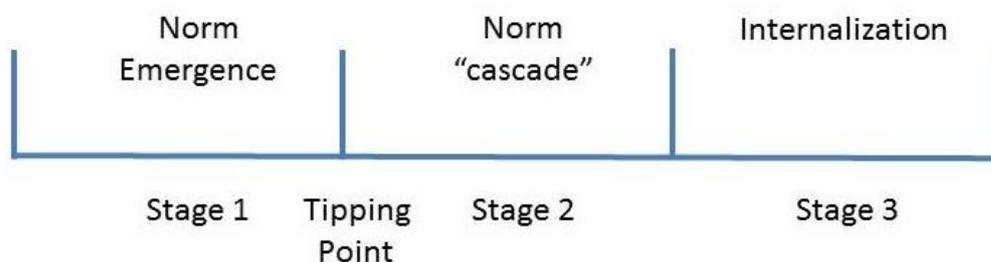


Figure 2 - Norm Life Cycle (Finnemore & Sikkink, 1998, p. 896)

Therefore, norms have a life cycle, from their genesis to a “cascade” transmission towards internalization (Figure 2). This three-step process begins with norm entrepreneurs engaging with new rules of behavior within their community. The authors argue their importance to the process, highlighting the crucial role they play in identifying and defining an issue as a problem, through actions collectively known as “framing”<sup>12</sup>. There is a process of replication of

<sup>11</sup> Finnemore and Sikkink place substantial emphasis on the international system, omitting important variables of domestic structures. Checkel (1999, p.84-86) sheds light upon these aspects.

<sup>12</sup> As mentioned by Finnemore and Sikkink (1998, p. 897), the authors understand this activity as frame alignment as defined by David Snow (1986, p. 464) -"by rendering events or occurrences meaningful, frames function to organize experience and guide action, whether individual or

these frames onward through the political landscape, adhering actors support and expanding a common comprehension over norm meaning.

If a critical mass of states adheres to this new rule of behavior, it reaches a “tipping point” that creates an overflow to other units; the norm begins to change political conduct among system units (Finnemore and Sikkink, 1998, p. 896-898). The life cycle’s second phase presents concurrently both a subsequent adoption of a larger number of states and a systemic pressure on the states to change the norm<sup>13</sup>. Indeed, the authors characterize this process as socialization, where there is an intersubjective understanding of a new norm shared among amid these individuals agents (idem, 1998, p. 902-903). Finally, the final stage presents a deeply rooted internalization<sup>14</sup>, where the norm and its essence have systemic pacific understanding. Obedience and acknowledgement of the norm became automatic and their existence is no longer controversial<sup>15</sup> (Finnemore and Sikkink, 1998, p. 902-904).

The central analytical level of norm diffusion discussed to these first scholars on the international system and agency counts on International Organization pushing universal norm that, after its genesis and transmission, plays an uncontroversial role of ruling international politics. On other hand, the second wave of norm scholarship would move forward on this static characterization of domestic behavior and unity, questioning what the influence domestic variables, cultural and ideational background can play regarding the norm passage from the international to the national arena.

Thomas Risse-Kappen, Stephen Ropp & Kathryn Sikkink (1999, 14-17) began to observe the articulation between levels of interaction and pressure group

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collective. The present essay will further discuss the conception of framing, both in its action and intentions. Whenever an actor frame a subject there is a double movement: assigning values to a subject that belong to other subjects and recalling a specific behavior concerning these sentiments. Conservative Lobby on pro-gun rights frequently define their advocacy as a “patriotic duty” or a “fight against tyranny”, among others, to strength their position, recall an imaginary of fight for freedom and, mainly, creating a sensation of fear. This characterization is displayed on the next chapter.

<sup>13</sup> The authors highlight this pressure happens even though where there is no domestic movement of change. Noteworthy, the systemic input matter and influence substantially to diffuse norms (Finnemore and Sikkink, 1998, p. 902)

<sup>14</sup> Internalization differs from localization. Internalization concerns a status of a norm in the international system. Localization is the mechanism which actor engage to adapt an international norm to local standards. This concept will be explained further in this chapter.

<sup>15</sup> This pacific understanding on the “last” status of a norm is questioned by Prantl and Nakano (2010)

structure in order to assess in which extent they alter political output. The process identified by those authors is similar to those identified by Finnemore and Sikkink; however, there is a focus on how transnational activism can foster diffusion within the system<sup>16</sup>. Thomas Risse-Kappen (1995, p. 5) on a previous essay already questioned how inter-state relations interact with, as he defines a “society world”, this is, an interrelated system of states understood as societies. Noteworthy, he highlights these relations as fundamental force to boost norm diffusion. Domestic structures presenting a more developed internal strength, present, consequentially, a more broad variety of channels where the transnational actors engage in advocacy of new international norms. Jeffrey Checkel goes even further on the subject, analyzing how international momentum can open a window of opportunity for norm entrepreneurs that domestic variables can impact normative advance based on these facts.

In *Ideas and International Change*, studying the cases of the Soviet Union and the Russian Federation, Checkel (1997, p. 10-13) identifies the conditions under which norms and ideas matter. He argues that individual agents play an important role on the efficiency of state-driven policy. International opportunities, when presented, can temporary open a window of opportunity that international organization and other organized structures engage to develop a normative shift. Nevertheless, domestic variables are the main responsible to define its success. Balancing several propositions, such as how crisis incentive new norms proposal and how uncertainty in international politics provides political opportunities of change, the author intends to assess how these internal actors interfere to the “external stimuli” of normative change.

The first initial approaches on norm diffusion established norm emergence as a dynamic process, where there is no spontaneous genesis, but a structured process of inputs and outputs. Various authors approached the subject differently. However, on both waves there is a common point of understanding: an interrelation between agents and structure those norms pervade to diffuse. This “struggle” over norm significance – an external given fact balanced by a domestic set of normative variables - is central to mobilize and frame a norm within a

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<sup>16</sup> Margaret E. Keck and Kathryn Sikkink give an important assessment of this movement in their article *Transnational Advocacy Network in International and Regional Politics* (1999) and on their seminal book *Activists Beyond Borders: Advocacy Networks In International Politics* (1998).

discourse of fear, threat and vulnerability to your existence. The theoretical purpose of the present investigation is to highlight these framing mechanism and disputes as central articulations to address vulnerability and, therefore, engage on norm rejection on these bases.

#### **1.4. Localization and Subsidiarity**

The second wave of norm scholarship focuses not only on the dynamics of norm diffusion between agents and structure, observing domestic variables as constraining or fomenting stimuli towards diffusion, but also observes how the local, regional and global levels converge. Etel Solingen (2012) advances this approach, discerning which mechanisms help transnational norm diffusion. The author argues that one should analyze the interactions between the systemic and unitary levels, highlighting an important synergy among them. Since the norm inception on this genesis, Solingen articulates a pathway where a norm reaches the political agent, observing potential factors blocking or fomenting its diffusion. There are four main mechanisms:

- (1) An initial stimulus, trigger, event, model, archetype, or innovation;
- (2) A medium, context, structure, milieu, or environment through which information about the initial event may or may not travel to a given destination;
- (3) Social agents affected by the positive or negative externalities of the initial stimulus, who aid or block the stimulus' journey to other destinations.
- (4) Outcomes that enable adequate discrimination among different degrees of diffusion and resulting equilibrium (Solingen, 2012, p. 633).

Solingen (2012, p. 633-36) focuses on the obstacles that hinder diffusion within the agents on the premise there are important information and omitted variables in “what does not diffuse”. The author emphasizes how the medium context and social impact can affect this relationship also illustrating a process of continuum inputs of political action and cultural filters that lead to an outcome of success or rejection. This transcends the international national divide, operating

then inside and outside frontiers. Throughout this context, actors can engage in different causal mechanism<sup>17</sup> to pursue their objectives on the matter.

Agents on this process are also diverse, including NGOs (Non-Governmental Organizations) and INGOs (International Non-Governmental Organization), international, regional and national organization as well as social movements and private corporations (idem, 2012, p. 634). Solingen intends to observe this multifaceted equation of actors, engagements, mediums in order to underline the complexity under norms emerges and transmits. Fundamentally, the moving force of norm diffusion is the existence - or absence - of social change and political actors positively or negatively affected to promote these ideas within the state (idem, 2012, p. 637-638). The author constantly readdresses the importance of internal political action – and, foremost, perception on the results of norm change – on the output. The notion of “firewall” forwarded by Solingen characterizes this process of acknowledgement of barriers and obstacles to diffusion notwithstanding their effects upon the actors or their social medium (idem, 2012, p. 640).

Amitav Acharya’s work on norm diffusion not only addresses these obstacles, but also identifies the process whereby they fade away and convergence occurs towards a version of the international norm more acceptable to local audiences. His research challenges the top-down constructivist view where international inputs from a new norm play the predominant role in diffusion (Acharya, 2009, p.2-3). There is a dynamic congruence process between transnational norms and local preexistent normative frameworks. Sharing the common constructivist understanding that ideational forces matter to political change, Acharya moves forward stressing the role of internal regional normative background. Predominately focusing on local agency, Acharya traces as process of domestic evaluation over the new international norm to match their premises to

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<sup>17</sup> Interestingly, Solingen (2012, p.634) uses this causal mechanism to address uncertainty over the courses an actor can pursue on norm diffusion. Solingen defines causal mechanism in Elster’s (1989) terms: “[c]ausal mechanisms explain phenomena by opening up the ‘black box’ and showing the cogs and wheels of the internal machinery, the continuous and contiguous chain of causal or intentional links between explanans and explanandum. Causal mechanisms are probabilistic rather than deterministic, and they may or may not be observable.” (Hedstrom and Ylikoski 2010). The author stresses the dynamism of norm diffusion process, where an actor can engage on different performances and actions to favor or oppose the process.

regional cultural and ideational prior beliefs (Acharya, 2004, p.240; 2009, p. 15-16).

Acharya develops the concept of *localization*<sup>18</sup> to define this process of domestic suitability of international rules and domestic dynamics presented. Localization is an active process of convergence-building where foreign ideas are reinterpreted by local actor in order to make this new international norm congruent to the local prior normative framework. This conceptualization tries to underline the interaction between agent and structure nonetheless highlighting how domestic forces and actions influence more than international inputs to diffusion. Localization brings together an array of adaptive processes to establish a single analytical framework<sup>19</sup> (Acharya, 2009, p. 14-16).

There are four main factors helping norms to localize. First, localization is more likely to happen within political landscapes where decision makers believe in the norm and their benefit. Second, the strength of the local cognitive priors are important to the process, this is, in which extent the local community understand the norm as fashionable to their lives in order to not establish an obstacle to the new norm convergence. Third, there must be an active local leadership with domestic political force to push forward the process. Finally identity compatibility: will be easier to localization of an idea in an environment where decision makers' identity is compatible with the new norm (Acharya, 2004, p. 248-249).

Jochen Prantl and Ryoko Nakano (2011) offer an important account on norm diffusion and, mainly, on the dynamic involving political action inputs and outputs throughout the process. The authors highlight the fluidity of these inputs, discussing a *feedback loop* where a continuous influx of new information would alter the process. Although Acharya argues that localization is "*seldom a final act or termination and continuous process*" (2009, p. 21) the movement is fundamentally progressive, moving predominately forward. Prantl & Nakano

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<sup>18</sup> Acharya (2009, p. 14) also refers the process as *constitutive localization* to highlight the active process of convergence and norm shaping.

<sup>19</sup> Both Solingen (2012) and Acharya (2004, 2009) understand norm diffusion as a dynamic process and do not limit actors engagement in one "adaptive process". This conception is interesting, once these process, in spite of their diversity – framing, grafting, pruning-, they rely mainly a discursive performance over a subject. Sequentially, discourse analyzes provide an interesting method to understand domestic variables affecting norm diffusion.

(2011) revamp this conception, addressing that this influx can self-induct new information and constantly change itself.

The authors address this mechanism as an output of the inherent clash of national sovereignty and the transnational regulation. Sovereignty, as the constitutive principle of international system, is object of a challenge from the internationalization of political agenda important subjects, such as narcotraffic, environmental protection and terrorism. With the increment of transnational topics and interaction, there was a substantial accountability charge on national governments. Prantl and Nakano (2011, p.206) identify these attempts of regulation and institutionalization on transnational political agenda as a factor that increases state sensitivity and vulnerability of their domestic environment over changes on international scenario.

Underlying the seminal role of United Nation on this movement, the authors propose a new approach on how constructivists understand the impact of identity and norm on political change (idem, 2011, p. 207-208). Following the second wave general argument, they stress that the key to understand these movements is the socialization process of global norms within the localization process. As they argue, based on Acharya's work, success or failure on localization processes relies on a prior cognitive framework or preexistent institutional structure to mediate this movement. Acharya (2013), in a posterior paper, embodies the notion of a "critical feedback" once a norm emerges. This feedback emerges from a contestation over the norm, fundamentally changing and reshaping the original content. The author notes this contestation provides contribution to local norm implementation where local actors reinforce or change the original norm content and criteria to implementation.

An important point to underline on these dynamics is the active engagement one actor must have in order to favor a norm on its localization. Otherwise, in a case of passive demand to localization regardless of an entrepreneurship action to promote localization, norm resistance overruns localization and diffusion stalls (Figure 3). However, although resistance appears as an output in the localization process, the focus of cognitive localization leans towards the success of diffusion, omitting further explanation of the failure of this process. Anticipating Solingen (2012) observation over "what does not diffuse"

Acharya develops the concept of “norm subsidiarity”, defining it as “a process whereby local actors create rules with a view to preserve their autonomy from dominance, neglect, violation, or abuse by more powerful central actors” (Acharya, 2011, p. 97). Subsidiarity was a concept originally referred to reinforce the local action or substance over any external activity. In this sense, the author observes how Third World States in Asia resist the attempt to create the South East Asia Treaty Organization (SEATO) during the Cold War.

Subsidiarity differs from localization both on the variables chosen to explain the process and the actor’s intention while engaging on the movement. Localization relied on active action to promote norm diffusion, and the lack of compromise with the engagement could result in a failure as output, fundamentally understood as resistance. In subsidiarity, there is an active action to structure rejection and challenge acceptance or support of these new ideas. The dependent variable on each approach changes once there is a different explanatory purpose behind these methodological choices (Figures 3 and 4) (idem, 2011, p. 96-99).

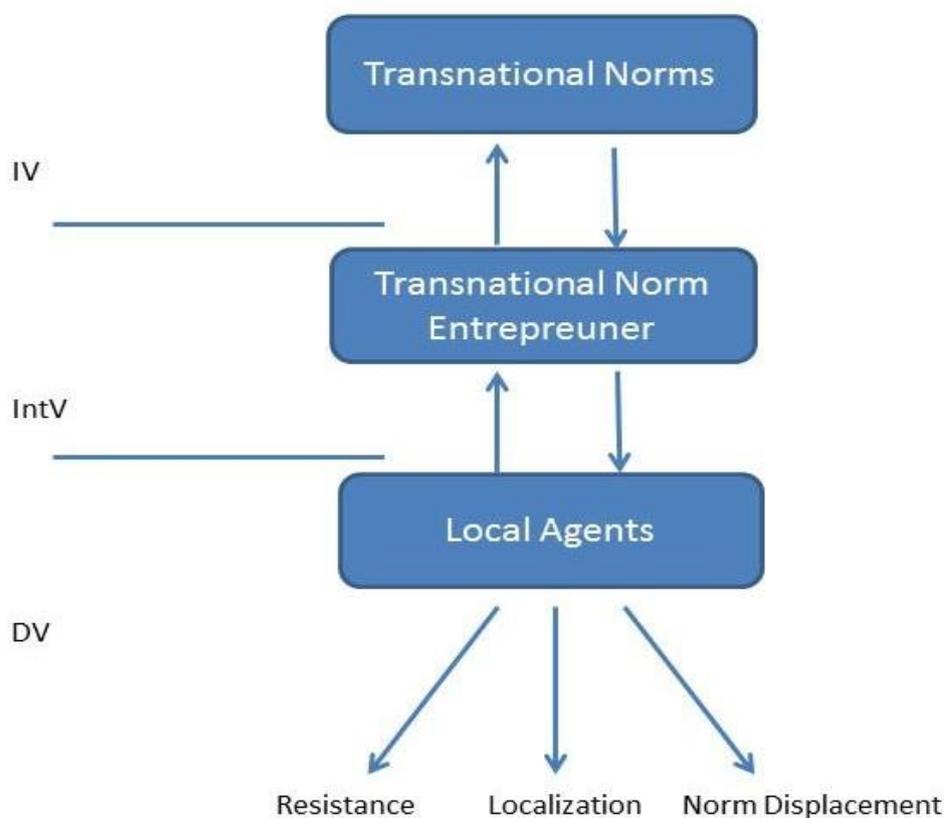


Figure 3 - Localization (Acharya, 2004, p.254)

Localization and subsidiarity differ from one another in five aspects. First, while localization is inward-looking, observing the congruence of transnational ideas to local cognitive priors, subsidiarity is outward looking, focusing mainly on the fear of domination of local weak and fragile actors by strong and resilient international actors. Second, localization actors are norm-takers, while, in subsidiarity actors are norm-rejecters or norm-makers. Third, on localization processes there is a norm adaptation to local usage only, while in subsidiarity an actor may export or universalize his local ideas to oppose transnational stronger actors. Fourth, on localization actors pursue international norms as fashionable and virtuous to their political reality, while, in subsidiarity, there is an explicit denial on the norms applicability on this or any congruent version it may possible to derive. Finally, localization is common to all actors, big or small, while subsidiarity there is, by definition, a perception of a weak actor over attempts of abuse, dominance or violation of his rights.

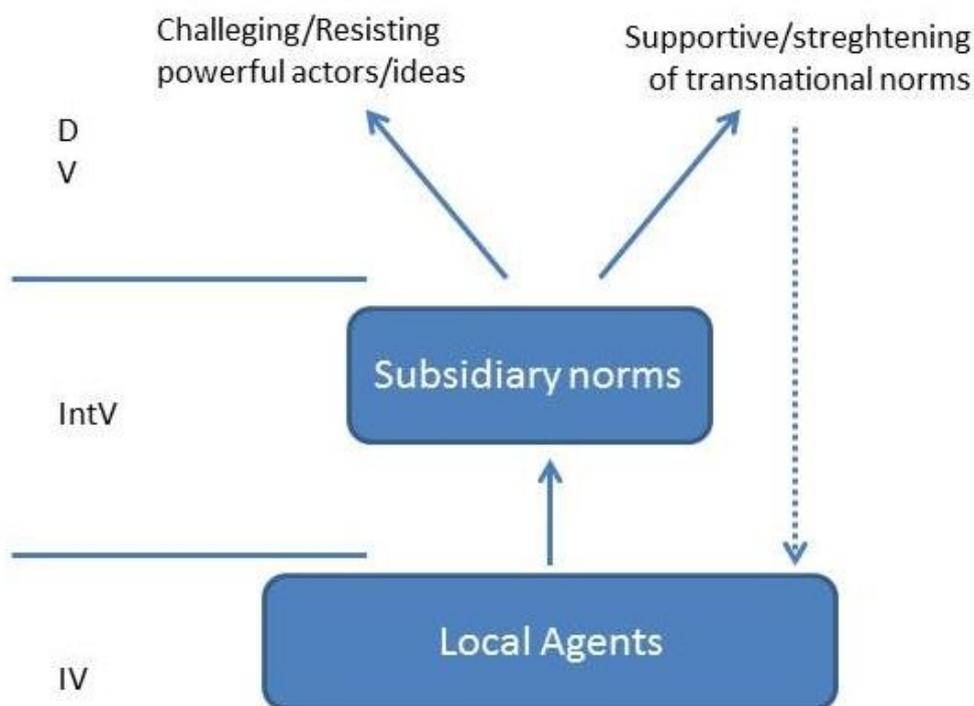


Figure 4 - Subsidiarity (Acharya, 2011, p. 98)

Therefore, Acharya demonstrates subsidiarity action as only proper to a small or peripheral actor. This movement is central to his work once intertwines the rejection effort toward an international norm to a *material reality*, e.g. a “third-world” country, an ex-colony – resulting in a *rejection/ subsidiary engagement*. Ideas such as power and vulnerability, strength and weakness emerge as focal points to define what a state engagement and conduct should be. Noteworthy, there is no room to a “strong actor” to engage in on an “emulation” of subsidiarity activity. This effect results from no material basis where it could display these “subaltern” characteristics; either one is or is not subaltern. Nonetheless, there are important omitted possibilities of engagement that this literature left behind. I review the norm diffusion theory in order to advance and integrate with framing literature, highlighting how an actor of any material capability or historical background can structure a discourse intending vulnerability building and threat framing to engage on rhetoric of rejection.

### **1.5. Threat, vulnerability and framing**

The concept of framing has long been used in the social sciences and plays a central role to the present research. Erving Goffman defines in his seminal book, *Frame Analysis*, framing process as an attempt to “making sense out of events and to analyze the special vulnerabilities to which these frames of reference are subject.” (1974, p. 10) enabling one actor “to locate, perceive, identify, and label a seemingly infinite number of concrete occurrences defined in its terms” (1974, p. 21). Goffman argues this labeling process happens as a response to a given fact acknowledged with a given the framework. The author understands framework as a set of expected rules that encompass what happened. Although an actor can employ different frameworks to address a subject, there are types of framework – primary frameworks - that emerges as a first and foremost element to obtain an explanation or coordinate a feeling over the subject (*idem*, 1959, p. 22-26).

Robert D. Benford and David A. Snow (2000) review the previous literature on the subject, defining the act of framing as “rendering events or

occurrences meaningful, frames function to organize experience and guide action, whether individual or collective”. Noteworthy, the authors identify that framing literature emerged to deal with the struggles over appropriation of meanings and ideas by a group. Actors carry actively these ideas in an effort to produce and maintain meaning to its constituents or antagonists (idem, 2000, p. 613). In this sense, in order to assess how ideas affected a social movement, the engagement to define an issue worthy or unworthy is a political and normative struggle.

There is a convergence between this literature and the second wave of norm diffusion – mainly Solingen (2012), Risse et al (1999), Prantl and Nakano (2010) and Acharya (2004, 2009). Benford and Snow (2000), Hall (1982) and Goffman (1974) observe how an actor active engagement is vital to significance assignment to a given subject. Likewise, the authors on the second wave scholarship discuss the protagonist role of active entrepreneurs to promote or forestall diffusion. Observing both literature contributions, one can question how and why local social actors engage on a battle over ideas’ signification and their promotion or rejection.

Benford and Snow (2000, p. 615-616) define three “core framing” tasks, actions oriented to collective frame a subject. The reason behind this intention to collectively define something is to achieve consensus and joint mobilization on the subject (Klandermans, 1984). There are three framing movements: diagnostic, prognostic<sup>20</sup> and motivational. The diagnostic framing is a targeted and intentioned action toward assign responsibility and guilt. This preliminary phase is essentially important to build dichotomies between the parts of the significance battle. Actors on this phase guide policy based on an articulated sense of appropriateness on their actions to confront an existential threat to their interests<sup>21</sup>. There is a discursive effort to structure a clear definition of what defines a threat. Notwithstanding, if there is already a normative structure allowing mobilization to “diagnose” this characterization of “good” and “evil”, this environment enhances their appropriateness and softens their assimilation to the audience.

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20 Jutta Weldes (1999, p. 180-182; 185-186) observes medical metaphors and their significance over the political spectrum.

<sup>21</sup> As Benford and Snow underline, this oppositional framing is called “boundary framing” by Hunt et al (1994, p. 194) and Silver (1997) and “adversarial framing” by Gamson (1995).

Secondly, there is prognostic framing. Actors develop this task by proposing a strategy to undermine the threat. This proposition needs to be reasonable to the social group inner logics and drive a particular set of “countermeasures” to the problem presented. As the authors underline, as dynamic and active process, during prognostic phase, there is a “dialectic” debacle amid the parts intending to offer an antagonist view from one another and discern its constitutions and interests (Benford and Snow, 2000, p. 616-617). Finally, there is the motivational framing task. This phase consists in what the authors label as a “call to arms” (idem, 2000, p. 617). Actors urge to their audience in order not only to improve collective action, but also build “vocabularies of motive” reflecting key associations to assist interpretation and, mainly, to coordinate collective action towards a subject. An actor can engage on rhetoric to stress its urgency, relevance, danger, efficacy, propriety and other reasons why one should pursue its defense or advocate combat within the proper arenas (idem, 2000, p. 618-619).

Throughout the process, framing credibility is tested and questioned on their premises. According to Benford and Snow (2000, p. 620-622), framing process credibility varies as a function of three factors. First, frame consistency, based on actors’ actions and political claims. Second, framing empirical credibility, based on the audience belief that the argument heralded by framing actors fit their real experience. Third, credibility of frame claim makers, based on an “actors credential” (Fisher, 1984) resonating on the audiences normative background. Normative correspondence increases both subjects relevance to the community and their amplification to communication outlets.

Benford and Snow (2000) underline actors pursue and elaborate these collective and active actions of assignment by “discursive processes”. The authors define discursive processes as “talk and conversations - the speech acts - and written communications of movement members that occur primarily in the context of, or in relation to, movement activities” (idem, 2000, p. 623). Two discursive processes are responsible to develop the argument and to guide the process. Frame articulation entails connecting issues altogether in a gripping logic and consistently argued, providing a particular interpretation on the subject framed. Amplification consists in highlighting important values and ideas embedded in the

articulation as more important than others highlight (idem, 2000, p. 624-625; Mintz & Reed, 2003, p. 195). Summarizing, the authors, through an extensive literature review on framing, argue that active action frames subject in a three-part process of diagnostic, prognostic and motivational engagement. Normative background and argumentative logic are essential to pursue differentiations and advocacy of desirable and undesirable political outcomes. This collective action results in two distinct discursive processes of articulation and amplification that guides framing.

Hence, it is important to notice two distinct movements. First, normative background plays an important role in balancing credibility and in orienting what values actors can rely upon. Ideas and norms serve as reference points to a battle for significance. Second, through discursive processes, social movements act in order to drive a targeted audience into particular understanding of a given fact. Audience's normative background – ideas, norms and culture - are the gauge to political engagement to a certain subject and hold values that framing actors use to improve its efficacy, increase its credibility and, foremost, gather support (idem, 2000, p. 629-631). Discursive processes can, therefore, structure a particular understanding and guide a behavior

Afterward observing how ideas and norms emerged in International Relations, from the rationalist until the framing literature, the next chapter will address more specifically how these process of threat framing and “vulnerability” building interacts with each other, highlighting how internal actors in “powerful states” can reject an international norm previously accepted to its government. This vulnerability emulation and threat framing provide a broader understanding to an internal actor engagement on norm rejecting regardless of its state material capability. This movement, therefore, is an important assessment in “what does not diffuse” beside the traditional material rejection for a big state. Internal actor within these states can emulate a vulnerable position framing an international norm as a threat, opening discursive compelling and coordinate action towards its rejection. Framing – and it subsequent discursive processes over the normative backgrounds - emerges as a powerful tool to increase resistance and hinder norm diffusion. The important point to asses is how these discursive processes can give strength to this resistance and how they succeed on their effort.

## 2

### **Discursive Actions, Reality Building and Norm Diffusion**

The revision of the norms literature in the previous chapter shows the conceptual gaps in some of its theoretical formulations. Although scholars acknowledge framing as an important mechanism to pursue or hinder diffusion, no significant attention has been paid to discursive actions' effect on norm diffusion. Observers analyze state behavior as norms diffusers mainly in two ways: looking at how cultural and normative backgrounds impose thresholds on norm perception, and focusing mainly on successful attempts. This rationale does not encompass another interesting intervening variable: discursive action towards the construction of representations shaping these cultural and normative backgrounds. In order to understand the impact of framing in hindering norm diffusion, the present chapter offers an ontological and methodological proposition to address this problem.

Three main questions arise from the existing literature. First, what is the impact of discursive action on subjective structures, influencing perceptions about new external norms? Second, is there any possibility of an actor emulating or portraying a role mobilizing these subjective structures in order to conquer an internal audience's support? And, if there is, what are the mechanisms through which this movement can be engaged? Third, what is the effect of this engagement in resistance to norm diffusion? What is the impact of building a sensation of vulnerability and threat framing? To answer these questions, the internal political dynamics of the state should appear as the primary focus of analysis. In order to properly understand norm diffusion, one should first comprehend in which way internal actors perceive new norms, and subsequently try to convince internal audiences to adhere to or reject them.

A noteworthy attempt to engage with these questions was made in the field of foreign policy analysis, via domestic institutional structures and their effect on norm change (Alons, 2007, Breuning, 2010; Cantir, 2000; Putnam, 1988). Christopher Hill (2003, p. 83) goes even further, acknowledging a process of co-constitution between actors and structures, highlighting how some structures – such as a Minister of Foreign Affairs - can have an “actor-like” behavior. In this

sense, change on foreign policy is a process with several layers, where internal power struggles on some institutions that have this “actor-like” capability can affect approaches and behaviors. These authors focused on how internal actors perform through domestic organizational mechanisms – such as interest and pressure groups, lobbies and political entrepreneurship – to promote norms through these layers. The process which these actors develop to influence decision making and the interaction between these levels is well documented on the Foreign Policy Analysis field. (Putnam, 1988). However, these actors focus on the roles of these entrepreneurs and the power capability they have within the political debate. Sufficient attention has not been paid to elements beyond positional power and maximization of political gains among actors.

Norm diffusion literature focuses on both material and subjective backgrounds to assess norm change. However, as mentioned in Chapter 1, this literature ignores the convergence process where cultural and institutional backgrounds not only serve as a filter, but as a target in order to emulate a behavior. In this sense, actors can use these subjective backgrounds to create a specific “reality” over those constructions. The processes of bargaining and convergence do not develop upon a rigid cultural background inside of an organizational structure, but in a discursive rhetoric aimed at shaping these structures and mobilizing these features.

In observing what does not diffuse (Solingen, 2012), this study draws attention to political debate and discursive measures used to thwart norm diffusion. The present thesis intends to contribute to the norm diffusion literature in two ways. First, by analyzing the local initiative/pre-localization phase and the effects framing activities have on continuously creating diffusion resistance. Using cultural and normative backgrounds as instruments to mobilize and conquer an audience is a major barrier to successful transmission. Secondly, observing how actors use discursive action to frame the norm as a threat and emulate an internal vulnerability. There is an active process of social conscience-building over what are the significant points within a belief system.

Once there is a framing process to analyze, give a prognostic and call an action over these social pillars<sup>22</sup>, these one can arrive at a definition of which pillars matter most and in which extent they should be preserved. In this sense, actors lock norm diffusion into a cycle where local initiative cannot further advance in convergence processes. Resistance is a nonstop process where threat framing and vulnerability building have a central role. In this way, cultural and normative backgrounds have a bigger role than pathways to syntactic convergence. They are target of reality construction, informing what discourses are credible and resonate within public audience, serving to actors, which continuously use them as instruments to avoid norm diffusion. Actors try to capture this process and use them into their favor in order to conquer audience towards norm resistance. As this thesis will forward, norm diffusion cannot be regarded only as a hermetically sealed process, but also as a tool where actors use these debates to assign values to given behaviors, altering the terms of the discussion in order to conquer audiences. Actors can engage in norm diffusion not only as a process, but also as a tool to frame these situations, shaping subjective and normative backgrounds. In this sense, discursive practices have a more significant role in resistance than previously noted.

This chapter first addresses how an actor's perception and political position influence norm diffusion. An actor can engage in a behavior to propel or hinder norm diffusion according to her understanding of the norm's impact on her interests. Then, the chapter will address how these domestic actors can mobilize internal perceptions over a new external norm with discursive measures. Once an actor understands a given norm as prejudicial to her interest or identity, she will diagnose said norm as a threat. This mechanism targets the general audience, articulating cultural elements in order to enhance this categorization reliability. Finally, the question of threat framing and reality building is discussed, observing how these actions reflect the actors' assessment of cultural and normative relevance. The following sections will present this argument more thoroughly in order to observe norm diffusion and the political reality building in parallel and, thereafter, improve theoretical explanatory power on resistance to norm diffusion.

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<sup>22</sup> Social pillars are important structures anchoring a society belief system.

## 2.1. Diffusion and Discourse

The norm diffusion literature observes state behavior in order to comprehend possible efforts to propel a norm. As mentioned earlier, the first and second wave of normative scholarship devoted substantial attention to examining this phenomenon, each one focusing in a specific analytical level. However, one important point to scrutinize more carefully is how actors behave when facing change within their domestic political system. Important to consider, there is a lack of attention paid on how these agents perform to conquer an audience and, more specifically, on how these mechanisms work inside the state.

In this sense, the act of conquering the audience becomes a central to observing one agent's conduct regarding norm diffusion. The framework proposed here considers discursive practices employed to mobilize subjective structures as the main battlefield to understand an actor's behavior in propelling or hindering norm diffusion. This analysis intends to observe not only how an actor perceives a norm, but also how he can frame a response highlighting specific aspects of the issue to favor him. Discursive processes, in this sense, shape these subjective structures in order to give acceptance or rejection to diffusion. The literature paid considerable attention to these structures only after a subjective background condition already limited this actor's scope of actions (Acharya, 2011). In order to properly understand norm diffusion, first and foremost, one needs to observe discursive practices as norm diffusion's major battlefield to conquer audience support. This is an active process of discursive engagement, framing a specific reality as beneficial or prejudicial.

Within norm diffusion literature, Acharya's (2009; 2011) work is important to stress the role of domestic actors' interpretation and their engagement on norm diffusion. States will pursue localization and/or subsidiarity in distinct occasions, based on their perception of new global norms appropriateness or unsuitability to the local normative background. There are important features already mentioned to this "domestic fit" (2009, p.11), mainly the role of internal actors in adapting to and engineering this shift. They are

responsible for creating congruence between these two levels. Interesting to notice, nonetheless, is how Acharya approaches this domestic audience.

Acharya (2009, p.13) has a seminal contribution stating little research was done to assess how local actors adapt, converge and reconstruct ideas to “*fit circumstances and preferences*”. More interestingly, the author distinguishes both framing and grafting – an association of a new norm to an older one as dynamic process to forward this congruence mechanism. They appear as essential *for norm diffusion*. Further developing his view on framing, central to his observation is this encompassing feature of these two discursive actions. Observing Klotz’s definition of framing, the “usage of language that names, interprets and dramatizes”, Acharya argues this mechanism allows global norms to be seen as local. Essentially interpretative, framing cannot alter the audience’s beliefs and is portrayed by external actors. The concept of localization appears in order to give further robustness to the idea of normative reconstruction<sup>23</sup>.

The localization trajectory shows these steps and conditions. In its initial stage, there is indifference and/or resistance. Local actors do not pursue norm diffusion since these potential normative changes may “undermine existing ideas, beliefs and practices” (Acharya, 2009, p.18). The prior normative order continues to possess its prevalence and legitimacy, notwithstanding some aspects and points of its structure that can suffer discredit. Therefore, a few actors understand normative change as harmonic to existent institutions and identities, but begin to perceive them as potentially beneficial at some level. Actors, then, frame the issue to fit this normative structure, beginning convergence on external and internal normative structures. This process reflects an action towards embracing the norm as useful, generally undertaken by local actors, but not definitely completed after actors frame the norm as beneficial. Localization occurs subsequently in this

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<sup>23</sup> Acharya (2009, p.19) highlights that localization is actually a constitutive to stress the role of a fundamental change that reaches deeper into actors identity and do not simply regulate behavior. What I try to develop is, to allow this reconstruction, there is first a substantial round of political debate. Contradictory views try to persuade internal audience mobilizing cultural and normative backgrounds, constructing a specific view over these subjective elements.

process, when actors change the norm by grafting<sup>24</sup>, altering the norm with political influence.

The role of persuasion and discursive acts appear as secondary elements within this trajectory. The author centers the analytical focus on grafting and pruning, highlighting these conciliatory steps, downplaying the political process within the indifference and/or resistance and pre-localization phases. Discursive activities that follow these initial stages begin with the interpretation and reinterpretation of norms as beneficial or prejudicial. Throughout this process, there is an active battle among actors to better conquer the audience's preference with regard to the process. As Marijke Breuning (2011, p. 322) states “norm diffusion is an inherently political process. It requires not just pruning and grafting, but also persuasion and bargaining.” He argues that the passive characteristic of Acharya's work on localization is not a problem on the concept itself, but a consequence of secondary focus on discursive actions engagement on initial phases. In order to alter any domestic structure, there is more than a favorable normative background allowing perception and change. There is also a political process among forces on both sides to move ahead or stall norm change. Important to advance, norm diffuse must regard more thoroughly an analysis of discursive practices.

I propose that cultural and normative backgrounds are not only a filter, but an instrument of maneuver, a tool to use local subjective structures to instigate behaviors toward a norm. Pre-existent ideas and norms do matter; however, they appear as elements actors constantly try to mobilize and shape in their favor. Prior local subjectivities are more an instrument of persuasion to frame international norms than a blueprint or a roadmap where actors only fit foreign ideas. Substantial effort meant to explain convergence processes where actors already find the norm beneficial, favoring a “cascade” movement within the society towards norm change. Nevertheless, subjective constructions play a more significant role than pathways on norm diffusion, not only serving as referential to what is acceptable or not. There is a political process by internal actors, with

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<sup>24</sup> Acharya (2009, p.13) defines “grafting” as “a tactic employed by norm entrepreneurs to institutionalize a new norm by associating it with an existing one, resulting in a similar prohibition or injunction”

contradictory and conflicting views over the norm, where these cultural and normative backgrounds are an instrument to define the pillars of reality construction. More than merely discursive acts, discourses and social movements can define appropriateness and inadequacy over constructed social perceptions. This dynamics could move forward the analysis on “what does not diffuse” as well. Observing discursive engagements, there is a potential gain to explain resistance and processes actors use to continuously uphold this movement throughout the years.

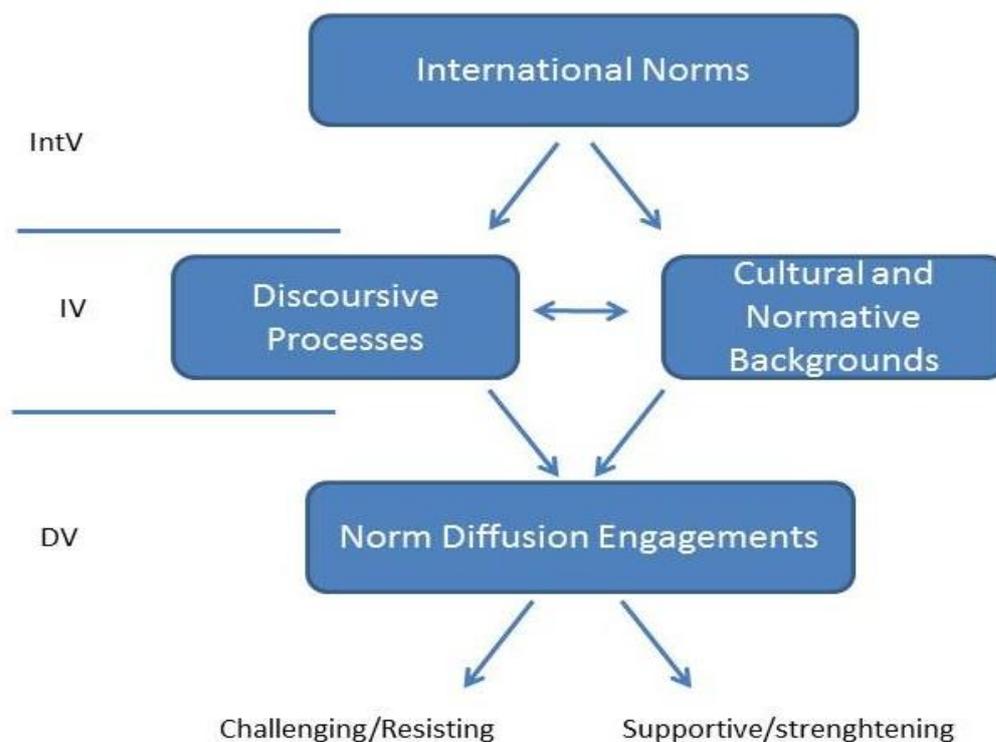
These discursive analyses can also broader literature on norm resistance. Cultural and normative backgrounds, consolidated into a notion of common historic and political process – appears to be definitive to position a behavior concerning norm engagement. When Acharya differentiates localization form subsidiarity, he stresses that influential actors can pursue norm localization as much as small and weak actors. Moreover, the vital part of engaging in norm localization is the availability of a domestic bureaucratic apparatus pushing these norms through political barriers. Ideational suitability and normative congruence help to enhance this project (Acharya, 2004, p. 247-249). Subsidiarity, however, is a behavior “specific to peripheral - smaller and/or weaker - actors” (Acharya, 2011, p.98). These actors have more of a chance to be challenged and, observing an imminent threat over its existence from an external norm, act to repel the norm.

Normative background plays a decisive part on engaging or rejecting a norm. Localization emerges as a common process of conquering audience. Subsidiarity, on other hand, has a conditionality regarding not only the material capability, but also the historical background, arguing Third World States, for example, would behave alike regarding an external norm given its common colonial past (Acharya, 2011, p. 100-101). Acharya argues:

Norm localization, or the process of adapting global norms to local ideas, identities, and practices (...) occurs any time a global norm intersects with local/ regional ideas / identities / practices; it happens in almost all instances where global norms need to be justified to domestic audiences. (Acharya, 2011, p. 98)

The ideas of a normative background as a blueprint overshadows the political process throughout the initial phases and limits norm rejection to a pre-existent categorization matching an oppressed historical context. Third World

countries – and weaker states in general – would perceive an existential threat on the global norm and this would resonate with their cognitive priors. This would generate an opposing movement rejecting it.



**Figure 5. Framework highlighting discursive processes and normative background interaction**

This vision, however, omits divergent discourses on a country identity and interest. Contradictory views over the new norm arise and try to not only conquering audience, but also to create a distinct and specific reality to make their argument credible. Once discursive analysis enters the framework, there is further room to observe to which extent internal forces battle to promote or halt diffusion and, more importantly, the effects this contradictory and opposed built world views impose on the process. In this sense, when localization or subsidiarity happen there most constitutive part of the process already passed and gave place to an adaptation/ convergence phase.

For the process to finally result into success or rejection there is, first, this dynamic process of interpretation to, then, allow reconstruction over the prior set of norms. Actors' perception over the norm does not follow one common subjective background, but is a result of distinct approaches trying to mobilize domestic audience and support to their view. When this political dynamic comes into the process of diffusion, there are important contributions on the role of domestic political actors, their prominence and, mainly, their capability to use these local subjectivities to frame a foreign norm. The main effort on the present research is to bring discursive processes and the political process of bargaining and persuasion that informs norm diffusion process into the fold. Consistent and active process of reality building gives substantial contributions to resistance, creating a trustworthy representation of reality which the internal audience relies upon. Culture and normative backgrounds are an important part of the equation toward diffusion or resistance. However, to completely understand their impact on norms, one must regard them not only as conditions of possibility, but also as contested realms, where actors try to mobilize subjective structures in their favor.

In order to proceed with this argument, some points are worth mentioning. First, the concept of framing should emerge neither as only an activity "for norm diffusion", nor as a movement that "outsiders generally perform" (Acharya, 2013, p. 13). Assigning framing as strictly attached to a movement toward norm diffusion circumscribes the concept within a straightforward movement of localization. Framing, once the process begins, seems to have a clear destination toward diffusion. Secondly, the agency behind this action is not only external. Observing framing activities as an external endeavor, there is also a need to think inside the localization trajectory's logic. This rationale argues there is a foreign actor that frames a new norm as beneficial, and then there are internal actors that perceive this potential positive contribution and engage to pre-localize it.

Some important questions arise from this characterization. What are the consequences when an internal actor engages on an opposite argument, contesting and rejecting this new norm? What are the implications of an actor framing a foreign norm based on pre-existent ideas and norms? Can the political process of bargaining and persuasion mobilize this normative background? These questions

emerge to address the dynamics of emulation that an actor can engage throughout the political process to conquer audience. In order to answer them, one should observe first the dynamic of international action toward norm promotion and then analyze political process within state

## **2.2. Representation in political discourses**

Once it is established that there is a lack of attention paid in the first stages of norm diffusion and on the importance of political process to its development, the present work takes a step back to analyze discursive impacts on norm perception to create resistance on norm diffusion. What the present work proposes is to observe two distinct internal movements, both executed by local agents. One of these movements focuses on international initiatives towards norm diffusion and the other on local dynamics based on their normative background. This double action leads to framing an international norm as a threat not only to local ideas and identity. To sustain this argument, as the framing literature argues, an actor must create trustworthy and reliable links from the framed issues to local beliefs. To enable this association, the actor creates a representation of cultural and normative backgrounds in order to structure a narrative where this threat is credible and resonates within local society.

In this sense, the second part of this action toward rejection consists in emulating vulnerability and mobilizing this normative background with discursive measures that portray the actor as fragile and weak. Framing external norms as threats allows this vulnerability emulation. Resistance appears as the logical and safest measure to resist external abuse. This action requires both using cultural and normative backgrounds to inform resonant aspects to conquer audience and, at the same time, be a target of narrative construction to improve framing and persuasion power. This emulation permits representing international norms as fundamentally dangerous, recalling action toward rejection through an argument that is embedded with this vulnerability to these threats.

It is worth noting that emulating vulnerability is different from actually being vulnerable to the content of international norms. To emulate vulnerability

there is a constant necessity to articulate and frame this norm as a threat and a potential danger to local individuals. This continuous clashing arguments both inside and outside the political landscape is particularly important in some aspects, especially in cases where there are somewhat solid international norms over an issue and substantial resistance from actor to adhere. Literature observed convergence with particular focus on its success (Acharya, 2004, 2009; Cortell & Davies, 2000; Finnemore, 1993, Finnemore & Sikkink, 1998; Greenhill, 2010) and, observing resistance, focused more thoroughly on rejection from weaker and peripheral states (Acharya, 2011, Thornton, 1980). The lack of attention to the political process in its initial stages also brings consequences to regard discursive actions as potentially useful to establish impression on public policy and decision makers, driving internal actors to mobilize this domestic institutional apparatus to this end.

As mentioned above, framing processes arise as an important dynamic to assess social movements. Mobilizing previous values and experiences to recall actions over an issue allows identifying which measures to take, which mechanism to activate and which key points should come to discussion. First and foremost, the cornerstone of the present argument is that, in this initial phase of perception and interpretation, there is a fundamental construction not only of meaning but of social reality. Through links and social movements, a social group can label tendencies and develop interpretations of reality that not only differ from rivals' processes, but also challenge them (Benford & Snow, 2000, p. 614). Challenges between distinct views are fundamental to diffusion since they present different realities based on their respective interpretation. The movements noticed by Prantl & Nakano (2010) over the feedback loop identified a permanent dynamics of inputs and outputs throughout the norm diffusion trajectory. The authors already highlighted the impacts they would have into norm diffusion, observing norm diffusion has a significant adjust variable to information of appropriateness between the international norm and the local normative regiment.

Considering opposing views on norms, a point worth mentioning is the idea of frame resonance, that is, the ability to be effective and have a mobilizing potential (Benford and Snow, 2011, p. 619-622). Observing the constant necessity to reiterate a particular political environment constitution, an actor should

constantly engage and assure its arguments resonate. Resonance and its degree vary according to credibility and salience. What defines success and failures on these arguments has, as the framing literature states, a direct link to the argument's credibility. This particular point is important when we regard the implications of a discursive act mobilizing normative features. Political preferences and behaviors arise as guidelines to a social group in order to conquer their support and their efforts intended to build a political environment of resistance when these features should be preserved and protected.

Credibility does not arise only from the argument itself in correlation with the cultural normative backgrounds, but also from actor's reputation. Their presence in public life and reputation matter deeply. Actors engaging in norm diffusion/rejection must continuously recall and enact these guidelines to have success in emulating this vulnerability and framing the threat accordingly. To be credible, experiences should have a correspondence to events in real world and be proffered by significant and trustworthy actors. This relationship between real events and an actors' persuasiveness is particularly important. Diagnosing an international norm as prejudicial and highlighting its pervasive effects, informs a social group as to how it should reinforce a given frame prognostic, addressing statements and policies worldwide as disruptive if they reach local political shores. Recognizable domestic institutions and actors have a "credential" to address specific problems. A robust structure influences their pledge positively.

To resonate and mobilize action, this action should also bring salience to their arguments. Benford and Snow (2000, p. 621-623) argue salience has three dimensions: Centrality, experiential commensurability and narrative fidelity. These elements are important once, to properly resonate within society, actors should address them as vital to the civic way of life. These aspects promote mobilization and joint action, redirecting attention to a specific narrative. This relationship between credibility and salience allows an issue to remain significant to a given population and, mainly, highlights specific behavior concerning how one should regard it. Actors apply their persuasive power to intertwine these three dimensions of salience to keep the subjects on permanent awareness.

First, there is centrality. It concerns the argument's core essence and its significance to the belief system<sup>25</sup> of a given population. Belief systems, in this sense, reflect the idea of a hierarchy of beliefs, where there is an array of preference amidst this group. As the authors argue, the more a particular argument has a deep connection to an established belief (or the higher it is one the hierarchy), the bigger is the chance of effective mobilization. (Rokeach 1973, Williams 1970).

Belief systems and their impact on international politics had their initial study developed by rationalist approaches. These studies observed maximization of gains among preferences based on rational choice. Constructivists developed this relationship more broadly with Katzenstein, Jepperson and Wendt's (1996) framework of the impact of interests into foreign policy formulation, as well as with Goldstein and Keohane (1993) and the notion of ideas as roadmaps. In this sense, there is a substantial focus on these effects on international politics within IR literature. However, concerning their impact on norm diffusion and/or resistance, focus remained on belief systems as a matching criterion and not instruments an actor can target construct and mobilize. Therefore, there is an important conceptual gap. Bringing an issue and assuring its centrality is distinct from language polishing according local belief system. This movement of convergence happens after general agreement and successful action positively framed this issue vis-à-vis their importance and centrality to the local normative background.

Secondly, there is experiential commensurability. Several researches (Babb 1996, Erwin 1993, Zuo & Benford 1995) notice a link between the reality within the arguments and everyday experiences these actors might have. The aspect of commensurability reflects reality and also plausibility to target's evaluation. This aspect of resonance sheds light to the casual logic behind one actor's argument and helps their connection with experience through the ability to link common aspects of life to the issue targeted. Important to notice, experiential

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<sup>25</sup> Benford and Snow (2000) argue although there are no direct tests of this variable, a few studies also appear to confirm this relationship. (Carroll & Ratner 1996a, Donovan 1995, Evans 1997). Observing the conservative lobby and its resistance to international treaties in the United States, the present study tends to contribute to establishing a correlation between the centrality of an issue and its mobilization power. By linking gun rights to individual freedom and national security, the lobby articulates a narrative fixed on the centrality of the right to bear arms to American identity and security.

commensurability underlines that framing cannot argue something distant from reality or illogical and unreasonable.

Experiential commensurability sums itself to the last factor to make a frame resonate: narrative fidelity. A frame must have a storyline and arguments arisen from historical guidelines embodying either the characterization of a formational myth or domain assumptions. Narrative fidelity allows not only commensurability, but also addresses an issue common to all the targeted audience. To successfully resonate, there must be an historical connection, providing a compelling narrative without internal incoherence and respectful to local culture and normative background. Some authors criticize framing scholars for not acknowledging the effects cultural and historical narratives have on framing activities (Benford & Snow, 2000, p.622-623).

Observing the issue of resonance and the last critics on the lack of attention on cultural issues, the proposal to observe cultural and normative backgrounds as instruments to mobilize arguments can support a broader explanation of its effects and consequences. More importantly, observing how actors can use ideas and identities validated through time within a society will provide a solid basis to analyze active actions in order to centralize issues as fundamental to a community and stress their importance to prevail over other ideas and norms. Active and permanent actions using this cultural background as instrument to mobilize action offers a more robust explanation on the techniques and effectiveness of these subjective elements on framing activities.

These elements are important since diffusion is not only a political process, but a contested field where divergent views argue over their interests and perceptions on the new norm. Previous norm literature acknowledges this debate focusing in the international and national disparities and differences. Nonetheless, contested views inside a country are secondary in this relationship. Discussion focused on the cultural match and their implications whether this national culture is compatible with the international norm. Success and failure of this act lies on this aspect and how relevant actors will propel the convergence process. Literature, however, pays little attention to the process, in which relevant actors face resistance within national political landscape, and how this debate affects norm diffusion.

This primary focus on matching and convergence does not encompass reality construction on discursive acts undertaken by both sides. Besides convergence throughout the process, there is, in fact, an active usage of this process to reinforce constructions and shape these elements. Once there is a cultural background defining their engagement and criteria to perceive the norm, attention over behavioral alternatives decreases. There are challenges to this engagement, and diffusion, likewise any other political process, reflects contested views over the norm. In this sense, as this chapter previously highlighted, cultural and normative backgrounds are more than blueprints an actor builds towards convergence of the norm. They are instruments to inform paths upon which an agent can construct realities allowing thinking about convergence in the first place. Contestation and its effects within the domestic level are essential to consolidating the next step of diffusion, in any path whatsoever.

An important point to clarify is that the main discussion should be on presented and projected realities over the norm acceptance or rejection. Cultural and normative backgrounds inform credible and resonant paths to building this reality. Convergence or rejection arise from this primary contested process of reality construction to, throughout their “call to arms”, argue over these constructions. Whenever an actor highlights a given aspect on their background, he place emphasis on a specific set of point and develops a reality structured by them. Contested views may underline other aspects in different social movements or event at the same group, recalling divergences on political position and advocacy measures. These movements may shape internal parties structure and pulverize the discussion even on each side of the discussion, creating more actors in dispute.

In this sense, the present study understands actors within internal debates over norm diffusion mobilize domestics’ subjective framework to construct a specific view of this norm. They depart from their perception over norm effects and results to their belief system. This is an essentially contested process, where different actors emerge from the political debate and try to highlight a distinct set of elements to portray a different argument. This movement has effects both within and outside the state. Cultural and normative backgrounds are instruments to this action, informing key issues to address and highlight. These actions from

domestic debate over a foreign norm differ once they not only perceive this norm and its effects differently, but also, given their belief system, they may feel threatened or endangered. Contestation within the domestic political debate is essential to define diffusion engagement. Once we bring back the political process and associate them with cultural and normative effects and instruments over norm, we can better address movements of support or resistance.

This chapter outlined the general framework this study is going to establish to understand norm diffusion. Thereafter, focus shall turn to these process regarding norm rejection and resistance. More broadly, the conception of resistance remained attached to threats of dominance from more powerful actors and a historical vulnerability arisen from the previous position an actor or a group of actors were circumscribed. However, once reality construction and political significance building emerge on the framework of analysis, a broader conception of rejection arises. Threat of dominance and vulnerability are not only a rigid characteristic embedded on cultural and normative background. Actors can frame a norm as a threat and emulate a correlate vulnerability, building a reality of resistance. Mobilizing subjective structures, actors can emulate this scenario and create a more robust and solid argument for rejection.

### **2.3. Research question and Hypothesis**

The research question that drives the subsequent work is: **How do internal actors (in the United States) build resistance through discourses (on small arms and light weapons norm diffusion embodied on the ATT)?** The research seeks to understand the resistance mechanisms these actors enable throughout their discursive practices. Nonetheless, observing these practices, the work wants to understand how framing can contribute to strength normative resistance and the consequences this theoretical approach brings to norm diffusion scholarship

This research has the objective of structuring an analysis on discursive practices utilized by individuals pushing for norm resistance and halting international norm diffusion. Moreover, the focus centers on discourse content,

trying to assess which movements and technique are more frequently to boost resistance. Observing this point, the work will try to understand these strategies and how they impact diffusion, more specifically, to note framing structures aiming reality construction.

Scenarios and the building of imaginaries can make possible an idea of representations. The security field paid substantial attention to what extent imaginary security and representations of alliance and rivalry can drive behavior (Campbell, 1988; Doty, 1993, Weldes, 1999). This idea arises from Wendt's (1992) work on identity and interest, further structured in Katzenstein, Jepperson and Wendt's recursivity framework on agency and structure (1996). States have policy actions intertwined with their association of interests, fundamentally affected by their identities. This idea of imaginary security allows one to understand representation as an actor's tools in discerning between "what we are, who and what our enemies are, in what ways we are threatened by them, and how we might best deal with those threats" (Weldes, 1999, p.15).

This imaginary security does not indicate these associations have a farfetched and unrealistic basis. As Jutta Weldes (*idem*) argues on US post-Cold War representations, threats from the USSR were a reality during the Cold war period, creating a set of interests in foreign policy and shaping behavior. Nonetheless, this reality serves as a frame to further representation after the event. In this sense, a representation of a reality refers to an association of similar events or an empirical succession of events to make a claim credible. This credible reality linkage is actually a benchmark which framing process passes throughout its execution. Political process and decision-making process have this representative creation to assist individuals in creating relationships between current events and past experiences. Recalling these experiences helps actors to recue standard behaviors and sentiments previously standardized to deal with the past event.

Norm diffusion theory understands the importance of the *medium* – the context - given information of the initial *trigger*<sup>26</sup> travels throughout the political landscape and how actors cope with this perception. Etel Solingen (2012, p. 633) addresses this process thoroughly observing how these actors, in favors and

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<sup>26</sup> "Trigger" and "medium" are both concepts used by Etel Solingen. See Solingen, 2012.

opposing normative change, must “come to terms—under uncertainty—with both a medium’s firewalls and structural resources enabling conductivity.”. This means there is a vivid debate among agents over the limits and perceptions on an “innovation”. Nevertheless, there is less attention paid to the effects of this debate in enabling the conductivity Solingen mentions.

The “terms” these actors come to agree on when there is conductivity – allowing further diffusion – happen within a substantial debate over distinct “realities” and perception on this norm. Observing Solingen's characterization and Acharya's previous works on localization, it is clear that, at some point, there is a trigger forwarding diffusion. Localization occurs when a local proponent persuades an audience; there is an agreement and initial changes formatting foreign norms to local language and normative structure. There is common ground where norm-takers and entrepreneurs, opposition and propellers find change reasonable vis-à-vis domestic normative background. Prantl & Nakano revamp this idea including the idea of a loop, offering a dynamic adjusts to norm localization and their effects on change.

The contribution this study intends to develop is on the pre-localization step, before “this initial” point where there is “persuasion”, where the localization process begins. Noteworthy, there is not a practical and clear-cut separation on these phases. In this sense, these phases must be equally observed and developed throughout norm diffusion schema. Instead of observing the counterfactuals and the analytical instability of non-diffusion (Solingen, 2012; Tetlock and Lebow, 2001), the present proposal intends to analyze what keeps non-diffusing outside the perspective of the absence of supportive conditions and “what did not happen?”. I intend to regard it within the prism of reality building to establish a scenario where, although there are attempts to structure elements of pre-localization and active movements toward norm diffusion internally and globally, there is a resistance built on a sense of threat and a subsequent vulnerability.

An actor can, by framing international events, construct a reality of permanent threat and emulate an internal vulnerability to this menace. The pre-localization phase, for which the framing process is responsible, is an important part of the diffusion process since these actors are actively creating representations to conquer audience. The movement does not only try to match

cultural differences, but actively uses this normative background as an instrument to establish its position. Recursive non-diffusion is associated with rejection and resistance, intertwined with the threat's framing and vulnerability and can halt localization using discursive measures.

Discursively, an actor can consistently frame this foreign norm as a threat. Normative background mobilization helps to define instruments and important points to address, as previously mentioned, however there is a significant and, more importantly, active role to resist and reject. The resistance and failure to diffuse a norm requires consistent work that uses cultural and normative background as instruments to stop foreign norms. Noteworthy, this articulation to resist needs to keep framing threats and emulating a vulnerability to sustain resistance. Constructing realities, narratives and imaginaries views over this normative background can enhance the structures of resistance and hinder norm diffusion. The following chapters will try to find empirical evidence on these reality building constructions based on framing threats and vulnerability building.

## **2.4. Methodology**

In order to assess the impact framing has on norm resistance, the selected methodology on this study will focus on a discourse analysis of the NRA's, and its members', statements concerning the Arms Trade Treaty. Chapter 5 brings further statistical data and research criteria on the discourses, as well as the full development of the empirical analysis. Nonetheless, to enlighten further classifications and categories, this section brings methodological definitions that will inform the empirical task. James Paul Gee's book, *An Introduction on Discourse Analysis: Theory and Method* (2011) served as a guideline regarding method and its contributions to conduct the upcoming analysis.

This methodology tries to establish empirical grounds to analyze discourse techniques to understand "how we use language to say things, do things, and be things." (Gee, 2011 p. 3-4). In this sense, the efforts is to provide a coherent method of analysis to perceive how actors use language to position

themselves regarding its perception of a given fact based on their essentiality, in other words, its own perception of self and the world. Throughout language one actor can place its vision and creates practices on how to behave properly or not. Using an analogy of a game, the author argues one can use language to “win” discursive practices battles where different actors engage in different arguments over singular issues. Important to mention – and essentially important to the upcoming analysis – actors use distinct tactics to build and evaluate behaviors. To engage in a discourse analysis raises attention to these “core tasks” of building narratives and performing them.

There are two main forms of discourse analysis: descriptive and critical. Both of them use similar methods, but have different epistemologies and ontologies. Each method takes theoretical premises and assumptions that supports and bases its conclusions. Descriptive discourse analyses try to highlight how the language works. The main focus relies in language mechanisms in order to asses in which way approaches and techniques can be used to understand how actors behave. Critical discourse analyses, on the other hand, try to move beyond explanations of usage and intentions, aiming to understand power relationships among discourses.

This study will take a dual approach, taking both contributions<sup>27</sup>. I try to highlight not only how language works, but also the relationships these structures try to establish. Important to mention, observing the need to go beyond a definitive characterization of what constitute a normative background and state behavior concerning norms, there must be a critical approach to move beyond these epistemological barriers. Concerning empirical feasibility, there is not restrictive barrier that denies this effort. Discourse analysis is not a rigid method which there is a rigid scientific methodology, such as it would be possible in the natural sciences, resulting in equal results on a regular basis. The own author stresses the necessity to understand these mechanisms as an attempt to make sense of a world and to make a stance. As the present work wants perceive resistance through discourse, one need not only to comprehend what and actors understand

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<sup>27</sup> Gee offers a view on what both approaches argue about the other: “People who take a descriptive approach often think that a critical approach is “unscientific” because the critical discourse analyst is swayed by his or her interest or passion for intervening in some problem in the world. People who take a critical approach often think that a purely descriptive approach is an evasion of social and political responsibility.” (Gee, 2011, p. 8)

and build a threat, but also what and to whom a threat emerges. In this sense, further than understanding how actors use irony, sarcasm, evoke important nationals' documents or styles, this analysis intend to address their meaning behind these discursive practices. To describe and observe how one actor develop some style or use some words, but not others, show not only his oratory but what values he perceive as recommendable or avoidable. Gee (2011, p. 8-13) points what this analysis intends:

I am interested, beyond description, in a method that can do two things: a) illuminate and gain us evidence for our theory of the domain, a theory that helps to explain how and why language works the way it does when it is put into action; and b) contribute, in terms of understanding and intervention, to important issues and problems in some area that interests and motivates us as global citizens. (Gee, 2011, p.12).

Noteworthy, the present thesis does not seek only to give attention to *problematiques* embodied in those discursive practices, but also to inform how, in a very practical sense, they hinder norm diffusion. Important to mention the discourses analysis on this study wants to address discursive effects, mainly through framing, on norm diffusion. The literature body the work intends to dialogue with has a more hermeneutic approach on discourses, focusing on speech acts and their effects. In this sense, the analysis work has a much more hermeneutic component – on functions and structures that assign values – than a strict critical approach – on values that build functions and structures. This epistemological and ontological choice emerges from, as Benford and Snow points out, a “ gap” effect ”the culture out there” has on framing, and vice-versa. The work wants to contribute, concerning methodological issues, to these lacks of theoretical body and, therefore, observe how these structures assign values and behaviors.

The effects these values create and in which way they create power structures appear on the analysis, based on these epistemological and methodological assumptions. Once again, a method embodies a theory and, concerning the dialogue the work intends to realize, there are focal points to argue and debate. A more detailed work with a distinct – and more critical - body of literature should give other results to the same analysis and, however significant the contribution a more critical literature on the subjects develop might be, the

research design proposed circumscribed the analysis on this discursive structure assigning values approach. In this sense, as Gee (2011, p.17) puts it “We make or build things in the world through language.”. This construction of the world through language happens with seven building tasks of “reality”. Important to mention, reality, in this sense, is the world which an actor perceives as true/valid. There is not only background, only one subjective structure that informs behavior, but a myriad of distinct perceptions that are in constant conflict. These seven building aspects represent reality building aspects in which the discourse aims to construct “the world”. In this sense, they must be regarded as methodologically separate, but aiming to construct one coherent narrative.

The first of these building tasks is “significance”. Significance addresses how one actor uses language to “*make certain things significant or not in what ways*”. The second is “practice”, defined as a “*socially recognized and institutionally or culturally supported endeavor that usually involves sequencing or combining actions in certain specified ways*” in which actors engage or condemn by language. The third building task concerns “Identities”, understood in terms of active construction of self in contrast of an “other”. An actor can enact one performance to correspond with a given identity to his/her own or, in a different perspective, can give description that build an “other”. Fourth, there is “Relationship”, understood as whenever an actor “*use language to signal what sort of relationship we have, want to have, or are trying to have with our listener(s), reader(s), or other people, groups, or institutions about whom we are communicating.*” (Gee, 2011, p. 17-18)

The fifth building task concerns the “politics”, more specifically defined by the author as the distribution of social goods. In this sense, observes how definitions of “good”, “normal” or “bad”, “abnormal”, defining values and correspondences through discourse. The sixth building task concerns the “Connections” the language is trying to establish, making some points relevant or irrelevant through a line of argumentation. At last, the seventh building task concerns the “Sign System and Knowledge”, and concerns the different variety in which one can use language. Languages permeated of technical language or colloquial target different audiences and purposes. (Gee, 2011, p. 18-19)

The seven building tasks represent multiples areas *where* one can build a reality departing from it. However this characterization already brings important points which we must pay attention on a speech, there must be a direct questioning on *how* these actors use the language. Gee (2011, p. 28) observes one must observe there must be tools “*to analyze the workings of these building tasks in specific instances of language-in-use.*”. In this sense, the author brings six tools of inquiry a discourse analysis must use to understand how actors build the reality around them. They are: (1) meaning, (2) social language, (3) conversations, (4) intertextuality; (5) figured worlds and (6) discourses.

The first tool of inquiry important to mention is “meaning”. Every word in a sentence within a discourse has a specific meaning distinguished from one broad meaning it must have. As an example, the word “cat” in a strict sense represents a feline animal. However, when we use “big cats are endangered”, the words mean a specific kind of felines, such as a lion. In other sentence, if I say “The Little Cat by the door broke”, the word cat means a statue. Gee defines this broad and general meaning, cat as a feline, as “utterance-type”. The situated meaning regards this subject centered definition, such as in the statue case. Although the author argues there is an importance regarding general structure on which words have which meanings, the “real action of discourse analysis” lies on observing situated meanings (Gee, 2011, p. 64-65).

Situated meanings observe contexts in which discourses emerge. Important to mention, inquiring situated meanings in discourses to observe reality construction raises concern on the extent of context influence. As the author argue. Contexts must be immensely large, from historical moments to historical beliefs. The “frame problem” emerges to question where is the exact point when we must define the context as background for meaning explanations. This is an essential point to regard analysis validity since fixing one speech as a “left-wing” bias or with a “lobby-sponsored” approach limits what context defines the meaning. Gee argues one should widener the context – observing it in face off a common ground until “*the widening appears to make no difference to our interpretation.*” (idem, 2011, p.68).

The present work intends to do this exercise concerning the “meanings” as a toll of inquiry. The analysis tried to move further simplistic characterization

of ideological and historical claims on both sides of the “discursive battle” and prompted a debate observing a wider context. Historical changes, events and ideological influence act together and co-constitute each other. It does not suffice to observe a discourse – within this descriptive and critical approach – within rigid backgrounds. One needs to move beyond restrictive characterization and observe the broad scenario and historical contributions. Important to mention, this does not mean the analysis should observe from the very beginning of time and account for every variation that might emerge. Widening context, as difficult it may be, must observe a common and not exclusive ground for emerging and conflict speeches on an issue.

The second tool of inquiry concerns “social languages”. Social languages regard the distinct styles people use to enact different social roles in distinct environments. One can use a more colloquial or formal language in order to address distinct groups. Important to mention, actors enact social languages to a twofold movement: first, and foremost, to highlight in which social role one actor currently is and, secondly, to establish links with targeted audience (Gee, 2011, p. 50-53). In this sense, when a politician argues “Today, I come here as a father to talk about college education”, he enacts the role of a “father” rather than a “politician” and tries to establish a connection with the audience. These movements are significant to understand which reality the agent wants to be a part of and enact.

The third and for the tools of inquiry concern the communication one discourse may have with other debates and texts. The third tool, Conversations, with capital C, observes how “*themes, debates, or motifs that have been the focus of much talk and writing in some social group with which we are familiar or in our society as a whole*”. “Conversations” are general debates and discussions over an issue, e.g. abortion, constitutional originalism, terrorism, governance and so forth. These issues and debates are circumscribed on a discursive practice and must be regarded as an important tool to discourse analysis. In this sense, actors may use arguments departing from broader Conversations in order to frame the issues as similar and, therefore, prompting similar reactions. The fourth tool of inquiry is “intertextuality” mentioned in the speeches. As conversations allude debates, intersexuality alludes other texts and discourses. Quoting written pieces

may give the agent authority or the ability to recall the political capital from an important text. Particularly, intertextuality provides connections to link the actual speech with previous ones or, more frequently, with a general argument based on the same premise (Gee, 2011, p. 28-29).

The fifth and sixth tools of inquiry concern agent's projections and images of the world and himself. The fifth tool of inquiry is the "figured world" built on the speeches. As Gee (2011, p. 76) argues, figured worlds are "*simplified, often unconscious, and taken-for-granted theories or stories about how the world works that we use to get on efficiently with our daily lives.*". In this sense, figured worlds are perceptions and discourses from everyday life that impact directly the way we perceive the world. More importantly, the process of dissemination of these perceptions is crucially important since. Social groups – the actors which engage on discursive practices – give distinct contours and shapes to these theories and stories. Socialization has a protagonist role into informing how we perceive the world and what is right or wrong. Discourses will reinforce these characteristics, trying to link them with other potential associations. The last tool of inquiry is the "Discourses", with capital D. These discourses are not only the way one present orally an argument, but encompass the whole performance. If one must be noted as a leader, one must have the acts, posture and language to appear as one. As Gee notes, you must "talk the talk and walk the walk". There are certain performances and, more specifically, self-images that require a set of acts and languages. What these performances intend and what they are reinforcing are important questions on a discourse analysis.

In order to achieve, as close as it is possible, an "ideal" discourse analysis, one must ask these six tools of inquiry on the reality seven building tasks. Consequently, there are a set of questions that must be answered. The annex II has the full developed matrix asking these questions. They are (Gee, 2011, p. 121-122):

(1) *Significance*: How are situated meanings, social languages, figured worlds, intertextuality, Discourses, and Conversations being used to build relevance or significance for things and people in context?

(2) *Practices (Activities)*: How are situated meanings, social languages, figured worlds, intertextuality, Discourses, and Conversations being used to enact a practice (activity) or practices (activities) in context?

(3) *Identities*: How are situated meanings, social languages, figured worlds, intertextuality, Discourses, and Conversations being used to enact and depict identities (socially significant kinds of people)?

(4) *Relationships*: How are situated meanings, social languages, figured worlds, intertextuality, Discourses, and Conversations being used to build and sustain (or change or destroy) social relationships?

(5) *Politics*: How are situated meanings, social languages, figured worlds, intertextuality, Discourses, and Conversations being used to create, distribute, or withhold social goods or to construe particular distributions of social goods as “good” or “acceptable” or not?

(6) *Connections*: How are situated meanings, social languages, figured worlds, intertextuality, Discourses, and Conversations being used to make things and people connected or relevant to each other or irrelevant to or disconnected from each other?

(7) *Sign Systems and Knowledge*: How are situated meanings, social languages, figured worlds, intertextuality, Discourses, and Conversations being used to privilege or disprivilege different sign systems (language, social languages, and other sorts of symbol systems) and ways of knowing?

Once the methodological issues are presented, the next section briefly discusses the concluding remarks on the theoretical approach aforementioned. I intend to observe the impact of discursive acts to enhance resistance to norm diffusion. In this sense, this study tries to regard an internal actor effort to use cultural and normative backgrounds to frame a new external norm as a threat and emulate an internal vulnerability. Thereafter, this process allows a social group to conquer audience with a resonant and credible argument, resisting the process of transmission. This movement starts with the actor’s perception of the new norm as undesirable and focusing into resisting, as literature already observed. This process of resistance, however, depends on a substantive contribution of discursive action. This reality construction is decisive to forward diffusion.

Less attention is paid to this process. When a social group resists a foreign norm, cultural and normative backgrounds do not only serve as pathways to convergence, but as instruments. These actors use historical and cultural subjective elements as instruments to give their pledge resonance in order to “construct” a reality where the new norm endangers these structures. Creating a resonant reality consist in a double movement where there is a framing action in order to diagnose the new norm as a threat simultaneously to vulnerability emulation towards norm implementation. This framing and emulation only are credible when an actor can mobilizes subjective structures to give this effort

meaning. Diagnostic, prognostic and a final call to arms over a framing action is only consistent when social movements conquer audience within their logic, using this apparatus to avoid change. Norm diffusion, more than a process where actors participate, serves as a tool to actors engage on this effort of mobilizing and conquering attention.

In order to be successful, this action of framing and emulation must be a continuous process. Actors must reiterate their actions within political significant domains, combating contradictory view outside and inside their movements. In this sense, actors must be powerful, with a robust and respectful image within society. Process of reality construction can further enhance this imaginary of respect and authority to discuss these subjects, facilitating their victory on hauling diffusion. This process encompass not only creating this image of external threat over internal vulnerability, but does also consolidate an imaginary reality where social movements try to gain authority over others to discuss the subject towards domestic audience.

### 3

## **SALW and the International Community: Human Security, Regimes and Action**

This chapter will first observe the evolution on small arms and light weapons regimes and regulations in the international political landscape. This chapter intends to show how gun control agenda emerged as a central issue for international and national actors. After almost two decades of UN joint efforts over SALW international trade, manufacture and traffic, there is a robust research field with an active epistemic body on the international community. This chapter will highlight how these efforts came together on international treaty over the international arms trades.

Political action over SALW suffered substantial changes throughout these last 20 years. These changes beginning on *ad hoc* diagnoses on violence, crime and conflict, advancing in order to structure theoretical framework and an empirical research field to understand the impact small arms and light weapons have on these questions. Noteworthy, this specific research in SALW followed a more broad expansion within IR's frontiers on International Security. Impacted by the end of the Cold War and bipolar order - international relations long-term rulers - researchers and practitioners identified firsthand and unknown phenomena on resulting post-Cold War events concerning conflict nature and agency. In this sense, this new reality pushed disciplinary boundaries to analyze this unfamiliar data.

These “New Wars” (Kaldor, 1999) and their effects emerge as triggers to innovative research approaches. This reality presented distinguished elements that impacted research on disarmament and arms control. The first problem was the theoretical, epistemological and empirical practices on arms control were designed to deal with nuclear tensions between the USA and the USSR. Conventional weapons – mainly small arms and light weapons – emerged as a problem after these tensions dissolved. Another question arose as important themes on the discussions, leading the debate not only into the problems of the balance of terror, but as the impact of biological, chemical and light weapons (Krass, 1997, p. 2-4).

The dynamic arisen in the 1990s forced the discipline to expand both on focus, concerning what should be regarded as the main point of inquiry, but also on discipline's ontology. This moved the field not only to an expansion, but to a challenge on security studies traditional representations and definitions. Important to mention, this movement goes beyond SALW, affecting the whole field of inquiry, researchers and practitioners. As Peter Katzenstein (1996) points out, the end of the Cold War highlighted on the IR field a necessity to change its premises and understand these developments in a distinct way from those of the past. Buzan and De Wilde (1998) go even further proposing a new framework to analyze what would or would not mean a threat. On similar but more critical approach, Krause (1997) proposes a critical observation on the field, defending alternatives on international security field.

The first part of the chapter will highlight how the evolution of security studies impacts SALW research, as the same time it translates the emergence of distinct problems which IR discipline did not previously observe. In this sense, this chapter intends to review international security literature in order to show its contribution to the international community understand of SALW. The fundamental movement was to change the reference objective of security from an individual perspective, withdrawing agency and focus from the State *per se*, and placing them on the individual. International threats and danger gained distinct contours, departing from military and political threats to a more broad preoccupation of what individual threats, embracing, therefore, concepts such the problems of violence and poverty to international security.

This difference is an important feature in the upcoming analysis of domestic/ international interactions. It asks what security is and for whom it is provided. Noteworthy, the individual nature of security, placing the agency on the individual and not the State, will be the cornerstone of United Nations argument to control international arms flux. Interestingly, the NRA uses the same argument to resist UN proposals, arguing it represents not interests of individuals, but of an assemblage of foreign powers. There is a denounce on UN's intentions and, more specifically as the discussions on arms control begin to reach international level, an important opportunity to mobilize efforts abroad in order to build internal resistance. As chapter 5 will show, one important articulation of NRA discourses

is to frame and disrupt UN effort to characterize it as a threat, at the same time that affirms there is a perennial vulnerability on the White House administration that would cooperate with the UN on the subjects. In this sense, the question remains in which extent the state can do harm on its citizens, but by different perspectives.

To understand these movements, first the chapter will focus in two distinct but complementary paths IR field took: (1) the conceptual expansion on security studies; and (2) the relationship this expansion had with human security and SALW. Therefore, after this exercise, the chapter will proceed observing which were the mechanism emerged from these efforts. In order to observe how United Nations' efforts on gun control advances, this chapter will observe the small arms thematic on International Relations discipline and the efforts made by international community on the subject.

### **3.1. Expanding concepts**

Security studies emerged after 1945, differentiating itself from previous military history and war and peace studies, both of them classical to IR discipline; Barry Buzan and Lena Hansen (2008) define, prominently, four main questions that encompass international security studies (ISS). The questions are:

(1) Whose security should be protected and studied?; (2) Should the military be considered the primary sector of security? (3) Should security be concerned exclusively with external threats or also with domestic ones? And, (4) is the only form of security politics one of threats, dangers and emergency? (Buzan & Hansen, 2008, p. 21, with changings).

The most frequently answers to these questions during the last decades were based on neorealist literature and rationale and appear as an important starting point to understand where the academic community began to redraft its assumptions. To neorealist authors, there were not any problems or questions left to ISS answer outside the nation-state scope. There were a rationale that assigned the military sector as central to state security, a dichotomy between national and international stages and the danger/emergence dialectic as central to security

policy decision making. In this sense, there was a restrict definition of what should have thought as security studies and which actions should trigger reactions within this rationale (idem, 2008, p. 21-23).

As Stephan Walt (1991, p. 212) argues, security is the study of threat, use and control of military forces in order to prepare States to prevent or engage in acts of war. This rationale reflects, as Ashley (1988) and Walker (1993) argue, the anarchy *problematique*, impinging a pervasive effect on IR, limiting its frontiers only within the State agency on anarchical international system. Observing the bipolar order vanquish, there was a changing paradigm of what, in fact, would matter to analyze security in the upcoming years. The expansion of what the concept of security would deal is fundamental to understand SALW emergence as an international security agenda subject.

As Peter Katzenstein (1996, p.3) argues, the end of the Cold War represents an embarrassing moment to the discipline given its lack of theoretical and conceptual framework to provide explanations. The old-fashioned answers based on traditional ISS approaches did not suffice to explain the current scenario. As the author argues, there were important conceptual adjust to do on IR field. His book, *Culture of National Security*, represent an important movement to seek innovative answers: to question the rationalist approach on national interest as exogenous and taken for granted to explain international security. Katzenstein argues states do not have exogenous interest concerning international politics, but endogenous decision-making processes regarding these interests. This interaction produces two determinants: cultural-institutional political context and state identity. These two variables condition state behavior and, therefore, establish parameters to state conduct and relationship.

Barry Buzan, Ole Wæver and Jaap de Wilde (1998, p. 1-3) joined Katzenstein to rethink international security rationale, although with reservations. Buzan et al affirm Katzenstein still establish its argument within traditional-rationalists borders. The authors would propose therefore to widen the concept, rethinking and expanding what security consists and giving IR a new direction. In this sense, they propose to observe security not as given fact, but as an outcome of an active process to define what a threat is. They propose the framework of securitization that tries to understand the concept of threat not only as an inapt

characteristic of the international system, conditioned by anarchy, but as actor-based action. This process to define and redraft one problem as a threat enables to use measures pertinent to the field of security, mainly defined as exceptions measures, above the normal rule of law (idem, 1998, p. 24-26).

Simon Dalby, like Krause & Williams (1998), on the other hand, argues the main problem lies on the conception to understand security/threat dichotomy. There is no push to emancipation, in this sense, to go beyond traditional epistemological approaches. Krause and Williams argue their book want “*to engage directly with issues and questions that have been taken as the subject matter of security studies.*” (Krause & Williams, 1997, p. vii-ix). The central question emerges challenging how traditional rationales trigger traditional responses in the international politics. The book proposes several new approaches, discussing with rationalists approach as in Dalby’s inquiry on the use of military forces as prone to create instability and violence instead bringing stability and security (Dalby, 1997, p. 14-15).

Moving on this active thinking, the literature sheds some light on distinct kinds of threat and opens a new path to observe a complex myriad of subjects, such as the development of poor areas as a tool to stability or human security. Important to notice, the central question that emerges to these researches is that threat and security cannot only serve to state purposes. There are more issues to analyze in order to cope with international changes. This shift enables to observe what is potentially disrupting to individual wellbeing and country stability. Small arms and light weapons emerge within this context as a source of inquiry, demanding policy action.

### **3.2. Human Security and SALW**

Arms and gun control mechanisms are an important element in International Relations. The first efforts to control specific weapons can be traced back to the first attempts to control expanded bullets – *dumdum*<sup>28</sup> bullets – at the

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<sup>28</sup> Dum-dum bullets are a type of ammunition defined as “expanding ammunition”. These bullets expand on impact, increasing its lethality. The damage caused by this kind of bullets is bigger due

1899 Hague Convention (Scott, 1909). It is important to notice that this effort was circumscribed within the laws of warfare; its range encompassed armaments one could use in a war and the potential lasting effects these could have afterward on soldiers. Specific treaties on gun control came only in the 1990s. The early rationale on small arms, as aforementioned, was undermined by the nuclear threat and the balance of terror that hovered over international politics during the Cold War.

Without the permanent tension of a nuclear Holocaust and the end of the Cold War, as well as the growth of the discipline of International Relations and Security Studies, the field of gun control and the small arms emerged as a problem in the early 90s. Peter Batchelor & Kai Michael Kenkel (2013, p. 2-4) identify a new post-Cold War reality as fundamental to bring SALW to academic and political attention. This shift occurred not only in content, but also in focus. National security as an immediate military and geopolitical question began to change its focus to a myriad of new challenges, transnational on their own essence. Green and Marsh (2012, p. 2) argue:

“preventing and dealing with complex civil wars and insurgencies, providing a secure environment for post-conflict reconstruction and peacebuilding, promoting development and good governance in contexts of high insecurity from armed violence, and tackling transnational and local terrorism, crime and insecurity” (Greene and Marsh, 2012, p. 2).

Michael Klare (1995, p. 40) argues there are nine main ways to understand the rise of small arms and light weapons (SALW<sup>29</sup>) as a subject in international politics. The downfall of Soviet Union and Yugoslavia incurred in several ethnics wars in their successors. Superpower protection and influence allowed potential conflictive scenarios. Previous ethnical conflicts were all seen as episodes within the Cold War. Nevertheless, two factors must be highlighted to

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their abnormal constitution. The incidence of terminal wounds – wounds that cause deaths -, therefore, are bigger when this kind of ammo is used (SAS, 2005, p. 21-22).

<sup>29</sup> The definition of SALW this work will use, is the one given by the Small Arms Survey. The institute defines: small arms: revolvers and self-loading pistols, rifles and carbines, assault rifles, sub-machine guns and light machine guns. light weapons: heavy machine guns, hand-held under-barrel and mounted grenade launchers, portable anti-aircraft guns, portable anti-tank guns, recoilless rifles, portable launchers of anti-tank missile and rocket systems; portable launchers of anti-aircraft missile systems (MANPADS); and mortars of calibres of less than 100 mm. (SAS, n.d)

understand the SALW rise as a problem in the international community according to Klare: significant surplus of SALW from these conflicts and the increase in non-state actors' relevance. As Edward Lawrence (2013, p. 14) argues, Cold War masked interstate ethnic conflicts as proxy wars and, in the post-Cold War, these conflicts outbreak using SALW.

Krause (2001) also identifies the end of Cold War as a starting point to debate these issues internationally. Nonetheless, the author argues this kind of armament, however relegated to a second plan, was responsible for the biggest share of deaths globally since 1945. Although SALW had a great impact in violence and deaths, Krause observes this subject remained silenced by the inner logic of disarmament and politics of arms control. Treaties and Regimes focused on disarmament and arms control had their focus on nuclear weapons – such as the Non Proliferation Treaty and its protocols. Constraining production, diffusion, trade and use of nuclear artifacts was central to arms control rationale – there was no room to observe what contributions and efforts could be done to halt gun violence. Analysts understood SALW as a self-defense mechanism that countries should regulate within their competencies and jurisprudences. Gun control rationale would not be applicable to these arms (Krause, 2001, p. 8-10).

The shift that brought small arms and light weapons alight to international attention came tied to a new conception of security and its meaning. Human security discussions are the fundamental trigger to bring this problem to the forefront of debates in international security studies. This approach understands security within not only military terms, but also “societal” risks that one citizen, as an individual, can suffer (*idem*, 2001, p. 12). The concept of multiple threats surpasses the rigid conception of threat as a military and political imminence of loss. *United Nations Development Program* (UNDP) brought and further developed the core assumption of this enlargement<sup>30</sup> in security studies.

The main point to highlight is the relationship threat/security is not referent to the State. The individual emerges as the main actor is subject to several threats, detached from those the State experience. Security changes from a relationship and attribute of the State facing the International Community to an approach observing the security of the individual *within* the State. As Laurance

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<sup>30</sup> To further understand this debate, see Krause and Williams (1998)

(2013, p. 14-16) notes, this movement led to an expansion of research and interest in discussing public policy and practical consequences, once lacking before the 90s. Understanding the individual shift security concept encompass is central to acknowledge NRA position and here emerges a fundamental paradigm: as the following chapter will argue, NRA members argue UN is a union of foreign powers interested to destroy individual liberty.

Interestingly, they establish resistance on mechanisms that were built on the same premises – individual security over state power - they argue to defend. Important to mention, this paradigm represents how NRA addresses the UN and even their Federal Administration impacts on individual liberties. Their discourses aim both to prompt their role as a freedom champion fighting an uneven and unfair battle against this international/domestic gun-ban coalition. Resistance mobilization – within this paradigm – uses the ATT debate to reach domestic audience through framing domestic and international actions as equal in their effort to destroy individual liberties. The issue of reference on security issues permeates their discourses.

Moving security from the state to the individual led the discipline to rethink how the state – as actors in the international political landscape – dealt with issues that happened throughout the globe. The conception not only opposed traditional observations on how to deal with the old conception of security, but also challenged them. Krause argues that

[t]hese security concerns are often very different from, or even opposed to, the traditional security concerns of states and regimes (security from small-scale or communal violence, security against a predatory state, development assistance versus military spending, and so forth). It is relatively easy to show that for contemporary policy-makers, “societal security” issues have come to rival inter-state security concerns. For example, some states in Latin America feel threatened by the drugs-arms nexus, in which the illicit traffic in armaments feeds the autonomous of drug lords, who have completely supplanted state authority in some areas. (Krause, 2001, p.13)

The crucial point this new approach is to consider the concepts of security and development as intertwined. Political discussions shifted its argument to an approach that looked to security in a broader sense, acknowledging threats that could provide obstacles or undermine individual fulfillment of their potentials. (MacFarlane & Khong, 2002, p.143-144). Moreover, peace itself

becomes a composition of these two elements combined. The International Commission on Global Governance argued new threats to individuals had small arms proliferation as a central core to induce violence within new conflicts worldwide. Nonetheless, other important issues arose to attention. The report argues that

[o]ther increasingly important security challenges arise from threats to the earth's life systems, extreme economic deprivation, the proliferation of conventional small arms, the terrorizing of civilian populations by domestic factions, and gross violations of human rights. These factors challenge the security of people far more than the threat of external aggression. (Commission on Global Governance, 1995, p.79)

These authors argue there was a growing importance of development and security<sup>31</sup> and their links within political and scholarly discussions throughout these geopolitical changes. Political discussions merge these two concepts together, making them inseparable. 1994 UNDP report assigns this change more evidently, highlighting the concept of human security as fundamental to understand development. There was an attempt to redefine the concept of security from the concept of human development. Two main aspects emerged: security from what would consist “chronicle” threats, such as hunger, diseases and repression; and (2) protection against disruptions on the pattern of everyday life (MacFarlane & Khong, 2002, p.146). International peace and security would not only direct to state security, but circumscribed to individual well-being and safety. Instability within the state becomes a potential threat to the stability of the whole system. MacFarlane & Khong (2002) argue:

Taking this point further, they argued that world peace depended on individuals having security in their own lives, noting the predominance of internal war in the contemporary international system and the roots of such war in socioeconomic conditions. On this basis, the report asserted that the path to peace was sustainable development. To put it another way, sustainable human development and human security were mutually constitutive; the two together were the basis for peace. (MacFarlane & Khong, 2002, p.146)

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<sup>31</sup> MacFarlane and Khong argue this movement of merging development and security had political motivations. This attachment could disguise development concerns as security spending. In this sense, it would be easy to pass budgets that define security in terms of taking care of hunger, diseases and repressions. The present work will not address this critical outlook regarding the movement since its main objective is to highlight how SALW emerge as security concerns in the international security. To understand critical approaches, see MacFarlane and Khong, Chapter 4 and Mark Duffield, *The Merging of Development & Security*. London: Zed Books, 2001.

This new conception of what security would consist agrees with Klare (1995) argument of a new reality on the international system. This new reality maps underdevelopment as cause of violence and instability. In order to establish security, one must have a stable economic environment to give solid grounds on peacekeeping. Observing civil conflicts and violence increase throughout the world, the Commission on Global Governance argued in 1995 there was a substantial change on the political environment, leading to a robust irrelevance of traditional security concerns at the time. There were other subjects that deserved more attention and political action. The report argues:

Other increasingly important security challenges arise from threats to the earth's life systems, extreme economic deprivation, **the proliferation of conventional small arms**, the terrorizing of civilian populations by domestic factions, and gross violations of human rights. These factors challenge the security of people far more than the threat of external aggression. (Commission on Global Governance, 1995, p.79, emphasis mine)

MacFarlane and Khong (2002) underline one of the biggest efforts was to address small arms and light weapons within this dynamic. The argument was to show these weapons were responsible to the vast majority of civil conflicts and they stalled UN peace process. SALW increased in number and type on these post-Cold War environments led to an increase in conflict lethality, hindering stability and order. Important to mention, stability and instability are measure facing what stalls or prompts individual well-being, observing how this individual lives within the state, how everyday life impacts his/her life. SALW become central to international politics amid discussions in which extent they catalyze conflict and increase violence, establish instability and disrupt peace processes. International community, facing this problem, begins to discuss which efforts would suffice to deal with the impact on human security and development (Laurance, 199, p. 187). MacFarlane and Khong (2002, p.151) stress throughout SALW, international scholars and decision-makers developed the concept of human security

Human security and development prompt small arms and light weapons to international political spotlight. Important to notice, the human security concept questions state action towards its population and its regulatory body of law. As Krause (2001) argues, the attempt to regulate SALW touches the internal

legislation concerning the countries legislation on gun control. Some states hide behind their laws to defend this thematic shall not be discussed on international fora. However, considering a broader approach on security as human security and considering SALW as a transnational question, mainly observing trade and manufacturing of these weapons, these aspects call international action to deal with such robust network of events and participants.

To observe the internal hideout facing an international attempt of SALW regulation, the United States case comes up attention. While proponents of arms control notice the more guns allowed for more violence and see SALW and their unrestricted surplus as threats to the international order and peace (MacFarlane; Khong, 2002, p. 197), the NRA argues that gun control does not represent the end of violence; on the contrary, it just represents the beginning of potential catastrophe beginning with foreign domain and nation sovereignty decrease. In this context, the USA is seen as vulnerable to a permanent attempt, by the UN, to confiscate its weapons. Discourse analysis, on chapter 5, will highlight this difference. Observing the road that took international community on the SALW mechanisms, one can understand both the paths and the challenges to arrive and discuss the United States positions on the ATT.

### **3.3. The Road to the ATT**

In order to assess the evolution of international mechanism into the United Nations, three mechanisms seem to be relevant to assess international efforts to control and regulate small arms and light weapons: The Firearms Protocol, the Program of Action (PoA) and the Arms Trade Treaty (ATT), which is the core of the upcoming discursive analysis. Noteworthy, these mechanisms established a broad consideration on the subject, not only fixed on a specific subject – such as the International Tracing Instrument, which amounted to “international marking, record-keeping, and tracing measures” (Parker & Wilson, 2014, p. 52) or the Geneva Declaration, which expressed concern and aimed at “addressing the interrelations between armed violence and development” (idem,

2014, p. 59) – but to the entire and complex SALW issues, from registering to brokering, but also to importation and exportation, crime and violence prevention.

The Firearms Protocol, the PoA and the ATT represent a more broad view on these issues, encompassing multiple issues on its consideration, but also contributing narrowly to specific issues. To observe their context – and the evolution of the American position throughout their processes – four issues will center the analysis: their contributions on imports, exports, brokering and civilian use. They are central to the controversy, as the previous section highlighted, since they regulate State's directives on how to proceed with firearms sales and acquisition. These issues were selected since they are at the center of state/individual relationship concerning gun rights. They show how the individual approach to security increased throughout the mechanisms, but also represent the cornerstone of the interaction between the international norms trying to standardize a set of distinct national norms. In this sense, these issues can exemplify the evolution and how these agents and levels - state/individual and international/national – establish a cross-interaction regarding on small arms and light weapons.

International policy on small arms is a joint movement between this internal movement within UN's levels and civil society pressure. The main point throughout these efforts was to tackle the poor regulated arms transfer and trade, tackling their effect on conflicts and violence increase. The first movement which signaled an intention of analyzing SALW as a transnational problem was the establishment, in 1995, through the General Assembly Resolution 50/70B, of a Panel of Specialists to prepare an assessment of the question. The UNGA overwhelmingly approved the resolution, including an affirmative vote by the USA. This led LaPierre to affirm that Bill Clinton's anti-second amendment position fully blossomed at that moment (Rodengen, 2002, p. 262; SAS, 2002, p.204). This panel proposed “ways and means to prevent and reduce the excessive and destabilizing accumulation and transfer of small arms and light weapons, in particular as they cause or exacerbate conflict” (SAS, 2002, p.205). In 1997, this Panel proposed an international conference to discuss these issues. International political landscape on disarmament in 97-98 was questioning the ability the UN would have to solve SALW problem. The Convention on the Prohibition of the

Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction – the Ottawa Treaty – took place outside of the United Nation’s domain and this process fuelled the impression the organization could not be the solution to gun control issues.

Parallel to that, also within the UN, there was an Economic and Social Committee (ECOSOC) provision to establish an Ad Hoc Committee to address the illicit trafficking from the transnational organized crime. The Ad Hoc Committee proposed a Firearms Protocol early in 1999 and had the purpose “to promote, facilitate and strengthen cooperation among States Parties in order to prevent, combat and eradicate the illicit manufacturing of and trafficking in fire - arms, their parts and components and ammunition” (UNGA, 2001c, art. 2). This protocol came to being after a few regional initiatives to control SALW. The Organization of American States (OAS) elaborated and adopted an instrument to confront illicit trafficking in the region. The Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA) served as basis to draft UN’s document, which led to some disagreements over the scope of the new instrument. The CIFTA included explosives under its scope leading the USA and some countries within EU to oppose the text (Parker & Wilson, 2014, p. 27-34).

The Firearms Protocol, approved by the United Nations General Assembly resolution 55/255 in 8 July 2001, recalls specifically its objective to combat “transnational organized crime and of discussing the elaboration, as appropriate, of international instruments addressing trafficking”. This background is essentially important, since the protocol comes from an Ad Hoc Committee of the United Nations Convention on Transnational Organized Crime (UNTOC). This committee was approved by ECOSOC Resolution 1998/18 that established it to draft preparations for a convention on transnational crime (UNGA, 2001, p. 1-3). As mentioned, the growing concern, within the international community, over problems of transnational crimes changed the political scenario, calling for new measures. The United Nations – as well as scholars and researches – began to tackle this new problem with the organizations within their forums. As previously mentioned, international events prompted international action to improve international security, understood in terms of assuring stability and development.

Firearms Protocol Article 10, “General requirements for export, import and transit licensing or authorization systems, recurrently giving to the states responsibility to process information on record, shipments and ensure authorizations and licenses authenticity. Both on imports and exports, have proper documentation on “the place and the date of issuance, the date of expiration, the country of export, the country of import, the final recipient, a description and the quantity of the firearms, their parts and components and ammunition” (UNGA 10 (3), 2001a, p. 6-7). Important to mention, civilian use within the protocol’s framework does not appear on target off regulation. The term is only mentioned in article 8(c), where states must “ensure, at the time of transfer of a firearm from government stocks to permanent civilian use, the appropriate unique marking permitting identification by all States Parties of the transferring country”.

Nonetheless, the most interesting part of the Firearms Protocol is the language used on article 15, subparagraphs 1, lines (a) to (c), and subparagraph 2. On “brokers and brokering” the resolutions argues state parties “*shall consider*” creating a system to regulate home brokering. In a distinct position from imports and exports – where there are specific guidelines to what must be contained in the tracing mechanism -, brokering tracing systems are not specified, but arguably recommendatory, both in its existence and in its content. The article encourages, but does not recommend or requires that States must ensure those mechanisms are in place. On civilian use and brokering, the resolution takes a step back, not addressing directly these two issues. They would return in the next instruments.

### **3.3.1. Program of Action and its consequences**

Alongside the ECOSOC provisions on organized crime, progress was also under way within United Nations General Assembly. A Group of Governmental Experts on Small Arms was formed as a continuation of 1997 Panel and would therefore be known as “1999 group”. This group had both to overview the contributions and analysis made by the 97’ panel and to move forward on UN bureaucracy and gridlocks. The group established a Preparatory Committee (PrepCom) to structure the convention which would have the goal of promoting

international efforts to “prevent, combat and eradicate illicit trade in SALW in all its aspects”. UNGA Resolution 54/54 V agreed on a convention in 2001 and, until there, to hold PrepCom’s meetings. The Convention would also draft a Program of Action (PoA) that would contain international decisions on the issue (SAS, 2002, 206-208).

PoA contributions addressing imports and export remained similar to the Firearms Protocol provisions. Article 2, paragraph 2, mentions “To put in place, where they do not exist, adequate laws, regulations and administrative procedures to exercise effective control over the production of small arms and light”. Also, the text demands States to ensure “the use of authenticated end-user certificates and establish effective legal and enforcement measures.” (UNGA II[12], 2001b). Although there are not any mentions to civilian use the text advances in illicit trafficking and brokering measures. Article II (6) states members must “identify, illegal manufacture, trade, stockpiling, transfer, possession, as well as financing for acquisition, of illicit small arms and light weapons, and take action under appropriate national law against such groups and individuals”. Nonetheless, the Program of Action, in its Article 4, states that its members agree to arrange a conference no later than 2006, as the line (d) clarifies “to consider further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons.” This movement began to push for a more incisive and specific instrument to regulate arms trade in the following years.

Important to notice, as chapter 4 will further develop, there was a massive effort from the United States government to remove any mention to civilian possession on the PoA negotiations. Noteworthy, there are two interesting movements regarding United States participation on PoA and further negotiations. First, important to highlight how there is a significant difference between how United States and the international community perceive individual possession and civilian use and, mainly, what outcomes can result from gun control measures. Once again, the cross-interaction of actor – State and Individual – and levels – Domestic and International – comes to the center of the discussion. To override civilian ownership translated to American negotiators and decision-makers at the time a clear violation not only of their internal body of laws, but also a direct hit

on individual liberty. This difference in perception is crucial to understand the power and efficiency of reality building through framing.

Manufacture	
Marking, record-keeping, and tracing	International Tracing Instrument (2005)
	BMS3 outcome document (2008)
	BMS4 outcome document (2010)
	Open-ended Meeting of Governmental Experts (2012)
	Second review Conference (2012)
	BMS5 outcome document (2014)
Stockpile management and surplus disposal	BMS3 outcome document (2008)
Collection and destruction	
International Transfers	Arms Trade Treaty (2013)
Brokering	Group of Governmental Experts on Brokering (2008)
	BMS3 outcome document (2008)
	Arms Trade Treaty
Public Awareness	
DDR	
International Cooperation and Assistance	BMS3 outcome document (2008)
	BMS4 outcome document (2010)
	Second Review Conference outcome document (2012)

Figure 6 PoA 's Advances ( Parker &Williams, 2014, p.51, with changes )

Changing UN's effort from individual protection over state aggression to a set of states wishing to override individual liberty inside the United State enhances resistance. This movement changes what civilian use mean and represents: regulating the issue, to United Nations, represents a powerful tool to reduce arms violence; to the United States, a solid attack on individual liberty. These international mechanisms – and their final documents – represent a battle over significances and meanings. The outcomes show how the discussions went and which argument prevailed. In this sense, to observe how these mechanisms evolve also identifies how its omissions and conclusions contribute or disrupt international efforts into norm diffusion. Secondly, there is an essential advantage to tackle this issue on the United Nations regarding NRA's interest at home. Its pressure on gun control issues at the international level serves a domestic purpose. NRA uses the United Nations as a "Bully Pulpit". A Bully Pulpit is "a terrific platform from which to persuasively advocate an agenda." (C-SPAN, s,d). In this sense, the NRA position on the United Nations negotiations on its core subject is useful to defend its values and assumption in an international scale.

Moreover, to observe the NRA participation on the negotiations regarding this concept of a privilege venue to pursue its agenda gives important information on its intention: It does target the international discussion, but aims to influence both home and abroad. From this perspective, it seems important to observe how these assumptions influenced the USA position. Chapter 4 will focus on gun control issues at domestic and international levels on the United States. Nonetheless, the evolution of these international regimes and treaties are also conditioned to these influences given United States relevance on the issue. Once again, resistance as a tool to prompt norm diffusion emerges as a relevant matter to observe how these domestic postures impacted domestic and international agenda on PoA and future negotiations.

The PoA provided international norms on small arms and not only guidelines to combat SALW expansion, but as Laurance (2002) argues, expressions of a normative body on the subject that developed throughout the past decade and would serve to prompt an agenda. As the SAS assessment on governmental statements mentioning small arms after the UNGA First Committee - Disarmament and International Security general debates – in 1995, there was an

increase in the overall percentage of speeches mentioning SALW. In 1995, only 10,1% of the speeches on the Committee made mention to small arms, following to an 8,5% increase in 1996. In 1997, 47,3% of the statements mention SALW, rising up to 77,4% in 1999 and, at PoA's year, to 83,3% of the overall speeches on the Committee (SAS, 2003, p. 227). Notwithstanding, PoA buttressed SALW agenda and instruments throughout UN system (Figure 6). The own nature of the "year-cycle" system guarantees the discussions remain ongoing. The Biennial Meeting of the States (BMS) members of the PoA assure the subject will keep on the spotlight. Notwithstanding, these meetings consider PoA's implantation through states and establish a schedule to discuss these issue over the years<sup>32</sup>. Their outcomes documents represent an overall establishment over points called and agreed on the PoA, settling conducts to further structure program content.

Important to mention, Parker argues that this juxtaposition between the Firearms Protocol and the Program of Action weakened the proposal to establish a United Nations conference on Small Arms and Light Weapons. The Firearms Protocol already had provisions to monitor and combat illicit trafficking. In this sense, this protocol should regulate the matter. However, there was a problem with the protocol's scope. Parker argues the drafters remained concerned with elaborating an instrument to fight transnational crime, help in its prevention and foment law enforcement. This rationale limited its content and scope, halting UN's discussions on illicit trade.

### **3.4. The Arms Trade Treaty and US Law**

However governments had an important part in pushing the agenda forward, international civil society organizations had a more prominent role in pressuring for a more specific and incisive control on exports and international transfers. PoA had several gaps on these issues and since 2001 a group of NGO's - Amnesty International, Oxfam, and the International Action Network on Small

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<sup>32</sup> There is established schedule until 2018. 2015 there will be the Open-ended meeting of governmental experts, during one week. In 2016, there will be the 6<sup>th</sup> Biennial Meeting of States (BMS6), also during one week. In 2018, there will be the Third Review Conference, during two weeks followed by a one-week PrepCom on the next cycle of discussions.

Arms (IANSA) pushed a global campaign for a document establishing obligations States would have to follow on SALW. This effort began, in 1997, with Óscar Arias and a group of Nobel laureates with the goal of drafting an International Code of Conduct on Arms Transfers. This NGO group revised and circulated this document seeking State support within UN (SAS, 2014, 78). The movement gain strength with United Kingdom's support to this agenda and, in December 2006, the UNGA adopted a resolution to an international legally binding document on Arms Trade<sup>33</sup> (Parker & Wilson, 2014, p. 62-63).

In late 2008, the Secretary-General observed these pledges and reports on the issue, and called for a Groups of Experts (GGE<sup>34</sup>) to verify the feasibility of this treaty. The UNGA established an Open-Ended Working Group (OEWG) to observe this GGE's report and verify which conclusions could contribute to an upcoming treaty. In 2009, there was a third resolution drafted within the UNGA concerning the ATT, scheduling four weeks of conference and transforming what was left from the OEWG's meetings into the conference PrepCom's. After two failed attempts to adopt the treaty by a consensus, the final motion proposed a vote-by-vote at the UNGA. The final text was approved by a large number of states in April 2013, opening it for signature June 2013 (Parker & Wilson, 2014, p. 64-65).

The contributions the ATT had on the issues here aforementioned – exports, imports, brokering and civilian ownership – are more robust, both by the legally binding framework the treaty possesses, and because of its language. On exports, there is a new conception, observing not only the action of exportation, but also the outcomes it could derive. Article 7(1), lines a and b, subparagraphs i to ii, condition the authorization to prior verification if the exports would “contribute to or undermine peace and security” and “could be used to commit or facilitate a serious violation of international humanitarian law” or “violation of

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<sup>33</sup> Melzner (2010, p. 242) argues on the USA delegation to the first conference, on 2006 “All three U.S. delegates sent by the Bush administration to the 2006 United Nations Conference on Small Arms are “strong NRA supporters,” which comes as no surprise given that two of them—former governor James Gilmore, III (R-VA) and American Conservative Union chairman David Keene—are NRA board members.

<sup>34</sup> Parker and Wilson observe (2014, p. 64) “The GGE comprised 28 experts from Algeria, Argentina, Australia, Brazil, China, Colombia, Costa Rica, Cuba, Egypt, Finland, France, Germany, India, Indonesia, Italy, Japan, Kenya, Mexico, Nigeria, Pakistan, Romania, the Russian Federation, South Africa, Spain, Switzerland, Ukraine, the United Kingdom, and the United States.”

international human rights law humanitarian and human rights law".<sup>35</sup>. Notwithstanding, the article also takes on any attempt to directly offend any of the “protocols relating to terrorism” or “transnational organized crime“.

In its Articles 7(3) to 7(7), the ATT prohibits exports if any of these conditions are met and demands reconsideration of any previous authorizations if any new information comes to light that could affect the provisions listed on article 7(1). On imports, the language is more passive, always placing the responsibility/request on the exporter country. This is important since the treaty takes an unambiguous conception that exporting countries are more responsible – and can do more to restrain - for illicit trafficking (UNGA, 2013). On brokering and regarding civilian ownership clauses, few but important changes occur. Article 10 declares states member shall regulate – according to their national law – brokering for conventional arms on their jurisdiction. This measure observes an increase of regulation on gun and ammo markets within states, an unpopular point among the gun right movement, since it increases bureaucracy and inefficiency, as Robert Joseph argued over UN’s 2006 PoA First Review Conference on ammunitions regulation<sup>35</sup>.

The differences between the PoA and the ATT are worth mentioning. PoA’s is non-binding, establishing only a framework of action to combat illicit trade specifically in SALW, not expanding its scope to other arms. A treaty on Arms Trade would be different both in its legal and practical content. A treaty is a legally binding document where, after a process of signing and ratification by the State, the parties are obliged to comply with the treaty. Nonetheless, the ATT scope would not only limit itself to SALW, but expand its range beyond SALW, also including battle tanks, combat vehicles, large-caliber systems, aircrafts and helicopters used in combat, even warships and missile launchers<sup>36</sup>. Parker sums up this difference:

[The] ATT complements and bolsters the PoA provisions relating to international transfers, but it cannot and should not be viewed as replacing the

<sup>35</sup> Important to mention, on ammunitions the ATT discuss and regulates the issue. Article 3 states “State Party shall establish and maintain a national control system to regulate the export of ammunition/munitions fired, launched or delivered by the conventional arms covered under Article 2 (1) (UNGA, 2013, Article (3) )

<sup>36</sup> ATT Article 2(1) defines the arms covered by the treaty: battle tanks; armored combat vehicles; large-calibre artillery systems; combat aircraft; attack helicopters; warships; missiles and missile launchers; and small arms and light weapons (UNGA, 2013, Article 2(1) )

PoA in its entirety. International transfer controls are but one aspect of the PoA amid a broad range of arms control measures. And for many UN member states, including many that fought to ensure SALW are included in the ATT, the SALW problems they face have less to do with inadequate international transfer controls and more to do with managing and controlling SALW already within their territories. To see them spend scarce resources on establishing elaborate export control systems in the name of ATT compliance, while national priorities may lie elsewhere—addressing leakage from state stockpiles or improving marking and record-keeping practices—would be unfortunate, to say the least. The adoption of the ATT represents a landmark in multilateral disarmament that has the potential to contribute to strengthening international transfer controls governing conventional arms, including SALW. However, even though the ATT includes SALW in its scope, the PoA remains the most comprehensive, universal framework for small arms control to which *all* UN member states are and remain committed. Both instruments are needed, but neither will fulfill its stated objectives if not implemented. (Parker, 2013)

In this sense, the legal aspect of the ATT, once ratified, would imply States had to apply the treaty's regulation on its own normative body. Moreover, even if not ratified by a present congress, once a state signs the treaty, it would always be subject to ratification. According to a study prepared for the Committee on Foreign Relations of the United States Senate by the Congressional Research Service Library of Congress, on January 2001, treaties which have the United States as a party serve as equivalent to what jurist call "Law of the Land", in this sense, part of the legal body of the domestic laws. It understand international treaties as meaning, "any legally binding agreement between nations, differentiating it from internal meaning of the word "treaty", that are any "an agreement that is made "by and with the Advice and Consent of the Senate"<sup>37</sup>.

The process which makes a treaty enter into force passes throughout several steps in the Senate. After signing, the President has to submit the treaty with a message requesting Senate's advice and approval on the content. This message also goes along with a letter explaining details about the negotiations parameters and final content by the Secretary of State. Senate, thereafter, issues a message signaling that it received the treaty and passes it on to the Senate Foreign Relations Committee for verification if the clauses match the national and state laws. The committee may or may not recommend the treaty's ratification based on

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<sup>37</sup> The manual goes even further into this differentiation. It argues: "International agreements nor submitted to the Senate are known as "executive agreements in the US, but they are considered treaties and therefore binding under international law. For more, Chapter 1 of the manual, pages 1-5 (Library of the Congress, 2001).

the Law of the Land. This is fundamentally important since a treaty that attacks and offends any constitutional provision would, in theory, be rejected by this committee. Once all legal obligations are considered compatible to previous laws, the Senate votes for ratification, being necessary two-thirds of the overall votes - 67 votes (Library of Congress, 2001, p. 1-3).

In this sense, for the ATT to enter into force, the Obama administration and gun violence reduction advocates must gain political support within the Senate. The significance battle – the political debate over the meaning - on treaty intentions lies at the heart of the question. The social agents amid this process need to engage into conquering political support over the question in the Senate. Once this chapter mapped the evolution of international SALW regulation, the next one will provide a specific analysis of the United States position concerning domestic gun control and international mechanisms of SALW control. The posture by the NRA over three years is interesting once articulates both its traditional conceptions on government size and civil liberties, but also adds a continuous characterization of a potential vulnerability this treaty would bring.

As the NRA and its supporters would argue, the threat would open a “backdoor” to foreign domination and extermination of individual liberties. Thereon, resistance must be permanent; vigilance, tireless and USA’s freedoms and values decay. The next section will shed light on these arguments, empirically observing, through a qualitative discourse analysis, how NRA frames ATT as threat at the same time that emulates a potential vulnerability once congress ratifies the treaty. Framing the ATT within these bases helps NRA to both advocate their agenda at home and abroad. Since the acceptance of the ATT – and subsequent USA participation on the upcoming enforcement measures – depends on this support, the question over how United States’ citizens perceive the treaty is fundamental to the next steps. Next chapter will bring an overview on how gun control legislation emerged on the United States, observing how the NRA and its members take this history and shape in order to create a narrative to help their stance on this debate over the ATT.

### 3.5. Conclusions

This chapter aimed at highlighting the development of international mechanisms in small arms control. First, the chapter observed how the subject came into light in the International Relations theory discipline. From an expansion within the International Security studies field, came the perception Small Arms and Light Weapons are an important factor for the understanding of violence. The end of the Cold War, intra-ethnic conflicts, and the rising levels of death in those conflicts gave purpose to rethink both the concept of security and the measures to address this problem. The gun control mechanisms that began to take form in the mid-90's came to answer this new conception that security does not only entails State borders and military apparatus, but also the individual security within their borders.

Therefore, the chapter first discussed the relevance of ISS conceptual expansion to address human security and SALW. Therefore, the chapter discussed the evolution of three mechanisms: the Firearms Protocol, the Program of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PoA) and the Arms Trade Treaty. These mechanisms were displayed here observing 4 main issues on their evolution: their perceptions on imports, exports, brokering and civilian ownership. As mentioned, the Firearms Protocol and the PoA had comparable measures on imports and exports, not observing brokering and, because of USA pressure, dropping civilian ownership from their text. They are mainly politically binding guidelines to address this new problem, not ensuing in any legal obligation to State members. These discussions moved the agenda forward bringing attention to the subject, especially in the PoA's action and discussions, further encouraging an exclusive discussion on the trade issues within the UN's forums.

The Arms Trade Treaty emerges within this context, fundamentally pushed by INGOs accompanied by governmental support. The ATT is a legally binding instrument to regulate the trade issues on the arms listed in its article 2(1). The exports part of the instrument has a stronger language than the import section, and previous mechanisms. Therefore, the responsibility and the outputs to

illegally export translate an important preoccupation to refrain illegal trafficking from supporting terrorist groups or faction in embargoed areas. An additional aspect that gives ATT a stronger characteristic is its legal components as a treaty and the development it would spark on the countries. Observing the American case, as the country is the center of this analysis; the Senate has an important role throughout a treaty's ratification. In this sense, the entry into force of such a treaty remains dependent on the Senate and its views on the issue.

In order to observe how there is an active resistance played by the gun rights movement by framing the ATT as a threat, the next chapter will focus on the discourses. The objective will be to review the speeches made by the gun right movement and analyze its significance and meaning of their framing action on the ATT. Thereon, the focus will proceed to an analysis of what this resistance means and represents, as well as the effect framing activities have on boosting norm resistance.

## 4

# The right to keep and bear arms: An analysis of the United States' domestic and international history on gun control

The previous chapters dealt with theoretical approaches to norm diffusion, how SALW emerged as a subject in the IR field and which mechanisms international community developed to regulate this subject over the past years. The first chapters contain a theoretical overview, in order to highlight previous works on norm diffusion, and the second proposed a revised framework to deal with cultural and institutional backgrounds and discourses. Once this study assessed the theoretical contribution on the subject, it will proceed to an empirical observation of its outline. To observe the effects of reality building with the goal of reinforcing norm resistance over an international norm, I propose to observe how domestic actors within United States politics deal with the gun control issue *vis-à-vis* an international proposal of regulation.

The present study argues that these domestic actors, observing the cultural and institutional backgrounds within United States' history, continuously design a narrative that can mobilize resistance to norm diffusion on gun rights. There is a constant and active process of reality-building that anchors this narrative. This movement reinforces the idea one must resist any attempt to alter this “reality”, since it is a fundamental structure underlying everyday life. In this particular case, actors create an association in which the right to bear arms and individual freedom are intertwined. Moreover, this association t also encompasses the idea of norm resistance as a twofold fight: to avoid domestic politics and international forces to overrun gun rights. United Nations serves as a “pulpit” to both advocate an international agenda, but also to reinforce domestic arguments and postures. Structuring this narrative based on the American cultural and institutional background gives this discourse resonance and credibility, further strengthening resistance to given norms.

This chapter's contribution is to observe how the domestic process within United States observes gun control at home and abroad. By building a specific reality arisen from cultural and institutional backgrounds, the gun rights

movement creates strong resistance to norm diffusion from outside, not only using these subjective structures, but also shaping them in order to outline an association that mobilizes the relevant audience. Although there are substantial efforts to propose an alternative view, this action is undermined by more solid reality-building by gun advocates.

This chapter will outline how the US gun control debate has emerged and changed. Moreover, the evolution of arguments and targets within domestic and international movements is its analytical centerpiece. In this sense, two forewarnings are important: first, the chapter does not propose to structure a historiographical debate over its subject, but to observe how this debate appears, how actors shape its central question and how it gains its current contours. I do not intend to put forward a debate on gun culture or on the ways it affects American identity in a more deterministic way (Hofstadter, 1964, 1970; Slotkin, 1996). What the work will outline is how several ideas embodied within the gun rights discourse emerge as framing activities on present issues through specific views of historical accounts, such as the Second Amendment. This approach of a guarantee of individual right to self-defense and freedom protection was only brought into light for the first time after 1960, one hundred and seventy years after it passed (Winkler, 2013). However, discursive practices continuously use this element to propel arguments over a long-standing tradition of individual self-defense over the Amendment.

Second, the chapter will proceed to observe this question, while trying to outline political positions rather than assessing parties, institutional and bureaucratic mechanisms they use to forward their positions. In this sense, these efforts pay attention to how political positions on gun-related issues - such as internal legislation on control and external treaties - were placed. Several authors already studied lobbying activities, the outcomes of domestic debate on foreign policy and how internal bureaucracy affects payoffs. Since there is extensive previous research, the research is less concerned with how these actors operate within this institutional mechanism and its outcomes, and more interested in the ideas they embody and how they are used to conquer an audience. The present contribution to the debate is to observe how these ideas came up into the political scenario and to target the cultural and institutional backgrounds to prove its point

and acquire political support. A substantial effort has already been made to assess the effects pressure groups have on political outcomes, but the present study will focus on the arguments and narrative, and not the mechanisms.

This chapter is divided into three parts. First, it will present how the gun emerges into the American political consciousness and the role it played in early American history. This early moment is fundamental to modern framing activities and reality building, because actors often recall this initial moment in order to build a narrative, in which guns have a similar role in the present that they did in American security and freedom in the original intent of the constitution and the “Founding Fathers” authority. Political actors framing resistance judge they know this intention and try to reproduce history and discourse to gain public audience with this association. Thereafter, there is a second moment where the American frontier ceases to grow, cities begin to grow, and the role of guns in American life changes. The first dialectical and rhetorical movements emerge to find the place where guns would settle in this new urban reality.

Secondly, and most importantly, after showing the foundational bases of the upcoming NRA arguments, the work will analyze the current debate on gun control and the influence this normative evolution has on it. Gun control emerges as an important issue in the 1960s and 70s, and the domestic political landscape begins to address this question with more emphasis than before. In this moment, an active process of reality building begins where this post 60’s gun reality is directly associated to prior American moments and values. These arguments grow to a platform in the mid-1990, in which actors tried to associate gun control with tyranny, and free right to bear arms as equivalent to freedom.

To advocate this agenda at the United Nations reflects not only a global preoccupation with a “full-blown” gun confiscation, but also an important opportunity to reach domestic audience with speeches that frame the international *problematique* as similar to the domestic one. The movement of framing ATT and other regimes on SALW as a similar tackle on individual rights to bear arms prompts resistance to the treaty and reinforces domestic resistance. This chapter intends to show this active reality building in order to highlight how these arguments can target international gun treaties as a threat at, the same time,

simulate an internal vulnerability, if the free and unduly right to bear arms were somewhat affected.

#### **4.1. Memories from a distant past**

Richard Hofstadter, an American historian, two-time winner of the Pulitzer Prize, defines the United States as a “gun culture”, quoting Senator Joseph Tydings finding it “tragic that in all of Western civilization the United States is the one country with an insane gun policy” (1970, p.1). Hofstadter attempts to diagnose why United States has an overwhelming attachment to firearms and where these roots can be found. Hofstadter addresses American society in the context of an increase in violence in the late 1960s, after the shootings of Martin Luther King (1968) and John F. Kennedy (1963). The author points out movements throughout the country’s history that enshrined firearms as their symbol. It is important to note that the author is concerned with illustrating the network of events that shaped American identity. This study looks at these events in a less deterministic way; that is, instead of defining them as fundamental to a given behavior, it will illustrate that, in fact, actors recall these movements to establish this link between past and present, evoking past feelings and characteristics to address a present moment.

Nevertheless, Hofstadter takes an important step towards defining what literature will therefore consolidate as “gun culture”<sup>38</sup>. The author works with an important concept, since culture denotes a general label of identity and national-authority (Katzenstein, 1996, p. 47), meaning a perennial constraint informing and dictating behavior. Abigail Kohn (2004), in her book *Shooters: Myths and Realities of America’s Gun Cultures*, conducts an ethnographic study of gun owners and contextualizes gun culture, outlining its implications and effects on political debates. The author emphatically observes that there is substantial polarization within gun control debate<sup>39</sup>, in which political discussion generally

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<sup>38</sup> Other authors already had arrived into this conclusion of a substantial role of firearms in United States society. Therefore, its article is seminal in order to discuss the issue and is frequently quoted as the first important work to address this problem (Squires, 1996, p.56).

<sup>39</sup> Gun control debate is a debate on whether gun legislation should be stricter or not. Control advocates, favoring stricter gun legislation on the right to bear arms, oppose themselves to gun

tries to demerit its counterpart arguing lack of perception or reality assessment (Kohn, 2004, p. x- xi). This debate positions two distinct sides regarding gun legislation and their effect on society.

This subject digs deep inside the notion of what guns represent to their enthusiasts and detractors, and how political rhetoric can mobilize these feelings.

Kohn defines a gun culture as:

One that places enormous social, historical, and political emphasis on guns (both positive and negative and every shade of gray in between). A gun culture has structural manifestations pertaining to gun ownership in a variety of geographic locales. Even a place not strictly associated with guns can have a version of the gun culture if people in the area gather to talk about guns, buy and sell them, or recreate with them. A gun culture is one that uses a common language about guns and shares a set of signs and symbols pertaining to guns in everyday life. (Kohn, 2004, p.4).

In this sense, to address American society as a “gun culture”<sup>40</sup> is both to observe the constitutive role – positive or negative - firearms have within political and social debates and to understand its effect in everyday life through symbols and signs. This definition allows the observation of the gun issue as part of a more broad culture and social behavior, not entailing it with deterministic characteristics imposing rigid conduct on its collective self. This is a particularly important rationale which the analysis proposes to forward: understanding the constitutive role of cultural and institutional backgrounds as a political debate, where there is no inevitable constrain of behavior in one direction or another, but, rather, as a venue – an arena – where visions oppose and try to mobilize feelings and world-view perceptions to defend and prove their argument.

Going beyond this rigid conception of cultural outputs one can, as previously stated, observe limitation effects that a “culture out there” can have on framing, and vice-versa (Benford & Snow, 2000, p. 622). This relationship proves

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rights advocates, in favor of defending the right to bear arms as an individual and essential right, such as liberty and free speech

<sup>40</sup> To address the USA as a gun culture does not exclude the possibility to address other nations as gun cultures. Research Note #9 of the Small Arms Survey (2002) observes “When it comes to estimating civilian firearm ownership, differences in national gun culture —each country’s unique combination of historic and current sources of supply, laws and attitudes toward firearms ownership—often have distinct effects on the classification, ownership and perception of firearms.” The present work intends to address the issue on the United States, as such, the analysis of gun culture will restrict to this country. Squires (1996) gives an interesting account on the British gun culture in comparison to the American’s.

there is more to assess than natural positions and limitations arisen from cultural and institutional background. There is a dynamic process where actors can build specific paths to highlight significant points of their arguments and to overshadow others. This conception of gun culture as both a positive and a negative constitutional element, as well as the constant use of signs and symbols, allows for an encompassing reading of culture and framing. Culturally, there is the fact that guns played a significant role in American physical state formation; however, observing there is a political, social and historical contribution to this role and how symbols and signs are used on everyday life, it is possible to mobilize this constitutive role in order to recall past feelings and perceptions over this issue.

The relationship between the United States' political ethos and firearms begins one ocean away, during the events that preceded the year before the Glorious Revolution in England. Adam Winkler argues in his book, *Gunfight: The Battle Over The Right To Bear Arms In America* (2013, p. 99-101), the movements and political outputs the colonization process developed were the first referential on the American relationship with guns. There was an imminent risk of revolution when James II, a Catholic King ruling a Protestant kingdom, ascended to the throne. In a turbulent political environment, the king issued a decree in order to confiscate the arms of anyone who posed a threat to the "Peace of the Kingdom". The Militia Act of 1664 was aimed at the vast majority of the Protestant population, with the goal of seizing firearms and, therefore, establishing control over the population. This turbulence and the subsequent birth of a potential Catholic heir to the throne catalyzed the Revolution that enthroned James' daughter Mary, and William of Orange.

More interestingly, when the new king and queen ascended to the throne, they had limitations imposed on their power, becoming dependent on the Parliament which crafted the Bill of Rights of 1689 (idem, 2013, p.102). This declaration is particularly important, since the right to bear arms appears as a precondition for self-defense. Joyce Lee Malcolm, Fellow of the Royal Historical Society, observes there was a first version, affirming "The Subjects, which are Protestants, may have Arms for their Defense suitable to their Conditions and as allowed by Law." Then, the second version changed the notion of public and

shifted to the individual, asserting Protestants "may provide and keep Arms, for their common Defense" (Malcolm, 1993).

This shift gives individuals the right to assure "personal security, liberty and property" against a government that may suddenly infringe peace and menace self-defense. Both Malcolm, Winkler and also J. R. Western, agree with the idea that the right to bear arms in England was individual and led, one century later, to an individualist conception of the right to bear arms as a right to self-defense (Halbrook, 1994, p. 41-43; Malcolm, 1993, p. 143; Winkler, 2013, p. 102-103). Gun control in early United States history emerged as eminently tyrannical, an act to seize power from the people and vanquish its defenses against a powerful actor. This imaginary is central to the late development of a local resistance on gun control based on the fight against United Nation tyranny, further detailed in the end of this chapter.

Self-defense and independence were two concepts that enshrined<sup>41</sup> the firearm as an early symbol of the nation. In this sense, the American Revolution and the how the country gained its independence play a major role in consolidating this relationship. Gun control was once again placed as a potential solution to vanquish enemies of the British Crown in America. Colonists observed this measure as an attempt to control their lives and forbid them from defending themselves. Stephen Halbrook (1989, p.98) highlights British military personnel searched homes and occupied Boston. As Winkler (2004, p. 103) points out, the Virginia Gazette published in 1775 that there was a scarcity of firearms in the northern colonies, "disarming the people, and thereby depriving them of the only means of defending their lives and property". During the revolution, as Hofstadter argues, there was a clear perception of the marksmanship of the American yeoman militia as decisive in the conflict.

Gaining independence, after the memory of the past moments in the Glorious Revolution, the image of the right to possess a firearm and the militia were crafted as symbols of freedom. The Federalists and the new Bill of Rights, drafted by James Madison and George Mason, observed the right to bear arms in its second amendment, affirming the "A well-regulated Militia, being necessary to

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<sup>41</sup> Carl Bakan once argued on his essay **The Right to Bear Arms(1966)** "*With the Revolution, the gun was virtually enshrined as our historic symbol of freedom.*"

the security of a free State, the right of the people to keep and bear Arms, shall not be infringed". Therefore, fixed into the Constitution, the right to bear arms was protected. The role Militias played in the formation of the early United States supports the avid desire to assure its protection against tyranny, and to protect the land against the dangers a professional army could create. Lee Malcolm (n.d) argues that

Americans inherited English antagonism to professional armies and English preference for a militia, always mindful that a select militia could be dangerous. Nevertheless, just as the English tolerated a standing army, the framers felt compelled to structure a permanent army into the Constitution to guard the frontiers. As a counterbalance to the army they felt the militia must be made a viable force. "As the greatest danger to liberty is from large standing armies," Madison argued, "it is best to prevent them by an effectual provision for a good Militia." For that reason control over state militias was granted to the central government. (Malcolm, n.d)

In this sense, there was a concern with how tyranny could prevail over the rights of the freemen, preventing this horrid fate with a full disposition of firearms. There was, potentially, a balance against the imperative necessity to have an army. Lee Malcolm goes further into observing the essence of what was at stake in the second amendment writing, as it was defined by *The Federal Gazette and Philadelphia Evening Post* of Thursday, in 1789:

As civil rulers, not having their duty to the people duly before them, may attempt to tyrannize, and as the military forces which must be occasionally raised to defend our country, might pervert their power to the injury of their fellow-citizens, the people are confirmed ... in their right to keep and bear their private arms. (Malcolm, n.d)

The second amendment emerges as the cornerstone of domestic regulation on the right of bear arms. However, there are two interpretations on the 2<sup>nd</sup> Amendment and its rulings to common law and jurisprudence: The individual-rights reading and the Militia Reading. The latter reading in forms the right to bear arms is entitled only with if a "well-regulated militia" is necessary. The former emerged recently as an output of new interest on the subject, the New Right movement and the NRA shift to political lobby and research support against the militia reading (Winkler, 2004, p. 96-99). These debates which profoundly shaped posterior discussions, by themselves, deserve special focus to discuss

findings on the original texts<sup>42</sup>. What is important for the present study to acknowledge is the meaning and impact gun control had in USA early years. As this chapter intends to show, NRA arguments over the “original” second amendment intent, the freedoms assured by the Constitution and by the Founding Fathers provided a robust basis upon which discourses could emerge on how gun control was potentially destructive.

Although the Independence played a significant role on the right to bear arms, the American Civil War and the upcoming westward expansion prompt the influence firearms had in United States. The American Civil War marked the extension of the right to bear arms and the last one definitely elevated firearms as a symbol of freedom and an accomplishment of the human endeavor. Moreover, in 1871, after the civil war, the most emblematic pro-gun group was created to improve the poor federal rifle marksmanship, the National Rifle Association (NRA) (Rodengen, 2002, p. 16). The movements between these two remarkable experiences on everyday life placed threats on liberty, peace and freedom. The fight for freedom and to end any form of tyranny would continue to deny that any citizen would have their rights abridged over their color. Therefore, America should rise and expand to the unknown West, facing threats that could undermine the freedoms of its people.

The civil war and gun control have an intimate connection since the main subject of the conflict also was deprived of gun rights: slaves were not allowed to have arms. Slave rebellions were increasing in the beginning of the 1880s. To deprive slaves’ gun access was a measure of public safety, from the perspective of the white population (Winkler, 2013, p. 131-132). Alan Trelease (1971, p. xix-xx), in his book *The Ku Klux Klan Conspiracy and Southern Reconstruction*, observed that the fear of rebellion and the radical need to transform the South into a “white man’s zone” promoted measures to deny rights to black people<sup>43</sup>. One

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<sup>42</sup> There is a robust field of study on these legalist interpretations. Important contributions were made by Kates Jr. (1976), Churchill (2007), Lee Malcom (1993), Halbrook (1994), Barlow (1988), Winkler (2007). A particularly elucidating essay on the subject is Alonso's (2003, p. 6-26), where the author addresses the subject observing cultural and legal implications of the second amendment. Halbrook (2008), *The Founders' Second Amendment: Origins of the Right to Bear Arms*, gives important information and reflections of the original content of the amendment.

<sup>43</sup> It is interesting to note the prevalent fear of the black man and the constant construction of the question as an imminent threat to United States. Trelease (1971, p. xx-xi) argues whites opposed emancipation once it would “stimulate the Negro’s innate passion for the white woman”. Although they were on the rise through the reconstruction, there was nothing compared to what whites

element that facilitated vigilance was the provisions of the Second Amendment: well regulated militias were established on the South. Arguably, with the establishment of a professional army to face national menaces, militias in the South turned into slave patrols, monitoring and depriving black men of gun rights they would have as citizens (Cramer, 2009; Winkler, 2013, p.133).

Two issues came to attention: who was a citizen of the United States and to which extent black men would fit in this category<sup>44</sup>. When the civil war was over, the fourteenth amendment came to assure full citizenship and rights to every citizen in Lincoln's "new birth of freedom", free from slavery. Armed black men immediately resulted in a white men fear. The response was a refashioned white supremacy patrol – such as the Ku Klux Klan (KKK) - to hunt and lynch black men around the country. Formed with the intention to keep white supremacy alive, their intent was to push back those liberties offered to black men, depriving them once again of the right to bear arms. The intention of the KKK was assuring order, trying to keep former slaves under control and preserve the old idea of an area of white rule (Trelease, 2009, p 28-29; West, 2010, p. 35; Winkler, 2013, p. 137).

Confronting these ideas was more than a battle over gun rights to black men, but actually a fight for their freedom. This was also a fight for the union of the country, ensuring liberties to individuals, whatever the color of their skin was. The Second Amendment represented, in this sense, the need to assure the rights to individuals to bear and keep arms, at the same time this right represented freedom. This relationship is powerful and embodies a strong base to contemporary sources of imaginaries to build gun rights advocates arguments<sup>45</sup> in the future.

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thought it was. This sentiment actually "evoked white supremacy in its most virulent form", a discourse aiming to persuade a specific audience. In a similar way, with the beginning of the prohibition of alcohol and international policy on drugs around 1920, Ioan Grillo (2011, p. 25-26) argues that there were several articles about "cocaine-crazed Negroes" with superhuman force, as well as opium-driven Chinese immigrants that were raping white women. The power to address an issue as a threat linking to particular common experience/ fear gives the mobilization a powerful resonance.

<sup>44</sup> Roger Taney, Chief Justice of United States Supreme Court who administered Abraham Lincoln's oath of office, had a strong opinion over black men's gun rights. Taney argued black men were "unfit to associate with the white race", and to grant them citizenship would also allow them the right to free speech, attend public affairs meetings and the right to keep and bear arms "wherever they want" (Winkler, 2013, p.134).

<sup>45</sup> To give an example, Winkler (2013, p. 148) provides an interesting case on the District of Columbia rule over gun rights: "While the lawyers were preparing for an oral argument, Montana

## 4.2. NRA's birth and the violence boom

This same political environment marks the birth of the most iconic organization regarding gun issues in United States, the National Rifle Association. The intentions behind its creation – and its further change during the late 19th and the 20th century – give important information about how the relationship between firearms and society is presented. The civil war highlights a fundamental problem in the eyes of Captain William Church, around 1860s: the lack of skills concerning army men and the proper use of the rifle. In a series of paper editorials, he addressed this problem recalling that the training of New York National Guard granted superiority when facing the British volunteers. General George Wingate, enlisted in New York's Twenty Second Regiment and, during and after the war, as a hunter, also noticed the lack of skill of the average American soldier. The General, with incentives by now Lieutenant Coronel Church, wrote the "Manual for Rifle Practice" which served the purpose of informing and defining good practices and instructions of rifle use (Rodengen, 2002, p. 17-25).

Important to notice, the National Rifle Association was created with a core ideal very distinct from the ones now professed. The general concern was to provide training and promote the use of the rifle, taking into account the poor marksmanship of the average American soldier, thus providing a fundamental skill to defend the country. Osha Gray Davidson (1993) addresses this change stating NRA had a "quasi-governmental" role in the early movements of the association, as shooting contests and governmental funding, illustrating the NRA as some sort of regulatory agency concerned with the use of firearms. Nevertheless, NRA's scope of action changed through time. This change actually

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lawmakers passed a resolution demanding the Court hold that the Second Amendment guaranteed an individual right to bear arms. The resolution said that when Montana agreed to join the Union in 1889, Montanans believes that the Constitution protected the right of individuals to possess guns, not some militia-based right. A Supreme Court ruling rejecting the individual-right reading of the Second Amendment would, the resolution continued, "violate Montana's Compact with the United States" and Montana "reserves all usual rights and remedies under historic contract law if its Compact should be violated." In other words, Montana was threatening to secede from the Union. A victory by the D.C lawyers in the Supreme Court, Montana lawmakers were suggesting, might justify nothing less than another Civil War."

has a profound impact on the role of firearms in society, and on how Americans perceive the use of firearms and the values they bring attached to their use.

The National Rifle Association arose during an emblematic time in order to portray the importance of firearms to law enforcers: the expansion of the western frontier<sup>46</sup>. The first movement of this expansion is the impetus the Civil War gave American citizens to head west. Initially, Americans were too traumatized to go back to their hometown and decided to live along the frontier (Winkler, 2013, p. 160). In this sense, there is a powerful representation of the impact the life in the frontier had on those citizens, mainly by the constant conflicts with Native Americans and wild animals, but also by the imaginary<sup>47</sup> of a strong battle to settle peace and “conquer the West” (Melzner, 2009, p. 32-35).

It is particularly interesting to notice the difference between the imaginary and the reality of gun control on the West. Some academics advance inquiries and researches in order to assess the violence rates in those cities and the role of firearms and gun control in everyday life. These cities, they argued, were not as violent as portrayed and thought, reaching rates of 1.5 homicides per year in cities like Dodge (Dykstra, 1968), – similar to the ones in cities on the East Coast (Shenkman, 1988). Other researchers support there was indeed more imagination than actually violence on these cities (Billigton, 1967, Hollon, 1968).

Winkler (2013, p. 162) argues:

“Disputes were settled by duels at high noon, and just about ant poker game could ignite a deadly barroom brawl. Crime ran rampant, and the only reliable form of protection was the gun that every man wore. The truth, however, is that the famous gun havens of the Wild West were not nearly as violent as usually imagined. Moreover, frontier towns like Tombstone have some of the most restrictive gun control laws in America” (Winkler, 2013, p. 162)

The 1870s and the 1880s witnessed important measures to establish gun control, more specifically on concealed weapons. Clayton Cramer (2000) has

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<sup>46</sup> As well as the literature critical of the Second Amendment, the study of the frontier and their respective impacts on American identity are well covered. The most iconic work is Turner’s (1893) Frontier thesis, addressing American democracy was forged during the era of westward expansion. I do not intend to challenge or further develop these sociological aspects, but only to underline the relationship portrayed between guns and lawmen back on this period.

<sup>47</sup> The cultural impact – and their representations – of the frontier in American culture is very vast and the western genre in cinema represents its strongly with movies such as Frontier Marshal (197), My Dear Clementine (1946), Gunfight at the O.K (1957), The good, the bad and the ugly (1966), Butch Cassidy (1962), Once upon a time in the West (1968) and many more.

conducted thorough research on the subject: there are important reasons to develop such control – such as the aforementioned restriction on blacks’ gun rights. Nevertheless, there are other significant reasons to address a prohibition of concealed weapons: violence among citizens. The southern region of the United States led this movement in an effort to reduce public violence. In a detailed study, Cramer argues, observing the culture of duels and rampages of gun violence over discussions among citizens, that this scenario led Texas to implement restrictions to the right to carry arms in public places. The central point of his research to explain this action was the honor culture that promotes those duels. Cramer argues:

Underlying most of this violence was the honor culture. Today, when we speak of “honor,” it means something a bit different than it did in the nineteenth century. In an honor culture, people are restrained by shame: “What will people think of me?” In an honor culture, you behave yourself only if you fear that others will know what you did, and disapprove. In an honor culture, men duel because they are afraid that they will be called cowards or immoral. It does not matter if the charge is true or not; it is what others think about you that matters. (Cramer, 2000, p. 5-6).

Winkler argues this movement led the first court rulings on the constitutional right to bear arms and spread the idea that carrying weapons could lead to increase violence. He argues Montana – the same state which threatened to secede from the Union over gun rights – banned concealed weapons on 1887, followed by Oklahoma, in 1890 and Washington, 1907. Some previous cases, such as Indiana, in 1833, Tennessee, in 1840, Kentucky in 1822 are other important examples of gun control (Winkler, 2013, p. 166 – 170; p. 327). What those researchers illustrate is that gun control is not an invention of the 20th century and, therefore, resided in America – and, mainly in the south – and it is an idea linked to reducing violence. What generated this imaginary of a violent west and a frontier of permanent danger? Where is the role of gun control in early America within western movies and general argument?

This research argues the contemporary framing of gun control does conceal this important part of gun control history in an effort to highlight the role it presumably has as a preamble of tyranny. This is an important point to show how framing and discourses activities highlight important points and hide other facts to resonate their argument. Cultural and institutional backgrounds, in this

sense, do have an important role to firearms and the early formation of the country and culture. Nevertheless, this relationship is shaped by arguments that highlight an environment that links gun control to tyranny and freedom protection, not addressing the initial role gun control had in American states with security and violence reduction. This relationship goes deeper and wider when the frontier closes and the representations must change within an urban United States.

The frontier and the westward expansion, moments that shaped American policy and society in the late 19th and early 20th century, had ceased to move onwards. The new century showed a new reality where the final frontier was settled. To illustrate this moment, Turner argues:

In a recent bulletin of the Superintendent of the Census for 1890 appear these significant words: "Up to and including 1880 the country had a frontier of settlement, but at present the unsettled area has been so broken into by isolated bodies of settlement that there can hardly be said to be a frontier line. In the discussion of its extent, its westward movement, etc., it cannot, therefore, any longer have a place in the census reports." This brief official statement marks the closing of a great historic movement. (Turner, 1983)

This turn also bring a more intense relationship between gun control, firearms and society. First, there is a change in how people understand firearms. Hunting and shooting – elements considered indispensable to everyday life at the frontier – turned into sports. As Hofstadter (1970, p.5) argues, “What began as a necessity of agriculture and the frontier took hold as a sport and as an ingredient in the American imagination.” In this sense, the movement of the firearm as indispensable to human survival in the frontier and as a halberd of freedom over tyranny becomes an instrument to practice sports. There is also an important attachment that arises of the rifle as an element of the passage from infancy into adult life<sup>48</sup> – to learn how to use firearms turns as a bond between father and soon, a common sport practice.

The NRA understood and contributed to this movement. The first decade of the 20th century saw both a geographical expansion of the association and an extension of its role within American armed forces and the public. This movement began in 1903, promoted by the War Department’s National Marksmen’s Reserve,

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<sup>48</sup> Scott Melzer argues there is a substantial role left to firearms: assure masculinity and define what a man must do – more importantly, what a woman must not. See Melner, 2009, Chapter 1.

creating a code intending to train and qualify citizens in rifle marksmanship. This led to an expansion to structure rifle clubs that would train young man. NRA in their early works promoting rifle practices with contests all around the country, with annual matches. In 1905, NRA created the Public School Athletic League to encourage youngster to compete. Next year's annual match – Sea Girt camp, in August 1906 – saw 200 teenage boys competing in rifle contests (Rodengen, 2002, p. 46-52)<sup>49</sup>. The role of the NRA within the army grew, once Congress passed a National Defense Act in 1916 naming NRA as an official liaison between the army and the civilian reserve.

Arguably, the initial role of the NRA was intertwined with shooting as a sport, focusing “mainly on competitive shooting and civilian programs such as police training, youth activities, safety education and programs for hunters.” World War I consolidated this role, in which the association helped to train recruits. It is interesting to notice that, when portraying the role United States shooters had in World War I, Rodengen argues “The United States was on top of the shooting world and was prepared to defend it from tyranny, thanks in large part to the NRA of America.” Fighting against tyranny always appears within the arguments NRA uses. The upcoming lobbying shift in the late 70s, nevertheless, only happened due the restrictive gun measure by the Federal administration, beginning in the 30s and culminating on the 60s (idem, 2002, p. 60-61).

Empirical research does not confirm what Rodengen argues. The restrictive measures did not begin by 1930s and had a deeper connection with civil violence in southern cities (Crammer, 2000; Billigton, 1967; Dykstra, 1968; Hollon, 1968; Shenkman, 1988; Winkler, 2013). Federal legislation on gun control came much later than those that arose on the states and had a distinct reason: crime. Within states, the first measures intended to restrain the use of firearms on duels and limit the scope their scope of use. However, in the late 30s, Franklin Delano Roosevelt had to deal with gangsters taking control of cities and spreading insecurity. Few years ago, crime and traffic rose in America, leading to

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<sup>49</sup> Rodegen's book – *NRA, An American Legend*, 2002 – narrates, in a singular and enthusiastic manner – the history of NRA through the years. This book opens with Tom Clancy's preface arguing that is easy to know the role of firearms in USA, it takes only the skill to “know reading” the second amendment. In this sense, I take this book – and most of the critics – as the official account of NRA history in historiographical terms. Noteworthy, the chapters about this period always bring the idea of expansion. The chapter four, *National Scope and Federal Recognition*; Five, *New Horizons: From soldiers to civilians*; six, *Bigger And Better*.

several prohibitions in both areas. On drugs, the Harrison Act of 1914 tried to combat opium production while in 1919 Congress ratified the 18<sup>th</sup> Amendment, prohibiting to produce and sale liquors (Grayson, 2011, 21-22; Grillo, 2011, p.31).

Prohibition had a series of consequences that had not been part of the drafters' plans: cartels and criminals understood the potential and invested in producing liquor. Mobs spread through cities like Chicago and fought for control of this profitable market (Winkler, 2013, p. 190). These mobster activities generated fortunes that well-known figures like Al Capone and George "Bugs" Moran waged real wars to win. Mike Gray (2009) – in a comparison between the Prohibition and war on drugs – observed the politics towards a dry America fomented mob expansion and increased violence<sup>50</sup>. More interestingly, these battles used a new kind of firearm, posing a new kind of threat.

The T-Gun or "Chicago piano"<sup>51</sup> – a sub-machine gun designed to fight Germany in the trenches of Europe – was the perfect firearm because of its availability and easy access. Anyone could order a T-gun by mail at affordable prices<sup>52</sup>, considering the millions the mafia made with smuggling. Portability was also an important advantage - given its firing capability, one gangster could empty its gun carrying .45 ammo in seconds and swiftly flee the area. It is important to mention that these mobs were equipped with comparatively very high-tech communications systems and fast cars, frequently winning confrontations with the police. Mobsters and criminals – nowadays Hollywood's anti-heroes – Al Capone, George Bugs, Bonnie & Clyde, and John Dillinger – rose in America, posing a threat to the American people President Franklin D. Roosevelt had just pledged to protect (Winkler, 2013, p. 191-197).

Attorney General Homer Cummings would lead this war on crime. The mission was difficult and, to complete its purpose, Cummings had in mind that it would be necessary to mount an equal force, prepared and armed to fight outlaws:

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<sup>50</sup> Conservative and Moralistic rhetoric on prohibition intended to difficult alcohol to enter USA. However, the general output of this measure is to incentive criminal activities inside and outside the country. Prohibition had unintended consequences also in Mexico. Gray (2009) observes this policy led to "major crime syndicates" formation, creating, as Grayson mentions (2011, p. 22-33), the "big three" underground industries in Ciudad Juarez: gun-running, prostitution and liquor smuggling. Consequences of this process can still be felt in one of the most violent cities in Latin American (Justicia y Paz, 2013).

<sup>51</sup> Named after its creator, T. Thompson, it earned the nickname once "it fired like a finger moving quickly up the keys" (Winkler, 2013, p.190-191)

<sup>52</sup> 175 USD, 2.000 USD in current dollars (idem, 2013, p. 191)

the Bureau of Investigation, later renamed Federal Bureau of Investigation. Nevertheless, gun control needed a more specific approach on formal legislation to forfeit criminals and, in this sense, needed support from states and congress. The National Firearms Act (NFA) of 1934 imposed heavy tax burdens on firearms and created a national registry as well. As the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) explains:

As structured in 1934, the NFA imposed a duty on persons transferring NFA firearms, as well as mere possessors of unregistered firearms, to register them with the Secretary of the Treasury. If the possessor of an unregistered firearm applied to register the firearm as required by the NFA, the Treasury Department could supply information to State authorities about the registrant's possession of the firearm. State authorities could then use the information to prosecute the person whose possession violated State laws (ATF, n.d)

The focus nevertheless remained on machine guns and mob-related weapons, such as the “Chicago piano”. Early attempts at gun control had several constrains on small arms, such as handguns. The preoccupation of early 20<sup>th</sup>-century gun control was to prevent violence. Concealable firearms – such as revolvers and pistols – had an impact on everyday life as much as other firearms. There are some examples of this, such as the Sullivan Law of 1911 prohibiting New York's citizens from carrying and keeping firearms without permission – and the Revolver Act, 1923 – also proposing a permit to carry guns and an additional penalty to anyone with a concealed weapon permit that would committed a crime. The Uniform Firearms act was also an important measure, attaching the purchase of a firearm to a “proper reason”, one-day waiting list and a buyer record (DeConde, 2001, Winkler, 2013, p. 204-210).

Within this context, the National Rifle Association, the modern guardian of the pro-gun movement, actually agreed to “reasonable laws”. Winkler (2011) observes Karl T. Frederick, Olympic medalist and NRA President, wrote in a 1932 Virginia Law Review that “*laws requiring a license to carry a concealed weapon were already in effect in practically every jurisdiction.*”. Nonetheless, the NRA opposed the stricter measures contained in The National Firearms Act of 1934, fighting Cummings on taxes over handguns (De Conde, 2001, p. 141-143; Rodengen, 2002, p. 96-97; Winkler, 2013, p. 211). Rodegen takes a more incisive view on the Attorney General, observing the measures NRA defended against the Alco Bill in California that would have banned all firearms. This support goes

almost unmentioned, merely stating “*NRA did not employ anyone to lobby for or against legislation*”. However, as some authors argue (DeConde, 2001, p. 141-143, Winkler, 2013, p. 211) and the text of Alan Webber (1968, p. 22-23) on the *American Rifleman* – NRA Magazine – shows otherwise:

I think it is a terrible indictment of the National Rifle Association that they haven't supported any legislation to try and control the misuse of rifles and pistols in this country. (...)The late Karl T. Frederick, an NRA president, served for years as special consultant with the Commissioners on Uniform State Laws to frame The Uniform Firearms Act of 1930. Adopted by Alabama, Indiana, the District of Columbia, Pennsylvania, South Dakota, and Washington, the Act directly attacks the "mail order murder" to which President Johnson referred in his State of the Union Message. (...) The NRA supported The National Firearms Act of 1934 which taxes and requires registration of such firearms as machine guns, sawed-off rifles and sawed-off shotguns. The NRA supported The Federal Firearms Act of 1938, which regulates interstate and foreign commerce in firearms and pistol or revolver ammunition, and prohibits the movement in interstate or foreign commerce of firearms and ammunition between certain persons and under certain conditions. (Webber, 1968, p. 22)

### 4.3. Changing rules, changing roles

The 40s and the 50s – mobilized with the war, post-war and cold war – saw little action on gun issues, once again mentioned and debated in the civil rights movement of the 60s. The 1960s and the civil rights era show both a high peak of gun control measures in America, as well as a reaction to these measures. There are the first measures to impose new policies towards limiting radicals' ability to obtain and use guns freely. There was an upsurge of new actions proposed by President Lyndon B. Johnson, and the shift within the NRA leadership changed the discussions gun control would have for the upcoming years. Fighting the “NRA’s Darkest Days” and experiencing a “countdown to Crisis”, NRA leadership experienced a “Revolution and Reform” to a more “Focused Organization”<sup>53</sup>.

The black community everyday life in the early sixties was still unduly harsh, where unemployment and violence were present. Although some important cases ruled by the US Supreme Court – such as *Brown vs. Board of Education*, the Civil Rights Act and the Voting Rights Act- gave hope to this community, the

<sup>53</sup> These are the names of the chapters that comprehend the period between 1967 to 1980 in Rodengend book, *NRA: An American Legend* (2002, p. 150-199).

civil rights movement's promise of equality and respect was still not tangible. White supremacists continued to terrorize the black community, mainly on the South<sup>54</sup>. Police violence was linked with KKK participation, with cases of payment to collect black prisoners in the police station to proceed with their methods (Leonardatos, 1999, p. 19; Salter Jr., 1989, 19, Winkler, 2013, p. 231-232). The first radicals to emerge began to think on a more harsh approach should come to those who wonder better days. As Winkler (2013, p. 233) mentions "*self-help seemed the only available option*".

The emerging rationale of self-defense was proposed by black leader Malcolm X, who argued that the black community should use "any necessary means" to halt police violence and white supremacists' abuse. He was severely critical of the Rev. Martin Luther King Jr.'s nonviolent revolution, questioning the usefulness of pacific methods to the black cause. Once, X had asked, "[w]hoever heard of a nonviolent revolution? Whoever heard of a revolution without blood shared" (Myers, 1994, p.X-XI). He argued that:

We declare our right on this earth to be a man, to be a human being, to be respected as a human being, to be given the rights of a human being in this society, on this earth, in this day, which we intend to bring into existence by any means necessary" (X, 1970).

Taking this standpoint to the extreme, the Black Panthers, an organization formed to give purpose to this fierce approach, used firearms as a potential instrument to self-defense. They used to showcase them in public to impose respect<sup>55</sup> (Winkler, 2013, p. 235). The intention to build respect by the use of an equivalent power, showing this approach through firearms, changed the relationship between police and blacks, according to the Black Panthers; no longer subjection, but equality amidst them (Hilliard & Nease, 2002, p. 59).

As every action leads to a reaction, the upcoming movements of the Black Panthers and a potential tragedy between its members and the police made policymakers rapidly understand the depth of the action to showcase loaded weapons on the streets. California's State Representative Don Mulford tried to

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<sup>54</sup> Winkler (2013, p. 232) comments this rationale over an episode where "*thousands of civil rights workers descended upon Mississippi to register black voters in the "freedom summer" of 1964; four were killed, three of them when local police arrested them and then turned them over to the Klan*"

<sup>55</sup> Interesting to notice, the contemporary approach of Open Carry movements is to exercise your gun rights showing guns to assure its fulfillment.

pass a law to disarm the group after they paid a well-armed “visit” to the State Capitol Hill, in Sacramento<sup>56</sup>. Less than 3 months later, Governor Ronald Reagan<sup>57</sup> signed a law that would be an icon on national gun control measures, the Mulford Act of 1967. It was prohibited to illegal to carry loaded weapons on vehicles, properties without owners consent and to carry a concealed weapon without permit (Leonardatos, 1999; Winkler, 2013, p. 244-246).

Important to mention, the political environment of the 60s present a prosperous scenario to implement gun control. President John F. Kennedy<sup>58</sup> murderer prompted new legislation into congress, mostly iconic represented into the Dodd Bills of 1963. Among this legislation it was a NRA supported bill to prevent unsupervised young man and criminals to have a handgun (Rodengen, 2002, p. 141). President Lyndon B. Johnson, after the JFK’s murder, tried to push legislation on gun control on the congress. This legislation, however, stalled therefore within Law-and-Order’s Committees. Only in 1967 - the beginning what NRA consider the Darkest Days of the organization -, there was a push towards gun legislation, a momentum lead by race riots in the country (Rodengen, 2002, p. 149-151; Winkler, 2013, p. 249).

Interestingly, Rodengen views these upcoming views as a direct output of Vietnam’s failure and a movement to pursue national media attention by the President Johnson. Nothing but, in this sense, as a diversion which he prosecuted in executive actions<sup>59</sup>. Martin Luther King’s death in 1968 prompted new legislation within gun control already existent measures. The Gun Control Act of 1968 passed on the house – in an episode recalled by the NRA as a defeat leaded by lethargic congressmen that did not vote to ban this piece of legislation, once 141 abstained on the vote (Rodengen, 2002, p. 153). The measures were mostly directed to ban shipments across state lines, imposed a license to gun dealers - which were the only allowed to ship interstate. ATF was left in charge of

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<sup>56</sup> The Sacramento “invasion”, as it was called, can be further described in Leonardatos, 1999; Austin, 2004 and Winkler, 2013.

<sup>57</sup> Ironically, Reagan would be, as president, the Champion on gun rights advocacy

<sup>58</sup> JFK, as senator, tried in 1959 to pass a law undermining importation of military firearms. Seemed as a protectionism, the bill failed to pass through congress. Few years later, Lee Harvey Oswald used an Italian Marnlicher-Carcano rifle to shoot JFK in Dallas (Winkler, 2013, p.248).

<sup>59</sup> Noteworthy, executive measures seem to always open a backdoor to contemporary NRA. President Obama and the ATT signature was also saw as an attempt to disrupt national procedures to install gun legislation.

supervision and overseeing the federal licenses to gun dealers (Winkler, 2013, p. 251-255). Most important, this legislation transformed the way NRA would deal with legislation, leading to change its composition and action outward its rooms in lobbying actions. The shadow of the 1968 defeat would impact on internal discussion on organization's path, culminating with the internal change.

These changing rules on gun control came when the role of federal government was on question. Two important movements had a central role pushing this legislation and promoting a reaction of resistance: the idea of guns as self-defense against crime in one hand and, on the other, the New Right movement to reduce the role of government in people's lives. This conjunction promoted a renewed influx of members within pro-guns associations, changing them to a more political biased action. Rodengen (2002, p.158), on its official historical account of the NRA, observe the beginning of the 70s as a countdown to crisis as well as the main activity NRA would reach to fight legislation: political lobby<sup>60</sup>.

The movements towards a creation of an Institute of Legislative Action of the NRA, the iconic NRA-ILA, highlights how the late 60s gun legislation and the events of the beginning of the 70s catalyzed NRA lobby role. First, there was a series of political losses in congress on these guns legislations. The Bayh Bills of 1970 – prohibiting the “Saturday Night Specials”<sup>61</sup> – and President's Nixon Appointment of Elliot Richardson as Attorney General who, in the eyes of the NRA, was “aggressively anti-gun” fomented the idea to create a lobby to defend gun owners' rights (idem, 2002, p. 163). By the mid-70s, there is already an active movement to ban legislation on gun control by NRA members who defend such laws were only made possible because the general commotion of JFK and Luther King's deaths. The fundamental understanding on this period – such in the movement of the black panthers as well as the NRA – is that guns are not only a sport, but an instrument of self-defense. Black panthers seek to repeal police abuse; NRA members seek to repeal violence. As Winkler (Winkler, 2013, p. 256-

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<sup>60</sup> Rodengen (2002, p. 149-150) uses the words lobby and lobbyist with an unusual caution, even mentioning that NRA had never this purpose and try to dismiss the early accusations of serving gun industry interests as attempts to disrupts association's image. The NRA, according to Rodengen, was lead to lobbying from an aggressive gun legislation.

<sup>61</sup> Foreign cheap pistols imported from another countries (Rodengen, 2002, p. 159).

257) argues, the “Black Panthers went to Sacramento to make their voices heard; the NRA’s Lobbyists went to Washington”.

Second, and most importantly, there was a push to a more libertarian conception on the meaning of the government: a smaller role and less intrusion. This view would finally culminate when Ronald Reagan reached the White House; however, it begins in the 70s. Voters and gun advocates also began to challenge this rationale. Gun control opposition – notably the new line on the NRA leadership – observed society in two distinct and distant classes – criminal and citizens – alongside with a denial of Big Government. They planned to attach liberty of the NRA-ILA to pursue an individual approach on gun rights and promote it through lobby (Siegel, 2008, p. 207-211). Joseph Tartaro argues previously to the Revolt of Cincinnati (1981, p. 24), people on the NRA colonies [of the Federation] felt unrepresented. He comments:

Many pro-gun activists outside of NRA leadership were convinced that gun owners could no longer compromise on legislation designed to restrict the ownership of firearms. Indeed, some of these blamed prevailing statutes on compromises by NRA leadership in the 1930s and 1960s (...) A classic confrontational situation developed not unlike the schism between the American colonists and the Crown in 1775 (Tartaro, 1981, p. 19)

Lobby movement deeply changed the power relationship in early votes on gun legislation. Organized and issued oriented, the NRA-ILA had an important role defeating a Senate vote to ban ammunition from homes under once the Consumer Product Safety Commission stated it was a hazardous substance (Rodengen, 2002, p. 173)<sup>62</sup>. The role NRA would represent in the national politics was the central issue that would move the internal change on NRA. The questions first began when the NRA Vice-President, Maxwell Rich, decided to retreat NRA Headquarters from Washington to Colorado Springs, to take a more intimate role in sport and outdoorsman activities (Davidson, 1998, p. 20-28; Winkler, 2013, p. 65).

Maxwell’s measures include avoiding funds reaching NRA-ILA and halting their political support to legislation. These measures against the NRA-ILA

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<sup>62</sup> Rodengen (2002, p. 174) argues that this victory showed “*the real power of gun lobby rested, not in a building in Washington, D.C, but in the hearts and minds of citizen across America*”. Interesting sentence, since there were, as this chapter intends to show, mixed reactions and postures on American society and within the NRA itself.

fomented a substantial desire to change among emerging hard-liners among the NRA members. The coordination of this movement was well though by one man. In an internal movement trying to establish a new NRA direction, Harlon Carter, NRA-ILA Director, mobilized internal dissidents of the soft and “old guard” of the NRA to a more directed role of political engagement. The NRA Federation, a group created by Carter to mobilized “*members riled over the condition and misdirection of their Association*”. Carter had an active role on the process, mailing member of the NRA and recalling for immediate action on new anti-gun researches and legislation (Rodengen, 2002, p. 183).

#### **4.4. Changing leadership, changing worlds**

Important to mention, within the NRA change the main question that sparked the “revolution” was about what role the association should have. The constitutive impact this change would have on the association contributes to its actual position: to resist inaction fight for gun rights. Two important issues emerge at this moment: where the focus and the money should go. NRA Federation and future leaders were push aside by the former leadership both in its participations on decision making processes and regarding fund distribution. Carter understood this “inward” conception NRA used to have – advocating the cause to defend its practices of sportsmanship and hunting – as prejudicial to associations’ future, impacting directly on its power and ability to repeal any legislation. The NRA should have, according to their innovative view, a proactive action toward any legislation on gun control, an “outward” conception that would not hide at the woods of Colorado Springs, but at the heart of politics, in Washington. NRA’s *raison d’être* changes and, along with it, their actions become more prone to a battle in order to conquer public audience.

In the NRA’s Annual Meeting in Cincinnati, NRA Federation, under the direction of Carter, elaborated a plan to use the dispositive that any provision on NRA bylaws should require complete consideration. 15 bylaws were proposed – halting the move to Colorado Springs, changing the way the board was elected and, mainly, placed Carter as president of the Association (Rodengen, 2002, p.

183-186; Winkler, 2013, p. 65-68). The shift within the organization direction was translated into their motto. The building entrance in Washington that once had the motto “Firearms Safety Education, Marksmanship Training, Shooting for Recreation” changed to the most emblematic affirmation that NRA would reiterate throughout the upcoming years. The new motto displayed was from the 2<sup>nd</sup> Amendment: “The Right Of The People To Keep And Bear Arms Shall Not Be Infringed” (Davidson, 1998, p. 28; Winkler, 2013, p. 68).

The important shift to understand is that the increase in criminal activity of the 30s prompted gun control as a security measure to halt violence. This had a background in the past century, given the mid-1850s policies on gun control to reduce firearms and concealed weapons in south cities. Big government was seen as solution to the problem, and federal gun legislation began to appear. However, this balance changes with guns as self-defense against the criminals and everyday danger. The Black Panthers and the riots threat, alongside criminality at high levels, contributed to this change. Self-defense against potential threats begins to arise as the main purpose to keep and bear a firearm.

The new right highlighted conceptions of a lesser government with limited interventions on citizens’ life as solutions to problems created by Big government. The NRA change focused in lobby activities was also within this rationale change: a conservative uprising in American politics, illustrated with Reagan election to the White House. NRA-ILA aimed to “spread the word”<sup>63</sup>, as promoted expansion – both in members and of activities. During the two following years of Carter’s election, NRA increase its membership by 50%. This is particular important to direct influence the two central questions – focus and money - that motivated the Cincinnati Revolt. With more members, more contributions arrive and the NRA begins to reach a broader audience.

Activism and to “live the great role” emerged as primary roles on NRA’s leadership thinking, intended not only to promote resistance to new legislation on gun control, but to “gain lost ground”. This active lobbying role led to a powerful political and even historiographical battle on the evidences and academic proofs on individual rights 2<sup>nd</sup> Amendment would guarantee (Rodengen, 2002, p. 202-

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<sup>63</sup> “Together we can spread the word” was a folder were already members of NRA would write names and addresses of people “who *should* become NRA members”. (Rodengen, 2002, p. 194).

203). As previously mentioned, between 80s and 90s, 125 law reviews appeared on the subject, against only 3 in the 60s. The support on the NRA and the New Right Conception on the individual, embedded within this larger and broader movement to push back a big federal role, began to alter the dynamics how America saw gun control.

There is an important article written by Reva Siegel (2008), called, *Dead or Alive: Originalism as Popular Constitutionalism in Heller* which gives an important overview over the originalism debate. In an attempt to overrule a District of Columbia District law to ban weapons, the Supreme Court overruled a previous interpretation of the Second Amendment as a “militia-rights” oriented, avoiding granting individual rights to keep and bear arms. Siegel argues the transformation fomented by NRA academic seed support on the individual rights led to a transformation – and even omission – of important Second Amendment discussions within this case. The New Right and movements beginning in the 80s fomented a change on approaches –and further audience conquering attempts – to foment an individual and “original” approach to internal law.

In this sense, constitutional originalists argued they knew the “original” intent of the Constitution’s framers and what was they intend to protect (Winkler, 2013, p. 97-98). NRA, Originalists and the New Right, as Siegel argues, transformed the view on individual rights on gun controls, as in other fields, structuring “interpretations of particular claims about the founding and imbue constitutional rulings with popular authority” (Siegel, 2008, p. 238-239). Fomenting to create a genial understanding of the true original content restoration, outside misrepresented guidelines from the previous decades, the originalists promoted their conservative agenda over this conception. Shaping understandings and recalling authority were the first moves to resonate an argument that, therefore, would frame international gun control as a threat and its implementations as a potentially disastrous. This argument assures to transcript the original intent of the men who fought tyranny and established freedom. A powerful structure oppositionist had to counter-argue.

Two points are worth mentioning: the effects this “outward” shift brought and how they are fundamental to understand NRA behavior on future debate. With the “outward” shift, NRA begins to exercise more direct marketing

campaign on gun rights based on the premises of a clear-cut definition of the Second Amendment as an individual and fundamental right. The immediate effect was the first framing discursive practices on gun control measures as an attempt to overrun The Founding Father's original intention to assure freedom and avoid tyranny (see figure 7). Ads and public speeches intended to frame gun control as a direct hit to freedom. Counting with a friendly administration, NRA seemed to successfully establish counter-agenda that built a specific significance over the 2<sup>nd</sup> Amendment and then fixed the debate around this new conception. Noteworthy, this movement to frame any attempts of gun control as "editing" the constitution with a biased agenda will also encompass the future attempts to regulate arms trade and reduce gun violence. This turn within the NRA is an essential moment to understand its future actions.

The following years presented – and further consolidated - the intransigence of right hard-liners on the individual right to keep and bear arms. Noteworthy, lost grounds takeover has its catalysis on the murder attempt on President Reagan that end paralyzing his press secretary James Brady, in 1981. James Brady was Ronald Reagan's press secretary and has appointed to the job under the influence of Nancy Regan. Her point was the need to appoint a young and handsome press secretary to represent the White House live on TV.

Only after 69 days of Reagan administration, John W. Hinckley Jr., a mentally ill man that had an obsession over the actress Jodie Foster. In the movie "Taxi Drives", Jodie Foster lives a prostitute that Robert De Niro tries to protect. De Niro's character tries to murder a candidate to USA presidency at a speech. Hinckley tried to reenact this scene in an attempt to impress Foster. Brady was an important republican aide at the time, running for congress on previous years and had participated actively on the Reagan-Bush campaign (Brady Campaign, n.d; Thurber, 2014; Winkler, 2013). His wife, Sarah, promoted an agenda of gun activism joining gun control groups – such as Handgun Control, Inc., later renamed as Brady Center to Prevent Gun Violence – and pushing for a gun control agenda. This movement towards a stricter gun legislation happened amid

an internal change in NRA leadership. Wayne de LaPierre, assumed a hard-liner<sup>64</sup>, assumed the NRA-ILA.

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**B**efore anyone edits the Bill of Rights, the authors would like a word with you.

**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. DECEMBER 15, 1791

*no longer* → *national guard police force*

*privilege* →

*except poor, minorities, public housing residents*

*but not hand arms, self-loading arms or military looking arms*

*no longer a problem*

*after waiting for gov't/police approval*

“LAWS THAT FORBID THE CARRYING OF ARMS . . . DISARM ONLY THOSE WHO ARE NEITHER INCLINED NOR DETERMINED TO COMMIT CRIMES . . .” THOMAS JEFFERSON *Quoting Cesare Beccaria*

§

“THE CONSTITUTION SHALL NEVER BE CONSTRUED TO PREVENT THE PEOPLE OF THE UNITED STATES WHO ARE PEACEABLE CITIZENS FROM KEEPING THEIR OWN ARMS.” SAMUEL ADAMS

§

“TO DISARM THE PEOPLE IS THE BEST AND MOST EFFECTUAL WAY TO ENSLAVE THEM.” GEORGE MASON

“ARMS IN THE HANDS OF CITIZENS [MAY] BE USED AT INDIVIDUAL DISCRETION . . . IN PRIVATE SELF-DEFENSE.” JOHN ADAMS

§

“[THE CONSTITUTION PRESERVES] THE ADVANTAGE OF BEING ARMED WHICH AMERICANS POSSESS OVER THE PEOPLE OF ALMOST EVERY OTHER NATION . . . [WHERE] THE GOVERNMENTS ARE AFRAID TO TRUST THE PEOPLE WITH ARMS.” JAMES MADISON

§

“ . . . ARMS DISCOURAGE AND KEEP THE INVADER AND PLUNDERER IN AWE, AND PRESERVE ORDER IN THE WORLD AS WELL AS PROPERTY . . .” THOMAS PAINE

*Celebrating 200 Years of the Second Amendment to the U.S. Constitution*

THE NATIONAL RIFLE ASSOCIATION

Figure 7. NRA published advertisement on the 200th anniversary of the 2<sup>nd</sup> Amendment. Originalism and founding fathers' authority to fight gun control

<sup>64</sup> La Pierre defines hard-liner as “one person willing to protect and exercise his 2<sup>nd</sup> Amendment rights” (Rodengen, 2002, p. 231)

Wayne LaPierre is a key figure within this movement once he tuned the organization to reject any kind of gun control – or any politician that would even vote against pro-gun interests -, what led a general fear among congressmen and women in future elections. With a robust membership and enjoying significant political power, NRA becomes a decisive key to the fate of campaigns and candidates. On the Brady Bill, LaPierre argued this would be the first step to eliminate completely private firearm ownership<sup>65</sup>. Although NRA's effort to repeal, the public appeal and the support of Reagan, Nixon and Ford<sup>66</sup>, made the law approved and signed in 1993. The Media – which Rodengen (2002, p. 231) affirms openly demonized the NRA without any clear reason – turn the attention to NRA and its lobbying action, favoring the Bills' approval. Noteworthy, this period characterizes the biggest turn on NRA history on gun rights' public defense.

As Charles Heston, a famous Hollywood actor for films like Ben-Hur and future president of the NRA, would argue, NRA should have an “*Eternal Vigilance*” and face the “media-driven” hysteria. He mentioned to the NRA members gathered in the annual conference “Beside my bed, dictated by common sense and protected by the 2<sup>nd</sup> Amendment, I keep a service. 45 I brought back from WWII... I do not plan to surrender it.” (Rodengen, 2002, p. 132). Series of ads with powerful message began to circle in the media trying to characterize what would consist in an agenda to constrain individual liberties. Heston and LaPierre formed a great public relations and speechwriter team than NRA had before. LaPierre mentioned when the Brady Bills where signed that “When Clinton signed Brady Bill into law on November 30, a drop of blood dripped from the finger of the sovereign American citizen”. Often dramatic and with a great sense of public speeches, LaPierre would turn himself in the most important figure in the 90s and the opposition to international treaties that would even mention gun control.

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<sup>65</sup> An important account on the early discursive practices aiming to frame any domestic – and in the future, international – measure on gun control as potentially pervasive, La Pierre recursively states the same argument – “the first step to eliminate completely private firearm ownership” – on the ATT discussion. He has an public speech on ATT entitled “The First Step to Trample Our Rights”.

<sup>66</sup> Winkler wisely observes that no one of the former presidents would have to face NRA wrath on the next elections (Winkler, 2013, p. 71)

LaPierre specially organized a special task force to assemble media specialists and communications experts in order to halt these proposals. Ads like “Let armed criminals be warned. Let the murders and rapists and robbers and street gangs and drug dealers and anyone else who uses guns in violent crime know this: Law-abiding Americans everywhere are banding together to **put you away** [emphasis on original]” (Rodengen, 2002, p. 239). NRA was fighting, as LaPierre mentioned in 1997, a “cultural war” that “was being in America”. LaPierre (Rodengen, 20002, p. 257) argues:

(...) nation’s influential elites are fighting to purge society, and obliterate from our culture, any trace of the right to keep and bear arms. You’ve heard of “ethnic cleansing”? This is “cultural Cleansing” – and it’s your First Freedom that’s being washed down the drain (Rodengen, 2002, p. 257).

Important to notice is the change on the focus: from sport to protection, from an outdoor practice to a cornerstone right derived directly from the constitution and founding fathers’ intention. Heston and their successors changed the scope of how the gun issue was perceived and defended: as “*America’s first freedom*”. Moreover, this cultural war undertook from the liberal politics and media on the second amendment was, to NRA members, a war on the 2<sup>nd</sup> amendment and freedom. On a rally against Clinton’s re-election Heston argued that 2<sup>nd</sup> Amendment is “the one right that protects all others. Among freedom of speech, of the press (...) it is the first among equals. I believe the doorway to all freedoms is framed with muskets”.

The individual right to keep and bear arms turns itself as the fundamental stone of freedom. To act in its defense, there is no other posture: fight to stop gun control or any restrictions attempts on the 2<sup>nd</sup> Amendment. Heston adds: “Understand upfront that there is no room in the middle. You must either stand aside or step forward with us in the partnership to save 2<sup>nd</sup> Amendment. Together we can change the tide of human events.” (Rodengen, 2002, p. 260). Calling Brady’s law as “*Clinton Gun ban*” and assuming a Clinton-Gore “reign of terror against gun ownership”, NRA fundamentally supported President Bush’s election to the White House (idem, 2002, p. 262).

#### 4.5. One threat, distinct levels

To the NRA, the internal threats were only one preliminary front. Clinton's "fully blossomed" Clinton's support on gun control was aligned with efforts at the United Nations. As Rodengen argues, there are other threats to United States, generally planned to "foreign governments, behind the scenes and around the world" (Rodengen, 2002, p. 265). As LaPierre contends, there must be vigilance on UN attempts to ban civilian gun ownership. NRA enlisted itself as an international NGO to participate in further discussions of first attempts on a summit on small arms and violence (idem, 2002, p. 266). Terror and war – ironically, in hindsight – would permeate NRA's speech on internal and external attempts on gun control. Anyone defending gun control is no different from a terrorist: both are attacking freedom and what America means (Melzner, 2004). Andrew McKelvey, a billionaire that contributed several millions on a gun control agenda, is portrayed by LaPierre in likelihood as even bigger than any other enemy, even than Osama Bin Laden. LaPierre argues:

In fact, the way Andrew McKelvey's network operates sounds a lot like Osama bin Laden and [Al-Qaida]. A billionaire with an extremist political agenda, subverting honest diplomacy, using personal wealth to train and deploy activists, looking for vulnerabilities to attack, fomenting fear for political gain, funding an ongoing campaign to hijack your freedom and take a box cutter to the Constitution. That's political terrorism, a far greater threat to your freedom than any foreign force. (LaPierre, 2002)

The NRA's primary active presence at the United Nations reflects the emergence PoA's discussions. From March 2000 to March 2001, the Preparatory Committee held three meetings. UN Small arms conference began on 2001, just after UNGA adopted the Firearms Protocol, also adopting the PoA by consensus in the UNGA (A/CONF.192/L.5/Rev.1). The process of reaching this consensus had two central issues – civilian ownership and non-state actors transfer. The United States delegation resisted on both of these issues. A Small Arms Survey report argues the influence the NRA had on this, pressuring the government to drop any content regarding civilian ownership. The report observes that

[i]n the clearest case of the NRA's influence on the US position, the latter rejected any mention of the term 'civilian possession' in the text, no matter how general or lacking in commitment. Several states suggested compromise

language stressing the prohibition of fully automatic weapons. Others reminded the US that the language of the civilian possession paragraph came from the Report of the 1999 Group, to which the US and the whole General Assembly had agreed (SAS, 2002, p.224).

An important change occurred since the 1999 agreement on what would constitute “civilian ownership: George W. Bush, a Republican, took power from Bill Clinton, a Democrat. The NRA fully endorsed Bush’s campaign – in a movement to “Vote Freedom First” against a “No Rights, No guns” Al Gore, Clinton's Vice-President and the Democratic Party's nominee for the 2000 election, would represent. Bush changed this dynamic, and placed strong hard-line pro-gun advocates in key-position of the battle against gun control. John Ashcroft – a well-known gun rights advocate and former Missouri Senator was appointed, by Bush, as US Attorney General, for example. In the UN Small Arms Conference in 2001, US Under-Secretary of State, John Bolton gave a strong speech to express USA opinions on the treaty. Bolton (2001) argued, "just as the First and Fourth Amendments secure individual rights of speech and security respectively, the Second Amendment protects an individual right to keep and bear arms".

Bolton’s (2001) speech at the opening session brought what he defined as a clear position of the United States on the issue. He argued the USA would not support any measures constraining legal trade or manufacturing of SALW. Americans would be against a mandatory Review Conference, as well as the prohibition to be “solely on governments”, considering the proposition “*both conceptually and practically flawed*”. According to Bolton “Distinctions between governments and non-governments are irrelevant in determining responsible and irresponsible end-users of arms.”. The movements identified on the last chapter – a different conception on the individual/state and the international/and national – converge altogether with the “Bully Pulpit” moment on the United Nations. Bolton gives a clear-cut dimension of these interpretations observing the gun issue resides into protecting individual rights and seizing momentum as this discussions went to international fora.

Most importantly, Bolton presented an active opposition to any measure that would eventually suppress or prohibit civilian ownership. His position gave a

clear stand on how the United States would discuss the program of action. Bolton observed:

We do not support measures that prohibit civilian possession of small arms. This is outside the mandate for this Conference set forth in UNGA Resolution 54/54V. We agree with the recommendation of the 1999 UN Panel of Governmental Experts those laws and procedures governing the possession of small arms by civilians are properly left to individual member states. The United States will not join consensus on a final document that contains measures abrogating the Constitutional right to bear arms. We request that Section II, para 20, which refers to restrictions on the civilian possession of arms to be eliminated from the Program of Action, and that other provisions which purport to require national regulation of the lawful possession of firearms such as Section II, paras 7 and 10 be modified to confine their reach to illicit international activities. (Bolton, 2001)

A Small Arms Survey report states that the United States' position remained unchanged throughout the conference. It recalls that :

[s]everal options were presented from the floor in this vein, each of which was dismissed by the US. The US delegation did try to propose language on this issue, but it was unacceptable to the rest of the Conference. Eventually the Conference decided to drop this paragraph altogether. (SAS, 2002, 206-208)

Therefore, USA would not support any language that would target individual gun rights. This change influenced PoA's outcomes deeply. In a text published on the Standing Guard, in 2013, the position led by the Hillary Clinton on an upcoming bidding arms trade treaty, represented a "stark contrast" with the "audacious defense of American Liberty" that George W. Bush and John R. Bolton pursued in the UN. LaPierre observed that Bolton "*stunned the UN gun-ban machine*" with this speech and kept America safe from global attacks on US Second Amendments Rights during eight years (LaPierre, 2010a). Framing international gun violence reduction measures and domestic gun control as the same problem enhances the possibility to address these measures with the same mobilization to "defend liberty".

United States' position on the matter remained unchanged in the 2006 UN Conference to Review the progress made by the Program of Action. Robert G. Joseph, Under Secretary for Arms Control and International Security at the time, firmly sustained the American position. He argues United States would not support any measures that were "intended to deny law-abiding citizens their right

to bear arms in accordance with their national traditions" (Joseph, 2006). Civilian ownership of firearms was still out of reach and off the negotiating table. The American position remained attached to the same two points Bolton argued: the lack of mandate the UN would have to verify ammunition and the unconditional support to offer oppressed people the right to defend themselves against what the Under Secretary observed was a "blanket ban". The United States would not support a general agreement on "illicit traffic", actually giving its support to straightforward measures in "specific and targeted actions of proven worth"

Noteworthy, the United States shifted its positions throughout the ATT process from the affirmations John Bolton and Robert Joseph previously made at PoA's conferences of 2001 and 2006. Former Secretary of State Hillary R. Clinton moved the SALW agenda forward observing in an important speech "Conventional arms transfers are a crucial national security concern for the United States, and we have always supported effective action to control the international transfer of arms." (Clinton, 2009). Furthermore, Clinton underlined the importance of reaching consensus on these issues, since, in order to cover all possible loopholes, State members should ensure it and the USA were willing to give its full support to UN Arms Trade Treaty.

This speech set forward political movements to show United States' support. Ellen Tauscher, US Under Secretary for Arms Control and International Security in 2010, stated Obama "set forth a bold arms control and nonproliferation agenda". She affirmed "the United States believes an ATT is sufficiently important to national security and international stability that the deliberations need to produce consensus decisions in order to command the widest possible participation." Separated by less than five years from each other, serving as Under Secretary for Arms Control and International Security, Robert G. Joseph and Ellen Tauscher represented different versions on the ATT, reflecting conflicting perceptions on American security.

Interesting to notice, the effects this shift had on NRA also impacted its speeches. The association between the international and the domestic problem gains a substantial element: framing Obama's administration as accomplice of international and domestic "gun-ban" agenda. This is a fundamental and useful movement, one that fits both internal and external agendas. Internationally, UN is

a continuous venue to advocate its agenda to domestic audience at the same time it halts international norms to reach United States. Domestically, addresses Obama administration as main partner of an international attempt to restrain freedom through gun control. This movement at the UN serves these two dimensions shaping them into one: a “gun-ban” administration, with international alliances, that want to increase government size and power at the expenses of American freedom. Important to mention, this characterization allows using Future ATT discussions as a domestic political platform not only as in gun control, as it previously did, but also on electoral purposes.

Chris. W. Cox (2009), the NRA’s Executive Director, in explaining the differences in the United States position, pointed out a substantial change in policy guidelines within the White House: the Obama administration does not pursue the same view that Bush undertook during his term. White House administration passed from a forceful gun rights defender and gun owners’ ally to a “gun-ban” intentioned domestic and international policy. According to Cox, the treaty – in its full and legally binding form, as Clinton argued – is “troubling”. Notwithstanding, he further added this process comes from a “gun-ban” undertaken by *“the world’s socialist, tyrannical and dictatorial regimes”*. This is the view that a legal and binding commitment represents an attack to the United States’ constitution and a foreign interference from these “dictators” on American ground. He promises *“we won’t stop fighting until our Second Amendment freedoms are safe from this international disgrace.”* (Cox, 2012).

There is clear clash of norms Cox want to highlight: an incompatibility of international norms with the domestic “law of the land”. Most important, to mention the Second Amendment, to define United Nations as a “socialist reunion” and to assign responsibility on Obama’s administration gives the NRA elements to both resist the norm internationally and also advocate its domestic agenda. This is an important movement since NRA uses international fora to address a domestic problem. As the upcoming discourse analysis Discursive practices that frame these two elements as similar enhances resistance by associating an attempt to change the original content of the constitution with an international attempt to gun control. Freedom has an enemy both at home and abroad. This analysis brings an important dimension , one this study intend to highlight, that show the impact

domestic agenda can have on international norm diffusion. This domestic agenda keeps the norm from reaching USA shores, but endangers international diffusion given country relevance on the issue at international level.

It is essential to understand how the gun rights movement understood and argued against the treaty. Of note, the movement recurrently called the Arms Trade Treaty as the “UN Small Arms Treaty” or the “UN Gun Ban”. Scott Stedjan, from OXFAM, observes an important point on the Treaty. He argues: “No government is discussing a treaty that would ever impact the right to bear arms, nor require regulation of domestic sales of arms (...) This is totally about international transfer of arms so that they don't go to human rights abusers.” (Stedjan, apud Lynch, 2009). Observing the content and scope of ATT, there is no direct mention to small arms regulation throughout the treaty, noting that, besides its article 2(1), there is not even a specific mention to Small Arms on treaty’s content<sup>67</sup>. Also, the term “lawful ownership” appears on the treaty’s preamble, as well as the acknowledgment of the use of certain types of guns in sport and recreational activities (UNGA, 2013). Notwithstanding, John Bolton, along with Yale law professor John Yoo, continuously argued that UN’s ATT treaty is a “Backdoor to Gun Control”, observing there is no guarantee to a “broader individual right to self-defense”. They go further and bring the Senate on a responsibility to use their veto in order to protect “liberties of Americans – including the right to bear arms.” (Bolton and Yoo, 2013). This continuous framing practice addresses this attempt to associate dangers and recall similar mobilizations.

LaPierre (2007) wrote in a book called “*The Global War on Your Guns: Inside the UN Plan To Destroy the Bill of Rights*” over the potential – and evident – threats the UN and foreign power pose to United States of America. He address gun control as a socialist measure to take away your guns and, therefore, your liberty. There is an inner hate for guns and gun owners that is not justifiable and tries, as Melzner (2009, p. 133) observes, United Nations to Wayne de LaPierre “could stand against this “vision of civilization” that “God inscribes on every human heart.” Only the UN could float the “barbaric principle” that “self-

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<sup>67</sup> A detailed analysis on the gun rights’ movement approach on the ATT will follow with the discourse analysis on chapter 5.

*defense is a privilege that the government can and should take away.*” “There is no excuse: It was an attempt to take freedom from individuals and – as portrayed in the book – a vivid threat, once UN moves toward gun control and places their blue helmets in Americans’ front door to take away their guns. The “*God given right to protect oneself would no longer exist*”, according to the author, being this “*ideology deadly to freedom*” (LaPierre, 2006, p. 4-5).

To freedom to survive, fight must be internal and external: there must be no UN gun control. Interesting to notice, words such “home radicals” with a “high public profile” appear to address gun controls groups in United States. These discursive mobilizations appear to profoundly contribute to influence public opinion also regarding internal events involving firearms, such as mass shootings. Considering the multiple shootings that have happened on the country over the past years, these efforts to address gun control as a dangerous measures that would contribute to cessation of freedom and security informed how population understands this subject. In a comprehensive analysis on FBI data, firearms account for 77% of the overall number of mass killings<sup>68</sup> on the country. Within these weapons, handguns account for 72.9 % of the total kind of weapons used, rifles account for 18.5% and shotguns for only 8.6% (USAToday,n.d). According to the FBI, from 2000 and 2013, there were 160 mass shootings in the United States, an average of 11.4% per year. In these shootings, there were 1.043 casualties, with 486 people killed and 557 injured. Within these cases, there were significant shootings, with a considerable number of casualties and having a direct impact on national and international media, such as 2007 shooting at Virginia Tech - 32 killed, 17 wounded -, the 2009 Ft. Hood, Texas, shooting - 13 killed, 32 wounded, and the Sandy Hook Elementary School shooting in Newtown, Conn. - 27 killed, two wounded. (Serrano, 2014)

Gallup Institute gathered a poll on guns and crime and important results are worthy discussing. As Figure 8 shows, the number of gun owners has an overall decreasing tendency from 2009 until 2012. However, after the Sandy Hook and previous shootings, there is little difference on gun ownership. Figure 9,

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<sup>68</sup> The FBI defines a “mass murder” as “a number of murders (four or more) occurring during the same incident, with no distinctive time period between the murders.” See more at <http://www.fbi.gov/stats-services/publications/serial-murder/serial-murder-1#two>

however, shows how population envisions gun legislation and if whether they favor stricter gun legislation. After the Sandy Hook mass shooting, the number of individuals that want stricter laws decreases from 58% to 47% while the number of individuals that want less enforcement increases 6 to 14%. This is an interesting data, since it shows that after Newton, individuals affirmed prefer less strict on gun control (Gallup, 2013).

*Do you have a gun in your home?*

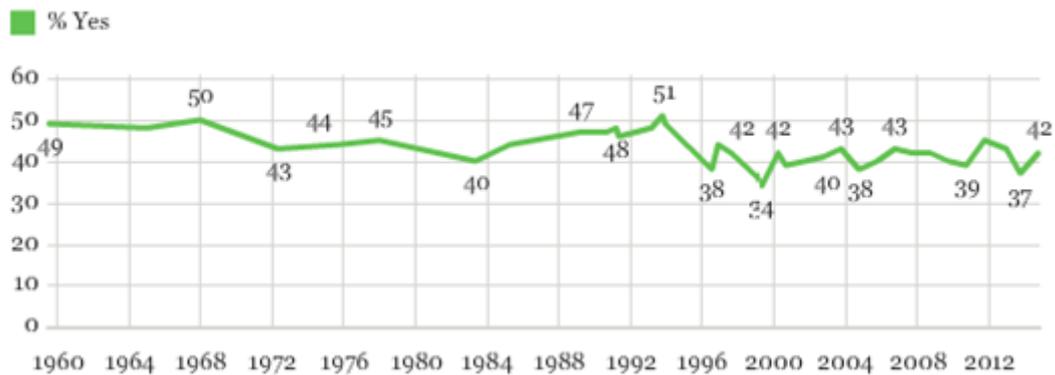


Figure 8. Gallup Research (n.d), % of individuals that have a gun in their homes

These data inform that even though the Sandy Hook shooting had no significant effect on gun ownership, but had impact on individual perception on gun sales, manufacture and control legislation. Important to notice, although the incidence of these shootings increases and culminates with Sandy Hook, the perception remains that there should be less strict gun control.

*In general, do you feel that the laws covering the sale of firearms should be made more strict, less strict, or kept as they are now?*

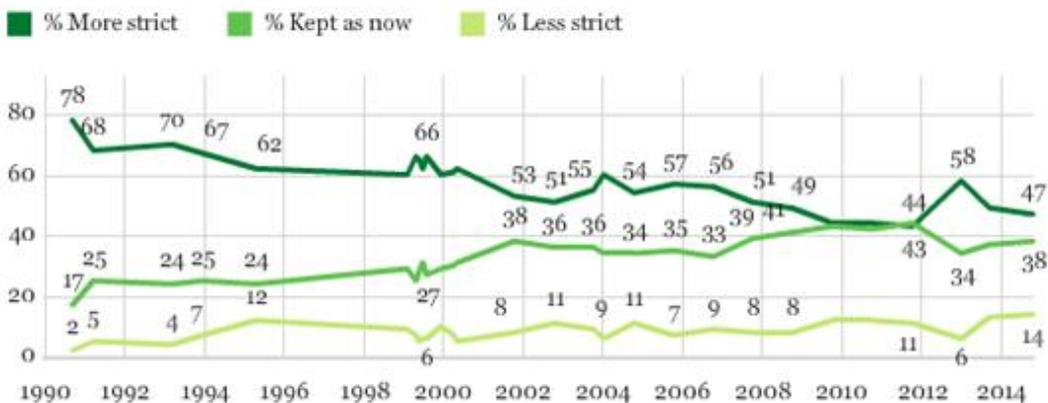


Figure 9. Gallup Research (n.d), perception over firearms sale.

Figure 8 shows a peak on 2012 on preference for “stricter gun control”, but, after Newton, the number goes to a lower point, on 47%. Particularly interesting, the poll asked questions about how these individuals regard the NRA and the convergence of their views on gun control with the own person’s opinions. The results show a marginal increase of NRA popularity as well as the increase of the representative power over the individuals’ views. Figure (x3) shows that less than a week later of the Newton shooting, NRA increased in 3% on “Very favorable”, although its negative indicators of “mostly unfavorable” and “very unfavorable” increases in 1% and 3 % respectively (Gallup, 2013).

*What is your overall opinion of the National Rifle Association, also known as the NRA -- is it very favorable, mostly favorable, mostly unfavorable, or very unfavorable?*

	Very favorable	Mostly favorable	Mostly unfavorable	Very unfavorable	No opinion
	%	%	%	%	%
2012 Dec 19-22	21	33	20	18	7
2005 Apr 4-7	18	42	19	15	6
2000 May 23-24	19	33	21	18	9
2000 Apr 7-9	15	36	20	19	10
1999 Apr 26-27	14	37	22	18	9
1995 Jun 5-6	14	28	25	26	7
1993 Mar 12-14	22	33	18	14	13

**Figure 10. Gallup Research (2012), public perception of the NRA**

Concerning the representation, NRA had a substantial increase of 10% on “Most of the time” regarding whether NRA reflects or not the individuals view on guns. “Never” suffered a reduction of 2%, representing also a decrease on the convergence process between NRA and individuals views. This is fundamentally important, since shows a twofold phenomenon: NRA establish a more incisive and aggressive discursive posture regarding gun legislation at home and abroad to both conquer audience at the same time shapes this behavior. Internal events seem particularly important to help illustrating how NRA influences public perception regarding these issues. Framing international mechanisms on gun violence reduction as similar to those at home allows NRA to give robustness to its argument on those two levels, contributing to its credibility and reinforcing its agenda (Figures 9 and 10).

*How often does the NRA reflect your views about guns -- always, most of the time, only sometimes, or never?*

	Always	Most of the time	Only some of the time	Never	No opinion
	%	%	%	%	%
2012 Dec 19-22	6	29	32	29	4
1999 Feb 8-9	6	19	36	31	8
1996 Jul 25-28	5	15	35	35	10

**Figure 11. Gallup Research (n.d), individual perception of convergence between NRA and their own views**

NRA began to address the issue of freedom, sovereignty, foreign force, vulnerabilities and menace intertwined with gun rights defense to prompt the idea of the individual as the most fundamental part of the society and the government as potential tyrannical. From thereon, the inner logic hard-liners - Gun Rights as fundamental rights, such as liberty; the second amendment as important as the first one – gain the front role of NRA argument. To defend gun control is to fight against freedom, and the “cultural war” where there to be fought. The shift of focus was deeper than the involvement with lobbying activities and wider than simply a change of leadership: it has roots on a wider movement of social change to a lesser government, in conservative ideology.

During this shift, the international community began to address international small arms control as a measure to halt violence. Framing both efforts as one – domestic and international – seize the opportunity to mobilize scenarios and resistances in order to use this international discussions to tackle issues at home and also at the UN. These links were potentially dangerous to the NRA and the response, the heart of the present work, will be detailed in the next chapter analyzing speeches from the conservative lobby to reject new norm on the arms trade treaty. However, first one should understand how this subject arises on the international scenario and how an international norm – embodied in the ATT - arrives on Americans shores.

## 4.6. Conclusions

The previous chapter tried to show a brief history of gun control in the United States, observing three general moments: the pre-colonization and colonization period, the late 19<sup>th</sup> century and early 20<sup>th</sup> century, with the movement toward gun control and this last period, in the 1970s where gun control gains a distinct connotation than it previously did, largely based upon a redraft of pro-gun groups and the political environment within the United States. This is a broad movement that shapes cultural and institutional backgrounds to portray gun control as an attempt of tyranny – rescuing the founding fathers’ authority in the originalism rhetoric – by the big government and foreign policy. The 2<sup>nd</sup> amendment is the halberd of all rights: without the right to bear arms, there is no self-defense, dignity or any true freedom. Any attempt of attack shall be eliminated and there is only one behavior: to move forward fighting gun control.

The next chapter intends to further observe this rhetorical movement to observe how this threat framing – tyranny and a menace of foreign intervention – gains ground and robustness from a vulnerability emulation – without guns there is no possibility to defense, therefore, America will fall. These speeches acts reiterate this history of gun control as tyranny and their fight as rightful. To limit cultural and institutional backgrounds as only conditions of possibility, limiting an actor’s role, there is no observation of how deep resistance can reach or how speech acts can improve or undermine this. The work intend to observe how these early considerations on the United Nations efforts to reduce gun violence and crime are portrayed by conservative lobby - their efforts and speeches - to highlight this reality construction over framing. Associating these two threats as one prompts its domestic agenda at the same time it halts international norm diffusion. Norm Resistance is, therefore, amplified; norm diffusion endangered.

The Arms Trade Treaty – insistently called as Small Arms Treaty by the conservative lobby – will serve as referential to observe leader’s speeches and engagement in order to prove how framing actions can further enhance resistance by shaping cultural and institutional backgrounds. Highlighting the role of gun control as an instrument of tyranny and avoiding its role in criminal prevention in

United States history, these actors shape these subjective structures in framing discourses to conquer audience. The content is clear: It is not a fight over reducing violence, but, actually, a fighting over freedom. The general motto to act in the international politics can be translated also in LaPierre's view on how NRA should behave on UN: fighting any attempt to redefine or diminish individual freedom, at home or abroad<sup>69</sup>. He argues: "The global standard for personal freedom should be one standard –ours".

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<sup>69</sup> Clifford Bob's book, *The Global Right Wing and the Clash of World Politics* mention this preoccupation and international action. Chapter 5 and 6 show the "global gun ban" resistance and their work in the Disarmament Plebiscite, in Brazil.

## 5

### The brick wall: Discourse analysis and framing as resistance

This chapter will observe empirically how the NRA and its members frame international mechanisms on gun violence reduction as gun control measures, associating these efforts as a threat to boost resistance throughout these discursive practices. In this sense, as previously described in the methodology section in Chapter 1, the qualitative discourse analysis intends to show how these speeches “build realities” through the use of their language. Using the methodology outlined in Gee (2011), the analysis will identify and highlight the seven building tasks of discourses:

- (1) Significances they highlight;
- (2) Activities they enact;
- (3) Identities they validate
- (4) Relationships they create,
- (5) The distribution of social goods – what is right/ wrong, proper/improper - they establish;
- (6) Discursive connections they establish between events; and
- (7) The sign systems they use or prefer.

These building tasks will be confronted with six tools of inquiry related to discourse analysis – (1) meanings, (2) social languages, (3) conversations, as considerable debates on the issues discussed, (4) intertextuality, (5) figured worlds and (6) discourse, as postures and behaviors assigned to one position/ activity – in order to highlight important points in how this gun rights agenda increases resistance to international norms<sup>70</sup>.

First, the chapter provides brief descriptive statistics on the number, origin, date and general issues regarding the data collection. Observing these correlations between building tasks on discourses and tools of inquiry, the analysis will focus on addressing the constructions and intents on these writings and speeches. The main objective of this chapter is to assess how these discourses build these realities and how the speeches structure this process. Finally, an overall observation refers to how this kind of analysis can contribute to the

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<sup>70</sup> Methodologically, the work uses the guideline proposed by James Paul Gee, 2010, *An Introduction to Discourse: Analysis Theory and Method*. To a better understand on the terms used, see section 1.?, on chapter 1.

discipline and the potential implications of analyzing framings process through discourses as resistance boosters.

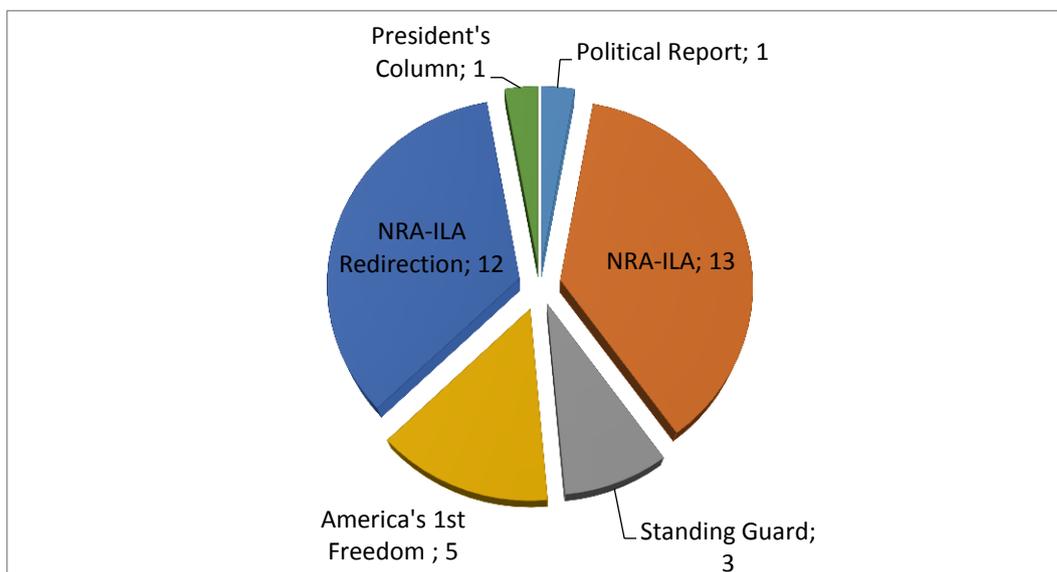
### 5.1. Speech Database

The analysis encompassed 35 speeches from NRA members, journalists, politicians and activists. These speeches were all gathered from official NRA journals and reports, as well as the NRA-ILA Website. The NRA-ILA Web-Site was the primary search engine to gather the speeches. Considering the journals and reports, the selected publications were: *Standing Guard*, *America's 1<sup>st</sup> Freedom*, *the Political Report* and the *Presidential Column*. These publications are mainly used to serve political and lobbying purposes. *Standing Guard* is, as the NRA Publications website defines, a “*compelling, timely message from NRA Executive Vice President Wayne LaPierre on current NRA activities and issues of interest to members*”. The *Political Reports* is the main publication addressing reports from the NRA-ILA. The *Presidential Column* is a publication aiming to “*inform and motivate members on pertinent topics.*” (NRA Publications, 2014). *America's 1<sup>st</sup> Freedom* addresses the ongoing internal and external discussions on the (Second-Amendment) right to keep and bear arms, allowing important NRA members to discuss the question.

The keywords used into the searching mechanism were “United Nations” and “gun control”, simultaneously, in order to capture the speeches and news reports that address both subjects at the same time. First, the first 100 entries in the NRA-ILA web site were selected, in addition to the available entries in the journals mentioned. The database on the journals is more restrictive than the website on its timeframe, going from September 2011 onwards. Nevertheless, the NRA-ILA website also redirects and stores these publications. Sorted by relevance and date, I selected the materials from between January 2010 and November 2014. Thereafter, excluding double entries and notes redirecting to other previous entries, 45 items remained. In order to observe in a more specific and direct manner the participation of internal actors building resistance throughout framing, media news were excluded. Internal NRA-ILA publication

pieces containing both words or written as editorials remained in the last selection, summing up the overall 35 speeches. Annex 1 contains all the speeches, their publication date as well as their online address.

Of these 35 speeches, 12 represent news redirections within the NRA-ILA search mechanism. These pieces are news articles from outside the NRA-ILA domain which are recommended for their members. Important to mention, these pieces come from a broad set of authors, from former Under-Secretary of State and US Ambassador to the UN John Bolton, to actor Chuck Norris. Four of these twelve items are media news written on the subject, including one editorial from the *Washington Post*. These pieces are important to see an everyday effort outside the NRA website on discursive acts on the UN's ATT and their relationship to gun control. 13 represent NRA-ILA pieces published on their website. Two of these speeches were the organization's remarks in the ATT's conference of 2011 and 2012. 5 Publications come from *America's 1<sup>st</sup> Freedom Journal*, 3 publications come from *Standing Guard Report*, 1 piece from *Political Report* and another one from the *President's Column Report*, from NRA President Ronald L. Schmeits. The graphic below shows the distribution among the publications



**Figure 12. Speeches per Publication**

These speeches and news are divided from 2010 to 2014. There is a concentration during 2012 and 2013, with 15 and 8 pieces in each year, respectively. Their distribution reflects the moment when the United Nations gathered on the ATT conferences and the signing process. The pattern of

distribution proves that the relationship between the United Nations and gun control appeared consistently during the timeframe selected. Nonetheless, the UN effort to discuss the Arms Trade Treaty and the substantial conferences, from 2012 to 2013, increased the NRA's articulation efforts to address this issue.

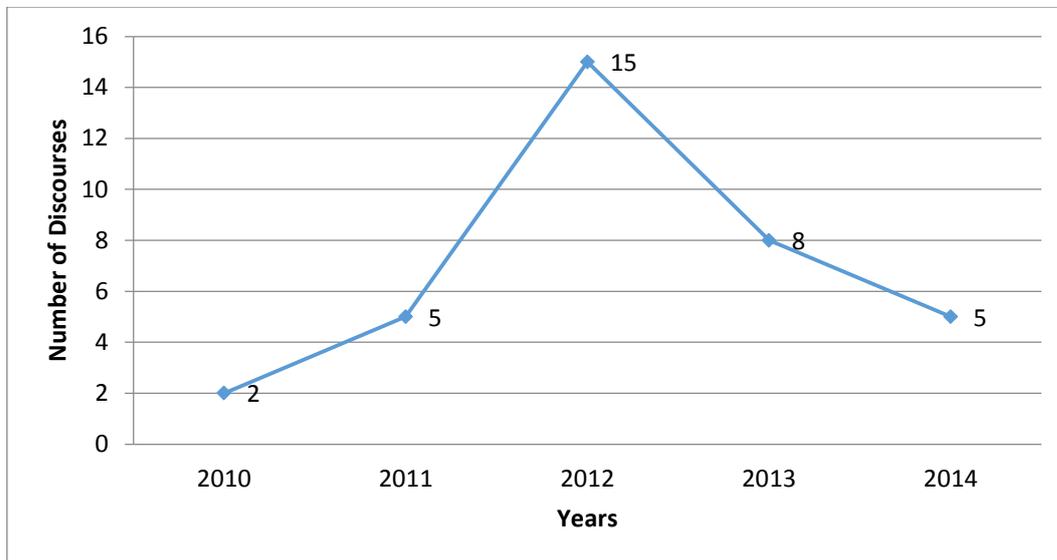


Figure 13. Discourses per Year

It is important to notice that this concentration highlights an effort to mobilize these two spheres in conjunction. This is an important first assessment: as long as the debate goes on the United Nations over the ATT, NRA and its members seize this moment to address this thematic intertwined with gun control. Gun rights advocates use these discussions to frame these international efforts as gun control measures, converging these areas. The frame articulation to address the ATT as an instrument of gun control puts forward an association to merge the potential effects of the ATT at the same level of a restrictive measure on guns would have. This movement is fundamentally significant once targeting the ATT as such attaches also the meanings and significances a gun control would have. This movement is consistently reinforced on these years, as seen in Chris Cox (2012a) arguing the ATT is a process of “Gun registration on steroids”, the records proposed on the treaty’s text is “nothing less than an international gun registration scheme” and LaPierre’s (2013b) argument that ATT is part of a bigger “U.N. Gun Scheme”.

In order to better understand this association and observe how the discursive structures that engage in this movement also build resistance speech, the next section will proceed with the discourse analysis, focusing on the seven factors outlined above. The same section will observe how these movements translate the framing activities into a diagnosis of the problem, give a prognostic of the situation and then mobilize a call to arms to deal with the problem.

## **5.2. Discourse Analysis**

The discourse analysis here presented seeks to highlight three movements NRA engages in order to frame the ATT and international gun violence reduction mechanisms as a threat and mobilize resistance: (1) the association of an allegedly domestic effort of gun control to an international coalition of foreign interests with the same objective; (2) the capability to appropriate values of defense, protection, expertise and efficiency against this joint force that is a menace, biased, inefficient and naïve; and (3) the categorization of these efforts as a gun control measure translating, therefore, a threat to individual liberty in which they are everlastingly vulnerable unless they unite and resist.

It is important to recall that speech acts do not have a clear boundary, where their reality building process can be analyzed in separate. One must regard these activities bearing in mind one sentence or articulation aims to create a complete set of reality. In order to give a methodological coherence and identity to the process, discourse analysis focuses on these points separately; however they build one single environment throughout their interaction. Once this separation is highlighted and defined, at the same time, the language defines the practices and activities emerging in this environment, and all the other several aspects of reality building, as defined in Gee (2011). This analysis will observe each of these movements in order to stress their framing efforts.

### 5.2.1. Domestic-international linkages on gun control

There is an active reality building by NRA and its gun rights advocates to stress an intertwined agenda between the Obama Administration and the international efforts. This effort aims to frame international discussion on gun violence reduction and arms trade as measures on gun control similar to those proposed in the domestic political order. This framing activity uses international discussions to target domestic audience in order to conquer their support to norm resistance, but also to further strength their domestic agenda on gun rights. These agents frame international mechanism as gun control allows to recall prior responses on the issue and, therefore, to direct these behaviors toward the international norm. This movement has also domestic consequences, strengthening the gun right agenda as they address this international effort as a joint effort characteristic of the Obama Administration.

The first question that drove the analysis concerns *significance*, observing how language and structures appear to “make certain things significant or not and in what ways” (Gee, 2011, p. 17). The analysis highlights an important movement regarding this domestic and international alliance: a process to differentiate a former “adamant stand” from previous administrations supported by the NRA and a “destructive effort” put forward by Obama/ Clinton/ Kerry in cooperation with the UN administration that translates a gun-ban agenda.

The speeches try to move forward a characterization that there is a “stark contrast” between the agenda forwarded by the Obama administration and Bush's “defense” of the American values. Notwithstanding, this contrast is not only practical, with new policy and treaties appearing on the political landscape, but also – and most importantly – ideological. These speeches try first to highlight a significant change in international gun policy on the Obama Administration. This process is both an assignment effort, where these actors place Obama’s policies as a “new and dangerous development” (Schmeits, 2011), and also a separation and differentiation efforts where these actors define their practices and identities as distinct from Obama’s. The policies in the international environment translate an

attempt to destroy the continuous battle these gun rights actors fight on gun control, self-defense and freedom.

In a statement at the United Nations, LaPierre (2011) expands this fight as the own function NRA had throughout the years – however chapter 4 observed the historical account of this late self-defense rationale and guns as an individual rights on the NRA date the late 70s. He argues: “The NRA was founded in 1871, and ever since has staunchly defended the rights of its 4 million members, America's 80 million law-abiding gun owners, and freedom-loving Americans throughout our country.” Gun rights and freedom-loving Americans come together, observing a continuation of the characteristics NRA members have. Cox (2011) also uses these words together. Important to mention, this significance building makes enlarges the own definition of gun rights advocates, highlight these individuals are, in fact, “freedom-loving”. This association not only expands the own significance of what would constitute to be a gun right advocate, but also intertwines these two words into one significance. As consequence, this effort tries to build a reflex on the individuals that do not support gun rights as defended by the NRA: they do not support freedom.

This process of differentiation creates a clear cut separation between what the NRA stands for and what, as an object of what matters, should be rejected. Most importantly, this rejection comes intertwining with this domestic political question – a so-defined anti-gun rights presidential agenda against a gun-right movement defending freedom in America. The adjectives, as previously stated, remark this new administration as “aggressive”, “obsessive”, sharing “destructive” efforts with U.N that enables “thugs” to continuously attacking defenseless “oppressed” people. On the other hand, there is an “audacious” defense of America’s Freedom, with a “strong” posture within the country that creates a warning to not let Americans “be fooled. The characterization of this international process as a “backdoor” assigns not only values to Obama, but also, consequentially by a separation, to NRA and their gun rights advocates.

Observing the several aspects and core tasks to frame international efforts on the ATT as battles to be fought in order to avoid the march of the gun-ban threat, the analysis noticed there is a relationship and connection building efforts to stress the whole adherence process by the USA government as a fake

stunt; as mentioned, a backdoor. This articulation allows for creating an environment where the United States is currently vulnerable to this international threat. LaPierre (2010a) gives an example of this articulation; in the aforementioned piece “The First Step in Trampling Our Rights”, he argues Obama’s administration “is trying to act as though this is really just a treaty about international arms trade between nation states, but there’s no doubt--as was the case back over a decade ago--that the real agenda here is domestic firearms control.”. Notwithstanding this processes intertwine the USA participation on the treaty to a biased agenda. This argument poses there is a movement to confer an obscure character on these international gun control movements. Words such as “Conspiracy”, “Secrecy”, “Plot”, “In the Shadows”, “Schemed” and “Unfolding” appear frequently in the speeches.

On “Saving the Future of Freedom”, LaPierre (2012a) states on this specific relationship on Obama’s intentions towards the Second Amendment as he supports UN discussions on Arms Control. The discourse is interesting since it gives an important example on NRA’s argument of domestic intentions on gun control through international sketchy and obscure measures embedded on treaties and norm diffusion. More importantly, the potential losses ATT would bring to the Second Amendment freedoms come in association with the re-election of Barack Obama. Domestic and international appear in an alliance altogether, representing a similar problem to be fought. He argues:

All of our Second Amendment liberties, all of the rights we’ve worked so hard to defend, all of what we know is good and right about America—all of it could be lost if Barack Obama is re-elected (...) All that first-term lip service to gun owners is part of a massive Obama conspiracy to deceive voters and hide his true intentions to destroy the Second Amendment—during his second term!” (...) I’ve been around long enough to know that the U.N. has little regard for our Constitution, and none at all for the Second Amendment. But I never thought I’d see the day when an American White House would tolerate a proposal that would literally gut one of our most fundamental freedoms. So I went to New York a few months ago and testified before the U.N. Talk about an out-of-body experience! There were representatives from Libya and Russia and China and Cuba and North Korea and Syria and Iran—all those great bastions of freedom—and I looked them all right in the eye and told them about American freedom and that they had no authority whatsoever to mess with it! No way, no how! Now you won’t hear those words from President Obama, because he wants to be part of that club of governments. (LaPierre, 2012a).

### 5.2.2. Values, Freedom and Appropriation

The significance building effort has a second movement that tries to assign United Nations as inefficient, biased, naïve and dangerous concerning its measures. Meanwhile, NRA pictures itself as efficient, independent, expert and a defender of liberty and freedom. This effort emerges as there is a reiteration of a potential United Nation predation/ Foreign Powers Interest, translated in terms of a tyrannical super-state attempt to control a free country. Moreover, this effort comes from utopian background, considering mostly socialists and tyrannical ideologies, detached from the “real” environment where one has liberty and freedom as a consequence of the right to bear arms.

The speeches try to frame United Nations effort on international debates as a deliberate and direct effort to seize control of liberties and freedom from the United States. The speeches present the idea of a global norm and global governance interchangeably. Speeches assign international norms as a proxy reason to facilitate this international intromission. The rationale behind the language involved in this construction situates the international community as a dangerous alien agent. LaPierre (2013a) mentions that “[t]he U.N.’s driving mission is to continue to accumulate power at the expense of the sovereignty of individual nations and fundamental individual rights, as its gun-ban treaty proves it”. The speeches place emphasis on how the UN essentially is, or at least represents, a grouping of “despots, thugs, scoundrels, punks and various crooks” which aims to eliminate a domestic freedom (Nugent, 2012). In 2012, LaPierre (2012) argues “No foreign influence has jurisdiction over the freedoms our Founding Fathers guaranteed to us”, highlighting the characterization of the U.N. as a set of foreign influences, whoever they might be.

Over the significance of the term “rights” and its subsequent definitions, there is a consistent articulation to define self-defense as a human right. This is an important effort since it constitutes a movement inside the representation of a power-hungry U.N. versus a resistant USA. Speeches consistently affirm that the UN does not recognize an individual right to self-defense. Controlling civilian firearm ownership is one – of their several steps – toward eliminating the

possibility of resistance. Moreover, the speeches try to establish a clear cut intention to establish the United Nations debates on gun violence as, imminently, a “gun control” measure. Schmeits (2011) defines the PoA as a measure for gun control. This movement is essentially important to address vulnerability: Any movement toward cooperation to international arms regulation leads to a potential civilian firearm ownership ban. This would lead to a direct hit on the right of self-defense contributing to U.N. - led domination.

This idea of the United Nations enabling foreign power domination on US soil through an extensive gun-ban appears intertwined with how these actors perceive the organizations’ constituent body. Speeches reiterate the ATT would “keep guns and ammo out of the hands of oppressed people” and would serve as an “insurance policy for thugs like Moammar Gadhafi” (Tribune Review, 2011). Moreover, there is the consistent sarcasm over the participation of China, North Korea, Cuba, and Syria - among other countries – in UN deliberations, which LaPierre and some of the new pieces always address as the “bastions of freedom”. They usually attach the existence of socialist governments and dictatorships within the U.N. as a clear signal of the lack of integrity this organization suffers. (Fox News, 2012, Kopel, 2012, LaPierre, 2012b). Ted Nugent (2011) goes a step further and affirms “The reason the U.N. may pass such an agreement is because many of the nations that belong to the U.N. either directly or indirectly support terrorism or are viciously opposed to liberty and freedom.”

Another point the speeches frequently note is the bureaucratic character of the U.N.. The words “bureaucrats” and “bureaucracy” appear as synonyms to a growing burden on efficiency. Furthermore, this inefficiency has direct impacts on lives since it perpetuates a “history of failure, tyranny and abuse” (LaPierre, 2012b). Schmeits (2010) argues “these broad international agreements could foster the growth of a global gun-ban bureaucracy, with all the restrictions, taxes, inefficiencies, waste and corruption that have characterized bureaucracies since the beginning -yet with no effect on crime.” The idea pushed forward by those speeches is that more control equals more bureaucracy which leads to inefficiency.

In an article in the conservative Washington Times, retired Admiral James A. Lyon (2014) argues that international arms transfers and their dangers

have a long history in the United States. He mentions President Carter had a policy of restraining the transfer of conventional arms to conflict areas, arguing this is the genesis of the ATT process. Admiral Lyons argues, the Joint Chiefs of Staff stated this was an “unnecessary infringement on our strategy and sovereignty” and Obama’s plans share several assumptions with Carter’s. However, the most interesting part of this argument is over Soviet participation that “were always [the] reluctant suitors in this enterprise” and that the whole process of talking with the soviets on international arms control was “delusional”. The characterization of the ATT process – or any other arms control - as a utopia consistently appears on the speeches. These connections, defined as the lack of compromise with national sovereignty in face of enemies associated as the delusional aspect to discuss it with them appears as an important construction to discredit the efforts on gun control. According to Lyons, “the esoteric objectives may sound good in the faculty lounge, but they fail to pass muster in the real world”. In this sense, the international politics landscape does not allow these kinds of interaction, academic and utopic delusions of ideologically driven individuals.

### **5.2.3. Everlasting threat, everlasting resistance**

One last important movement assigning significance is the presence of an idea of a “march”, steps that begin with small measures on gun control and will lead ultimately to a complete confiscation of firearms. The idea of a “gun-ban” march over United States is consistently put forward on the speeches and news articles selected. LaPierre’s (2010a) article in *Standing Guard* entitled *The First Step in Trampling Our Rights* on the efforts the Obama administration made towards joining the international community on a binding treaty on arms trade claims that the US government became an “aggressive participant” in “what international gun-ban groups have hailed as a first step in their march on our sovereignty and ultimately on private ownership of firearms in every nation”.

There is no reference to of whom these groups might consist and where they hailed this march. Moreover, the use of adjectives such as “aggressive” and

terms such as “real threat” to refer to Obama administration's efforts contrasts with the adjectives and terms used to address the stances taken by George W. Bush Administration and John Bolton. It was “an adamant stand”, against “evil principles”; President Bill Clinton’s statement noting the US's cooperation on the ATT represents a “radical shift” and a “stark contrast” from the “audacious defense of American liberty” by Bush and Bolton.

This relationship persists throughout the speeches. There is a “destructive effort” Obama shares with UN towards America sovereignty (LaPierre, 2010b). The central point is to address Obama promotes a “treacherous assault on U.S. Sovereignty” joining the ATT (Cox, 2011). Chuck Norris (2012) stated the “last time I checked, Americans were responsible for making our own laws” and that “the reality” of UN’s treaty is to “submit our unique Second Amendment guarantees to inspection and condemnation. Cox (2012b) argues there are “basic principles” on liberty and freedom that treaty proponents do not understand and there is an effort to “control civilian firearms”. This reiteration of a threat is intertwined with the inability to stop these processes by the government. As Cox (2011) also mentions “The failure of the Obama administration to defend America’s constitution on the world stage was foreseeable”.

#### **5.2.4. Foreign threats to a vulnerable USA**

Considering *practices*, two points emerge in the analysis. The first one is the characterization of a perennial and continuous UN practice – more specifically the idea of a global “norm” – in using this concept as pretenses to interfere in individual state policies and boosting organizations’ power. UN treaties serve the purpose to propel its own power. This practice enacts a perception of an imminent threat and creates a potential vulnerability over the possibility of an intervention. On the other hand, the second main practice enacted on this diagnose refers to how the domestic actors oppose this act of aggression: to fight the battles, they enter “All In”<sup>71</sup> at the bets and let the enemies “bring it on”. Resistance as a practice emerges on the articulation of these two scenarios. The speeches argue

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<sup>71</sup> “All in” is a poker term used when a player bets all their money on one hand.

resistance is a direct product of an international intention to use global norms as excuse to interfere, fomented by a government that increases our vulnerability facing these menaces. This relationship relies on the significance built around those practices, boosting resistance almost as a consequence

Ronald L. Schmeits (2011) gave an address in the *President's Column* on 2011 entitled “How the United Nations Endangers Your Firearm Freedom” that helps to understand the idea of global norm as a threat to firearms freedom. The NRA President at the time began his speech noting the United Nations would work on the details of an Arms Trade Treaty in New York<sup>72</sup>. This effort, according to the author, could “devastate” the Second Amendment rights. Establishing the connection between the ATT and a potential constitutional devastation, the author highlights Obama’s support to “global gun control”, classifying it as a “new and dangerous development”. Schmeits goes further, stating “they [Obama/Clinton] would have firearm freedom defined by foreign gun-banners than by our Constitution”.

The idea of “foreign gun-banners” goes embedded with the characterization of an alliance; an “enormous group” of “anti-gun associations”. This represents, as Schmeits argues, the placement of foreign interests over the national constitution. An important point to mention is the idea of “foreign” intervention/interest over the national sovereignty. On Gee’s terms, this Conversation – a debate and its arguments – centers the efforts with the goal of highlighting practices and giving significances. LaPierre (2011b) mentions in the UN Conference that “Neither the UN, nor any foreign influence, has the authority to meddle with the freedoms guaranteed by our Bill of Rights”. In Schmeits’ argument, the influence of the “Hungarian billionaire George Soros”, a liberal activist within the US, promotes a vision where “national sovereignty is cast aside in favor of “global norms”.

Two important points emerge from this articulation: the idea of global norms as foreign intervention and the own use of the word “global norm” or “norm” in quotation marks. The first observation is part of an effort to relay the idea of the USA as a “great nation” (Cox, 2011) that “was found for the precise purpose of escaping the “global norms” (Schmeits, 2011). In this sense, this

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<sup>72</sup> He uses the sentence “United Nations delegates will descend upon New York”.

intertextuality between the global norms and foreign intervention gives a boost to the idea of norm diffusion as harmful and a potential menace to the country. This association is very important since this idea recursively appears on the speeches analyzed. One can see this interaction observing the final part of Schmeits' speech where he observes that the U.N. – as a separate body, a foreign influence which United States are not part – wants to “impose upon the U.S” a “gun-ban”. United Nations, therefore, represents “the interests of government – not citizens”. Foreign Powers, enemies of the country, gather at UN to attack and threaten the United States according to these views.

On the usage of the quotation marks and other questions of style, the Social Language and the Discourses, in Gee's terms, are substantially important to help enforce these practices, significances, relationships and connections. The Social Language used is essentially informal, not technical, aiming at colloquial expression to its audience. Moreover, irony and sarcasms are recursively used to highlight a given obviousness of these foreign intentions. The quotation marks express this informality and style intention. Every time the term “global norm” appears, it comes along with quotation marks to express this is not the real intention, but an excuse for other “real intentions”. Phrases like “the reality behind the rhetoric” (Schmeits, 2011) and “backdoor approaches” (Norell, 2012) create an intention to address this idea of norm as invalid or misguided. This style option goes on to characterize the group of experts on ATT PrepCom. In one of Cox's (2012) news reports on the NRA-ILA website, quotation marks are used to discredit the real significance of these words.

Other more distinguishing elements of irony and sarcasm are used to highlight norms as a proxy to intervention. Elements like "It is obvious", "Last time I checked", "there is nothing less than an international gun registration scheme", " the secretary forgets we can read too", “NRA force the UN into doing what it does best – nothing” appear consistently on the speeches. Attached to this style, there is a posture to properly face these so-called obvious proxy measures to intervene on US. A tough stand posture promoted by bold individuals<sup>73</sup> appears

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<sup>73</sup> The idea of masculinity and the figured world of “the man who protect its Family and country” also appears frequently. However this analysis does not intended to look at this question to a gender perspective, Melzner (2011) does an important assessment on the frontiers of masculinity within the gun-right movement. See Melzner, Gun Crusaders (2011)

on terms as “Bring it on”, “we are All In”, “fight to defend our freedom”. The idea of a patriot that keeps a perpetual vigilance, as Heston puts it, also comes to light. The very idea of the term “Standing Guard” addresses this resistance movement.

Noteworthy, this resistance movement comes within an enduring process to make a connection between this stand against norm diffusion to a battle. The language used has military terms such as “Battle”, “Prevent”, “Reverse the Damage”, “Surrender”, “Rough Battles”, “Duty”, “Ticking Time Bomb”, “The war rages on”, “constant attack”, “the enemies are advancing”. The Figured World of a large scale battle against a powerful and dishonest enemy is present throughout the speeches. This idea of a foreign support, both of individuals and enemy governments, boosts this relationship and makes this connection available. Resistance comes not only as a viable option, but the only one capable of preserving America 1<sup>st</sup> Freedom. This idea of Resistance is also portrayed as a cure within an association of global norm as a disease<sup>74</sup>, an infection, as Norell (2012) argues these ideas are a “bit-by-bit infection that will ultimately transform the whole nature of our country”, warning if this process continues to happen “our Right to Keep and Bear Arms might not be able to survive”. Once more, this idea comes alongside the perception of foreign ideas on the internal body of state, infecting and potentially killing it. To rely on these Sign Systems stresses authority: to fight an invasion, military terms and knowledge suit the comparison; to fight an infection, medical/natural terms emerge as tool to assign credit.

The analysis so far observed how the language makes some points significant and how it enacted/ acknowledged practices. The important points made significant by these speeches are the idea of an international march leading to a complete extinction of gun rights, the UN predation on national sovereignty, and a process of differentiation between the practices of previous governments, supported by the NRA and resistant to this march and predation, and the lenient posture by the current administration. Concerning the practices enacted, there is an oppositional relation: the UN/ Foreign practice of norm diffusion supported by the current administration as an excuse to vanquish gun-rights and the resistance

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<sup>74</sup> Jutta Weldes (1999) observes how these associations cure/disease are important to give significance to practices of resistance as a fight for survival. For more, see Weldes (199, p. 179-186), also De Rosa & Godeghesi (2014), *The Cancer and the Cure*, available at << [<< http://web.isanet.org/Web/Conferences/FLACSO-ISA%20BuenosAires%202014/Archive/c01ed19b-5c4b-44ef-86bf-82fd60248304.pdf](http://web.isanet.org/Web/Conferences/FLACSO-ISA%20BuenosAires%202014/Archive/c01ed19b-5c4b-44ef-86bf-82fd60248304.pdf)>>

practice necessary for survival and preservation. However, to sustain these practices, it is important to highlight some identities and politics that need to be activated.

The perspective also comes in a dual, opposite characterization concerning the identities enacted on the language used throughout the speeches analyzed. Noteworthy, concerning identities, this exercise works simultaneously: defining and assigning one identity to an individual or a group serves as reference to differentiate “them” from “us”. More important, highlighting identities and differences through discourses makes it possible to differentiate values one group regards as important and wishes to preserve, and other values they wish to destroy or overrun. Discursive mobilization – a “call to arms”, as Benford & Snow (2000) observe – intends to gather this group of individuals that share the same assumptions on the question framed. Tracking, defining and assigning values to these identities is an essential process to give solid structures to resistance.

In this sense, the speeches are unanimous on stressing these two distinct and opposite views: Obama administration has “evil principles” sharing them in a “destructive effort” with the United Nations. These individuals reversed and changed a longstanding, coherent conduct regarding international arms trade. They are ideological biased, “left-wing politicians” who believe “people need to be controlled instead of liberated”<sup>75</sup>. These individuals have a clear agenda – as Cox (2012b) UN has an agenda aiming to trample Second Amendment rights – promoted through obscure methods and proxy intentions by treaties and norms. UN with its dictators, socialists and tyrants has Obama’s support since he shares their assumptions. On the other hand, there are individuals who enact an “audacious defense”, an “adamant stand” and are currently fighting an everlasting battle against an enemy which has only one objective: to inflict damage and to destroy American freedom and sovereignty. This patriotic and gun-loving stand has to be of resistance against a stronger and persuasive foe: one must “Stand Guard” and keep a perpetual vigilance against this group of individuals. Furthermore, any attempt against the 2<sup>nd</sup> Amendment is a direct hit on the core

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<sup>75</sup> Nugent’s (2011) piece is an ode to difference within these two views. He argues “Eliminate evil people, and good people live. Enable evil people to control people, and good people are slaughtered. It’s so simple it’s stupid. Paraphrasing the words of the late freedom addict and American hero Charlton Heston, a U.N. stooge or anyone else can have my gun when they remove my cold dead fingers from around it. Know it”.

values of US Constitution: the right to keep and bear arms is the right that allows the other rights to exist; it is “America’s 1<sup>st</sup> Freedom”, as LaPierre proclaims at the UN “it is about fundamental individual freedom, human worth and self-destiny” (2011).

The reality building practice comes alongside is marked by a strong Manichaeism: static and dual identity opposition where patriotism accompanies resistance and socialism, dictatorship and tyrannies support norm diffusion. The speeches clearly converge on this point regarding this specific construction. To resist against norm diffusion is a patriotic duty to oppose the “evil principles” embodied by the UN, old enemies of the United States. The NRA must work to stop “them”: “the self-defense opponents”, “left-wing politicians”, “socialist governments”, “liberals”, “gun-grabbers”, ideological foreign governments”, “anti-gun activists here at home”.

The debates these speeches use are important to complete the characterization: international norm diffusion becomes an escape route to a – failed - domestic attempt to limit the freedom to individuals, to increase governmental power. The “anti-freedom polices” UN has resonates this domestic will and serve as an important backdoor. The language style is distinctive on this identity construction – as well as reinforcing this relationship. The NRA, at the same time poses itself as the authority and true expert on arms, trying to disqualify other groups. Sentences such as "Believe me" and "I tell you", as well as the quotation marks on experts and preparatory committees – also found when mentioning norms and global norms – represent this effort to disqualify the opposition's knowledge and qualification. Noteworthy, the sign system within the speeches tries to establish a disparity concerning arms expertise trustworthiness. This movement is important to rob pro-gun control groups of their authority and knowledge, claiming they are biased and moved by a UN sponsorship. It is ironic for the NRA to mention “sponsorship” and “UN-funded” in the speeches, since it arguably funded historical and sociological studies to develop the individual rights hypothesis on the 2<sup>nd</sup> Amendment, as Chapter 4 observed.

Gun rights advocates extend this authority claim to United States gun freedom and their quality standard. In the chapter 4, this study observed the American position on the “gold standard” of United States arms control. The

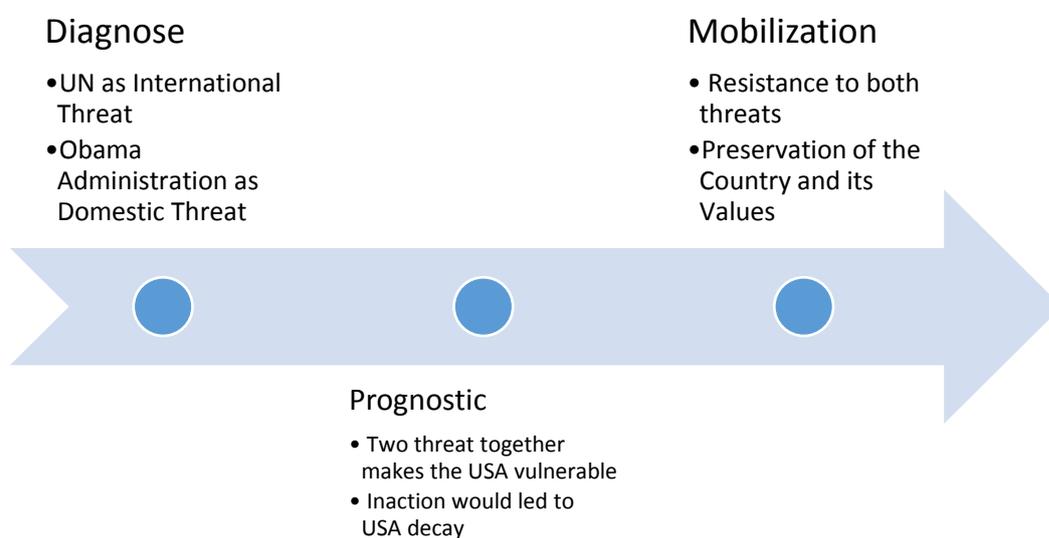
speeches verify and further articulate this relationship on terms such as “nations less free than our own” and that the Second Amendment and their freedoms “separate us from every other nation on earth” (LaPierre, 2012a). Moral and superior gun rights high standards become a synonym for liberty and their potential loss results in tyranny. These actors try to disprove other sources and experiences, reinforcing a mutual constitution where the domestic debates on gun control, as chapter three described, merge with international resistance efforts on any attempt to tackle this right. The fight at home reflects and seizes the fight abroad. LaPierre gives an example of this rationale:

One of the highlights of my time with the NRA was a few minutes I got to spend with a special group of young people. They came to my office at NRA Headquarters while visiting the United States for the first time from their native China. As kids, they saw Tiananmen Square first-hand—people who thirsted for freedom so greatly they stood in front of tanks for it. And they told me that experience taught them how incredible the Second Amendment was. And they said we should never give up in this fight because it’s a fight for people like them and for oppressed people everywhere. Deep down, everyone shares a right, a burning desire, to be free. The Second Amendment guarantees that freedom. That’s why it’s history’s most valuable, most cherished, most irreplaceable idea. And no amount of United Nations-funded studies, statistics, commissions and seminars will ever prove otherwise. That’s why the NRA is going to fight this U.N. attack on human freedom with all of our power. America is still a beacon for the rest of the world ... proof that ordinary people can be trusted with extraordinary power ... that set free, we can live in peace, govern ourselves and control our own fates. We reject the U.N. notion that world peace is only possible through an all-powerful bureaucracy, or an all-knowing system of oppression, suppression, restriction and regulation. We hold in our Constitution the most precious, unique and hopeful human freedoms mankind has ever known. It’s our duty to defend them. (LaPierre, 2012a)

The effects of arms trade treaty to the domestic arms industry only rarely appears. References to the domestic impact on sales are found only in three speeches. This is an important movement to frame the ATT not as prejudicial to American industry and partial interests of big corporations that eventually would fund NRA and these movements of resistance. The framing activity intends to detach this movement as one of particular interests and place it as a movement to preserve United States security, values and sovereignty. The effects of this effort are to strike on both sides of the aisle within the Senate. 50 Senators, both Democrats and Republicans, addressed a letter to president Obama condemning the ATT’s adoption (Moran, 2013). Tackling the Second Amendment represents, within this frame, not only an attack on cultural values, also reinforced throughout

the speeches in structures as a “true patriot” and “true American values”, but also represents an attack on security, freedom and compliance with dictatorship and tyranny. Annex II summarizes and illustrates the discourse analysis developed in this chapter. Important to mention, the potential consequences of an

The framing core tasks to give a prognostic and mobilize appear within these movements. In this present analysis, these three stages can also translate distinct significances and activities: (1) the association of an allegedly domestic effort of gun control to an international coalition of foreign interests with the same objective; (2) the capability to appropriate values of defense, protection, expertise and efficiency against this joint force that is a menace, biased, inefficient and naïve; and (3) the categorization of these efforts as a gun control measure translating, therefore, a threat to individual liberty in which they are everlastingly vulnerable unless they unite and resist. Important to highlight, the central problem is not threat existence – since the NRA presents itself as a halberd against this perpetual menace. The whole intertextuality presented within the text takes this eternal vigilance, as Heston would put it, as a natural function. The emergence problem, the core framing activity is to transform this threat into a potential reality. Figure 3 outlines this process.



**Figure 14. Framing Processes and the Case Study**

This exercise – and the center of the whole framing constitution - consists of arguing that the current administration poses a threat, leaving the

country vulnerable to foreign interests. To emulate the domestic presence of an administration that reversed policy on the issue allows for interlocking the perennial international threat to a new domestic “no-Friend of the second amendment” White House and State Department. Framing these two separate but similar threats creates a boost to resistance. The “call to arms” occurs on those premises, capturing both sides of the aisle using discourses to mobilize these cultural and institutional backgrounds, shaping them to fit the previous diagnose and prognostic. Once we observed the speeches, the next section will focus on more thoroughly assessing what impacts this analysis has on norm diffusion and norm resistance theory and what are the possible contributions it brings to the discipline of International Relations.

### **5.3.**

#### **Framing and Resistance: Conclusions on mutual effects**

In order to proceed with the analysis on framing and resistance, three points emerge from the discussion, one from each movement of diagnose, prognostic and mobilization. This study is aimed at observing how framing discourses can boost resistance mobilizing cultural and institutional elements. These elements do not influence in a rigid and straightforward manner. Social actors – in this analysis, the so-called gun-rights activists – structure discourses to resonate with these elements, however, they also shape and change different contours according to their belief system and interests. In this sense, to rely on cultural elements to create a barrier is not enough to engage in resistance. One actor or group willing to resist need to articulate a resonant and coherent discourse that mobilizes these elements, shaping them into their world view.

This shaping process must be reiterated and continuous. Actors must never cease to address one diagnostic, give a dreadful prognostic and mobilize. A successful and resonant diagnosis merges an external and internal threat as similar and complementary. This elaboration needs to combine these two eminent threats as symbiotic: one needs and must associate with the other to make the process meaningful to internal actors. Important to notice, cultural and institutional aspects generally matter more in this phase, where associations can rely on

historical experiences and performances. The stronger the link between domestic and foreign threats, the stronger is the actors' ability to mobilize resistance.

Concerning prognostic, discourses have a more prominent role in designing a scenario where these threats interact and have a significant output. The prognostic phase on framing activities is the most important phase on boosting resistance since the scenario needs to highlight an eminent vulnerability given the actual state of interaction and complementarity of both threats. Analysis showed that the effort on the diagnostic phase does not only entail cultural and institutional match-making, but an active process to highlight points and obscure others creating a narrative to conquer audience. One must structure this non-correspondence into a scenario where the inaction would lead to an extermination of those patterns. Noteworthy, the effort to bend the contours of cultural and institutional backgrounds pays off in this phase. A dreadful scenario where nothing resists to the invasive presence both internal and external threats leads to extermination – life ceases to exist. As the speeches mentioned, the second amendment cannot survive.

Mobilization is an output of the previous phases. If a well-defined set of threats is diagnosed and an alarming future characterization emerges, mobilization needs to rely on these pre-defined characterizations. Important to mention, mobilization is a call to arms, a practice. In this sense, this reality needs to rely on the previous characterization of significance, identities, relationships, connections, politics and sign systems on the discourse. These associations must not be broken or forgotten. They must be reiterated by direct measures and they must be translated into practical actions. Resistance has a subjective component, conquering “hearts and minds”, but it is an essentially a practical task.

Each of these steps needs a closer look. First, on the diagnosis phase where the process begins. To separate this characterization is useful to methodological purposes, although, during these discursive practices, they are a simultaneous process, reinforcing one another constantly. The fundamental task in the diagnosis phase is to assess this linkage between domestic and international scenarios. The speeches use different structures to build this significance, most importantly the idea that the Obama administration is a participant of an UN-led gun ban scheme since this agenda is an escape route from domestic firearms

control, which have largely failed in Congress, as the last chapter showed. Establishing this connection merges the questions and gives an undistinguishable bias to both intentions. In this sense, to diagnose it is not only an observation task, but active merging exercised where social actors draw comparisons between these two agendas.

Framing resistance, in essence, needs to match these two ideas as one active exercise. It brings a powerful association, which gains significance by building these dimensions over previously established cultural and institutional backgrounds. Obama's participation is a threat; however, this meaning only gains a solid ground when you use other filters and definitions, such as the general debate over the UN super-state plan or the shift of policy translate a coup-de-force to trespass internal control. These constructs need to be coherent, even if not entirely fact-based. It needs to make sense in the historical account trying to be put forward as significant. An important example is the restructuring of NRA's history to forget the pass of lesser important and high-minded activities to stress, as LaPierre (2011a) argues "The NRA was founded in 1871, and ever since, has staunchly defended the rights of its 4 million members, America's 80 million law-abiding citizens gun owners and freedom-loving Americans throughout our country".

The defense is perennial, the own institutional mission gains a different contour of rights defense. The association between the internal and external threats, when deeply ingrained, goes over a spiral to give further subsidies to prognostic and mobilizing phases. Shaping cultural and institutional elements gains a robust role in this activity since it is responsible for drawing a guiding line where the argument can or cannot go. Taking the discussions and accounts of the Right to Keep and Bear arms as guaranteed by the Second Amendment, there is no mention to previous substantive debates over its content. LaPierre uses this originalism claim to give robustness to his argument. The word "self-evident", characteristic of the excerpt of the Declaration of Independence – "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness." (USA, 1976) – comes to state the individual right

to keep and bear arms. The starting point and the development of multiple concepts over the 2<sup>nd</sup> Amendment are taken for granted. As LaPierre argues,

The Right to Keep and Bear Arms in defense of self, family and country is ultimately **self-evident** and is part of the Bill of Rights to the United States Constitution. Reduced to its core, it is about fundamental individual freedom, human worth, and self-destiny. We reject the notion that American gun owners must accept any lesser amount of freedom in order to be accepted among the international community. **Our Founding Fathers long ago rejected that notion and forged our great nation on the principle of freedom for the individual citizen - not for the government.** (LaPierre, 2011, emphasis mine)

The ATT represent, therefore, a direct hit on the right to self-defense, understood as a human right. Possibilities to address UN as a club of dictators, socialists and tyrants, and Obama as a “part of that club” need this specific construction. This is an active and ceaseless process: the argument needs to rely on these assumptions and these assumptions, by their turn, need to be coherent. This coherence appears as a guideline to an argument that resonates within the population. In this sense, the effort to draw this continuous line from the Founding Fathers strengthens this effort. The analysis highlighted there are different views on this conception and the incessant discourse battle on the policy front are more dynamic than a straightforward view on cultural and institutional dominance on these outputs. Discourses and these subjective elements shape each other, the first following a line drawn by the second, at the same time the former can set specific limits and boundaries as to how far this line can go.

Throughout these associations, the diagnosis needs to translate any attempt on the international level as a direct hit on the national level, a potential force that will undermine what the actors build as essential. The diagnostic effort relies heavily on establishing this background where prognostic future-oriented scenarios will develop. Once this diagnose establishes both the lines and limits the discourse can go, the prognostic phase needs to take this portrait and develop them into a scenario where there is no alternative left but to resist to these threats. The scenario must emulate vulnerability in the face of these threats. Resistance must appear as the only possible way to preserve vulnerability and neutralize both threats.

Prognostic efforts need to stress vulnerability and a direct outcome on this situation. In this sense, as observed on the analysis, there is a constant

movement to develop these matching internal and external threats into a vulnerability scenario. More specifically, in the case observed, the argument structured is that the policy shift led by the Obama administration on international gun control is a concrete threat aligned with an everlasting gun-ban agenda of the UN. The gun-ban, extermination of human rights, the rise of tyranny becomes a reality on these speeches. Vulnerability as a prognostic needs to impose a sense of urgency, potentially leading to emergency. Alternatives to this movement need to be few, generally limited in terms of a direct counter-attack on the problems diagnosed.

This construction is a two-step movement: in one hand, the focus is in the policy shift, cooperating with the international, allows a potential hit into American democracy and freedom; on the other hand the eminent danger to lose control of firearms. LaPierre, in a 2010 speech clarifies this movement: “hope and change” transmuted into a “real threat”. The characterization of this policy shift as only ideologically oriented, naïve or a backdoor appears in order to address the seriousness of the movement to these actor’s eyes. Stressing this policy as a break within the long and straight line defined in the diagnose efforts is an attempt to increase one’s attention to this interruption. The connections and relationships present in this effort aim, mainly, at reiterating there is a real threat, international and nationally. The idea of reality, as the imminent presence of danger, helps the characterization to leave few possibilities available to deal with this scenario. The fight at home, as aforementioned, merges with the fight abroad.

The other movement argues these measures structure a complete gun-ban and restrict freedom and eliminate the possibility of self-defense. Important to notice, diagnosing the interlocking between the internal and external threats also allows for giving a prognostic based on these premises: the international measures translate into domestic results. In this sense, the output – and the intention – of international measures on gun control have a domestic characteristic. Moreover, it leads to the association of gun restrictions to an increase in vulnerability and the potential death of the second amendment. The most important action in the prognostic phase is to attach the future scenario to a given present situation. The present situation is that there is a government shifting policy, acting against a well-know and established provision in the constitution and supporting an

international gun-control agenda. This indicates that, in the future, these actions are little steps toward a complete gun-ban, restricting their freedom and sovereignty.

It is import to address vulnerability as a characteristic of resistance for norm diffusion literature. Authors argue vulnerability to structure a disparity in power relationships which inform a subaltern/ weaker actor to mobilize action in order to preserve it facing a possible intervention (Acharya, 2011; Thornton, 1980; Zartman, 1970). However, vulnerability should be noted less as an attribute of small/weak countries and more as a perception that any actor can emulate in order to mobilize resistance. Essentially, one feels threatened when one's perception of danger become credible to his or her existence. In this sense, to diagnose multiple threats and give a prognostic that involves a credible concretization of danger and domination facing vulnerability allows an actor to boost a mobilization to resistance.

The domestic and international threat equivalence linkage is fundamental to structure this vulnerability as potential destructive. International Security scholars, mainly critical ones such as Ashley (1988) and Campbell (1998), acknowledge the prominence of reality building into characterizing threat and legitimizing a direct action to neutralize it. On norms literature, on the other hand, states perceive threat and security considering their position on the international system and solid, almost inflexible subjective patterns serving as blueprint to norm acceptance or resistance. The analysis needs to move forward observing the influence of reality and scenario construction to change or reinforce these outcomes.

#### **5.4. Conclusion**

Throughout these speeches, this study assessed these constructions and, mainly, how it addresses the opposite view on contentious issues. Political debate and bargain appears as preexistent to norm diffusion. The existing literature takes for granted the political debate preceding norms cascades and spirals. Diffusion, and even resistance, appear on terms of whether conditions to start the process

were or were not sufficient – mainly compatible cultural background, political actors supporting the norm and international support. The central question is how these conditions emerge and how to assess compatibility. I implemented an analysis based on the fact that discursive actions may answer these two important questions. On conditions, as the chapter four highlighted and many speeches reinforced, there was a new direction on international cooperation on SALW. Internal support – both financial and structural of many important domestic actors, NGO and INGO - however existent, did not surpass and overrun this barrier, delaying - or preventing - the start of the process of diffusion.

These speeches define a proper behavior facing the intromission of foreign interests. A patriotic and gun-loving identity that participates in the gun rights activism gains value over a non-engaged individual, a rightful posture to defend freedom over an inconsequent lenience that would lead eventually to tyranny. Speeches carefully build a relationship of expert and lay-man, assigning this expertise to gun-right activism and invalidating others. In this sense, there is an active reality construction to create an environment where resistance appears as the sole option to preserve freedom, as it was defined. These speeches establish connections and relationships to link the ATT with domestic politics, mobilizing an internal argument on the issue to address international norms. Moreover, internally, this exercise aims at giving specific contours to a cultural and institutional narrative where favorable elements are highlighted in detriment to others.

This effort to give a narrative, assigning values and shaping these cultural and institutional backgrounds, constitutes the main exercise to confer coherence and resonance to one discourse. Whenever an actor assigns significance in a specific construct - gun rights as a human right or the idea of ATT as backdoor – subjective elements are cast to establish this relationship at the same time others are hidden. There is not a rigid subjective background that serve as straightforward guideline where there is not a possibility to discuss and shape these elements in the political debate. In this sense, altering and shaping these subjective elements happens as a normal process of the political debate where different ideas of what is proper as a behavior or what it is not comes into

question. Discourses are the main mechanism actors use to establish these links and assign values.

Framing can boost resistance since the diagnostic and prognostic phases give a direct – and often with no alternative – order to mobilize a resistance. In this study, speeches diagnosed an international threat associated with a domestic menace to gun rights. On the prognostic phase, they assess this domestic threat and its policy shift as a vulnerability regarding national security, freedom protection and institutional structure. Mobilization, therefore, makes it necessary to counter this menace. Resistance, as a practice, appears as a way to preserve values and security over a deliberate international attack on the country. Once speeches draw links and association on the diagnostic and prognostic phase in order to link these threats with a specific narrative and definitions of the issues discussed, resistance as mobilization becomes relatively consequential to this creation. These narratives and the significances they gain over other (contrary) narratives are especially important since they define what it is acceptable as a behavior and what it is not.

In sum, framing on norm diffusion appears on a twofold landscape: it boosts resistance over potential threats, resulting in an efficient path to counter international norms, and, at the same time, it intertwines scenarios with reality building, using international norm diffusion to reach an audience at the national level. Attaching multiple, but associated threats on the diagnosis and mapping a dreadful prognostic over internal vulnerabilities can give a robust structure to disrupt norm diffusion and give strength to resistance. Even though there are internal actors proposing a new norm and international pressure to diffuse it, resistance prevails over a revamped narrative, built on cultural and institutional background associated with discourses that define resistance as the only resource left: as LaPierre argue, the brick wall between USA and the UN.

Their failure has less connection with domestic cultural and institutional compatibility and more with the effort to create these differences. Differences – this incompatibility among internal and external norm – halts this process based on the threats these “changes” bring. However, the social actors behind this activity – in this research, conservative actors, gun-right activists with both ideological and financial interests on the issue – highlight these differences

mobilizing actions over cultural and institutional backgrounds, shaping it based in their world view. They use norm diffusion and its processes as a tool to both conquer audience at home and forward and agenda abroad. Highlighting some points over others and, mainly, creating a narrative allows for blurring contours and establishing this scenario of resistance, strengthening their agenda of gun rights.

Mobilization occurs on these premises, merging threats and vulnerability and opposing it with a counter effort. Resistance emerges on these premises, over a discourse that takes these subjective structures and mobilizes them in order to structure this narrative. Framing the ATT as domestic backdoor, establishing links between the UN and Tyranny, as well as the Obama administration's support of these values, creates an environment where opposition to international norms becomes a resistance against big government and tyranny. Framing the Second Amendment as “America’s 1<sup>st</sup> Freedom” and the right to self-defense as a human right, establishes a relationship in which the UN, Obama and any so-called “gun-grabber” act against freedom and liberty. Framing the adoption of an international treaty as a constitutional violation, an attempt to dismiss internal process of checks-and-balances, allows for addressing this cooperation process as a foreign intervention. International treaties become an ill-intended scheme to alienate the American people and dismiss the original intent of the Constitution, as the Founding Fathers have drafted.

These movements are only possible creating this narrative, framing those movements and attaching them with specific significances. This study argued this exercise is not exogenous to resistance or diffusion, but the very condition that made it possible. Moreover, another important point of this study is to address discursive actions as responsible to match internal and external norms, creating the compatibility. This movement gives a more dynamic explanation on diffusion and resistance, placing agency on internal and external actors, and moving the analysis away from positional and cultural essentialisms. This exercise has a practical use since it describes maps of how the arguments are intertwined and in what premises the actors rely upon.

Moreover, this analysis relies on actors’ actions and mechanisms over their intentions. Two important results emerge from this focus. First, and

foremost, one can better assess actions over their situated or framed-meaning than over their intentions. Actors may have multiple reasons – objective and/or subjective – to support or oppose a norm. More importantly, to dislocate the analysis on one given reason or interests over the other, not encompassing the multiple myriad of intertwined interests, gives a biased direction to the research. This leads to the second result: the analysis highlighted mainly which arguments and discourses these actors use to conquer the audience. The audience, in this sense, becomes the sole recipient of one actor's actions, focusing in what elements have a better support from the targeted public. The work highlighted the profound relationship between framing and resistance. The speeches highlighted these actions, observing how actors frame threats and emulate vulnerability in order to boost resistance over international norms. The next chapter will summarize the important parts in this study and draw a final conclusion on the work developed.

## Conclusion

This dissertation departed from the notion that discursive practices can boost resistance on norm diffusion and halt the process. Observing the existing literature, the work tried to argue there was a lack of focus regarding the impact these discourses could have on local actors, mainly on how actor could frame an international norm as potentially dangerous regardless its positional structure. The literature focused to observe resistance on small and peripheral actors attributing this process to previous material and subjective priors. This dissertation tried to forward the argument that, through framing, any actors can equally frame international norms as an internal danger along with a prominent vulnerability regarding its implementation.

The initial theoretical body served as a base to structure further assumptions and conclusions. First and foremost, observing Acharya's notion of a four-step process of localization - beginning on resistance and indifference, moving to prelocalization, localization until it reaches institutionalization and amplification – takes for granted the inner process of bargain and political action on the early phases. These early phases – resistance and prelocalization - appear on a background to a more important and constitutive process that emerges to adapt the international norm to local subjective priors. In this sense, the dynamics where actors discuss the norm resides as part of a bigger process where actors observe these priors and match the existing conditions with internal ones. This study tried to focus on the prelocalization phase regarding the influence resistance phase can have on its development.

In this sense, the main effort was to regard how framing activities could affect this process. More than serve as an internal mechanism to frame the international norms as useful and valid to local normative body, the work proposed to understand this process as a significance battle – where both actors engage into framing and it can be used to converge but, specifically, to resist. In a contrary perception, the work observed how actors framed international norms as potentially dangerous and interventionists regarding narratives they built around it. Through framing, actors could diagnose the international norms as dangerous,

give a dreadful prognostic in case of indifference and mobilize resistance to halt this process.

Noteworthy, these cultural and normative backgrounds are more than a blueprint to convergence, being a target to actors structure a narrative against localization or diffusion. To observe norm diffusion within this framework allows understanding this transmission both as process, but mainly as a tool where actors try to seize momentum to gain political support in order to forward or strengthen their ideas. Norm resistance and “what does not diffuse”, as Solingen argues (2012), are essential to understand the whole process where norm disseminate through the international system.

In order to observe the power and effectiveness framing has to norm resistance, this study analyzed the National Rifle Association discourses against on the UN's Arms Trade Treaty. NRA insistently condemns the treaty as the Second Amendment's great danger and a step a full-blown gun confiscation in America. Nevertheless, the treaty and the whole small arms and light weapons regime on the United Nations aimed to control gun violence and its effects on international peace and security. NRA members structured a narrative that give representations of the essential role the firearm has to individual rights and freedom, as well as the patriotic and vigilant role they have on those policies. Moreover, regarding the ATT and SALW regime, these discourses recursively stated this measure as oppositional to internal legislation and values.

Internal actors create this scenario diagnosing the UN effort on distinct bases it was planned by the international community: It is not an attempt to control the poorly regulated international arms trade, but an attempt of gun control instead. These internal actors diagnose the scenario in different premises as well: it is not an effort to tackle gun violence through demand and assuring human right violators keep getting firearms, but a deliberate plan – domestically and internationally – to disrupt America and render its citizens defenseless. Finally, the mobilization these actors call – a true “call to arms” – places the significance battle right at the center of norm diffusion: On other hand, international actors and domestic agents in favor of the norm try to argue its benefits to the international community, peace and security. On the other, domestic actors use these

international discussions to target a domestic audience about their views and preferences on gun rights.

These actors change the main focus of the discussion from human security and gun violence reduction to an attempt to gun confiscation and a hit on individual rights. This movement is mainly a discursive one, where actors assign values to certain behaviors. Important to mention, to observe resistance one needs more than a verification of whether a norm fit to these cultural and normative background, but to observe how these actors insist to diverge debates, change meanings and, more importantly, altering internal and external narratives over a norm to boost resistance.

Public opinion and politicians, therefore, are caught amid this significance battle where actors engaging in resistance shifted its focus. Changing and building realities affects the process where the internal and external discuss and understand the norm. In this sense, when actors engage in a framing activity towards resistance, the process consists mainly to shift the content of the debate towards a narrative where the own adaption and convergence appears to be impossible. Actors give distinct contours on these cultural and normative backgrounds in order to fit with this detached and particular narrative over the process boosting resistance.

The chapter 5 intended to analyze the NRA and NRA members in order to assess how framing activities can boost resistance within the norm diffusion process. First, the chapter observed, using Gee's discourse analysis methodology, how the 35 selected speeches built significances, practices, identities, relationships, connections, politics and sign systems. As previously noted, there are important points concerning significance and practices that can be highlighted: the idea of an international march leading to the complete extinction of gun rights associated with a UN predation on national sovereignty with the support of the Obama administration. Concerning the practices enacted, UN/ /Foreign practice of norm diffusion supported by the actual administration is often portrayed as an excuse to vanquish gun-rights. Resistance becomes necessary for survival and preservation.

The background on gun control and gun rights on USA on chapter 4 and discourse analysis in chapter 5 showed this movement. There are three main framing actions that enable this shift and, therefore, resistance: (1) the association of an allegedly domestic effort of gun control to an international coalition of foreign interests with the same objective; (2) the capability to appropriate values of defense, protection, expertise and efficiency against this joint force that is a menace, biased, inefficient and naïve; and (3) the categorization of these efforts as a potential threat in which they are everlastingly vulnerable unless they unite and resist. The allegory LaPierre uses – the Brick Wall – that serves as a title of the present dissertation represents this effort. This means there is an international attempt than tries to push forward a disruptive agenda and, with domestic help, they represent a threat that we are vulnerable. There is one last stand, one last wall that brick by brick, individual by individual, or, as he puts it “you and I”, will stop this process of gun control.

Within these discourses, the main characteristic on the NRA action over the Arms Trade Treaty is to use these discussions to improve their internal agenda on what they call “gun rights”. Important to notice, these local actors articulate a narrative that ensures there is only one fight with two levels: one at home and other abroad. This merging process, recursively built on the premise domestic government wants a “backdoor” to gun control in the United Nations, entitles the NRA to address the problem as one, pointing a “gun-ban” initiative within the international measures on gun violence reduction. The narrative NRA builds does not encompass the effect firearms have on conflict, or the human security motivations behind the international attempts to address the problem. Framing international norms to restrain illicit traffic and reduce gun violence as a gun control attempt allows the actors to use this mechanism within the rhetoric they use on gun control. Framing the ATT as gun control circumscribes the treaty as one more attempt to disrupt freedom, favoring themselves as the fighters, the wall that will halt this movement.

In this sense, observing how the NRA addresses the ATT on its discourses, the attempt is to embody this discussion within a domain where the population recognizes the association as a credible voice. The set of language they use, referring them as the specialist and discrediting other participations on the

discussions highlights this point. Interesting to mention, changing this subject as one of “gun control” contributes to recall feelings, world views, and set of thoughts against the Treaty. The United Nations appears, as mentioned, as a bully pulpit to forward NRA’s policy as “a fight for freedom”. When LaPierre addresses the UN a double movement arises: He directs the discourse toward halting the USA participation on a set of international norms he understands and evaluate as prejudicial to the American cultural and normative background; but also, he aims the domestic audience, making a stance and mobilizing a narrative that stress a protective role NRA has to protect “America’s 1<sup>st</sup> Freedom”.

Resistance emerges from a cultural and normative background within a narrative of resistance, as chapter 4 argued, against tyranny, big government, gun as an enshrined as a symbol of these values. Placing the right to bear arms as “America’s 1<sup>st</sup> freedom” places a narrative where the gun it is not only important to preserve these values, but actually an element that allows other to exist. This characterization – by no means natural, by no means unanimous and by no means uncontested domestically and abroad -, altogether with the detached narrative of international/domestic alliance boost resistance and hinders diffusion. The significance battle behind the process of normative fit and convergence appears to be essentially important since important domestic actors try to seize moment of this intentional debate to gain domestic momentum and audience. Resistance, on these terms, can be understood as an international side effect of a domestic battle. In this sense, resistance emerges as a fundamental topic on norm diffusion since those efforts have a spillover on norm diffusion.

This study tried to forward the study on resistance as an essential thematic on norm resistance, but also tried to contribute to understand how “culture out there”, as Benford and Snow (2000) argue, impacts and is impacted by framing. There is an important process of co-constitution where framing follows cultural and normative background to reach resonance, but also where the former create a narrative through reality building where this subjective environment gain distinct contours and forms. The significance battle is a process where distinct narratives, values, focus and actions emerge through discursive practices. The effort to observe these interactions simultaneously, and not only as

one informing the other, expands norm diffusion and framing literature explanatory power.

Moreover, this study forwarded the idea that internal agents can frame the international norm as a threat and impact the process of norm diffusion, mainly localization. Framing can affect norm diffusion in other ways not previously embodied by literature. Observing the NRA speeches, the cultural and normative backgrounds do not only serve as filters, blueprints to converge the norm. There is an active process of reality building over these elements, in a recurrent fashion, where a specific narrative emerges. This narrative enters in a significance battle, with many others, and need to prove itself more credible and resonant than the others. The narrative NRA creates, merging the ATT and gun control altogether, boost NRA capability to shape these elements, increasing resistance and stalling norm diffusion. These subjective elements are not fixed, rigid, indisputable and immutable. They are consistently amid this significance battle, in a continuous process of shaping by the actors that are fighting to defend their beliefs.

An important conclusion this study finds concerns exactly how actors can improve resistance by framing. The population's comprehension about the norm is fundamental to conquer its support and, in this sense, how actors engage in this effort conditions norm acceptance. This effort encompasses this cultural convergence, but does not only limit itself to this process. First, and foremost, this subjective background is not common to all in all aspects, as Chapter 2 highlighted, but is consistently a target of appropriations and within a narrative building. Chapter 4 showed that the relationship United States has with gun control was not a straightforward approach, where the 2<sup>nd</sup> Amendment is an individual and "indubitable" right. The movement to change this relationship comes together with an internal NRA and a domestic conservative turn.

The whole narrative to make this possible – and unquestionable – affects this subjective background. The argument they now profess takes this process for granted and pushes others arguments as incoherent and other debates as irrelevant facing the potential loss of 2<sup>nd</sup> Amendment rights. Noteworthy, concerning the effort this discursive practices undertake is to transform the own ontology of the debates, as shown in the ATT case: It is not about gun violence, or international

measures to reduce it; it is about gun control and tyranny. In this sense, NRA framing on the ATT not only reinforces a particular belief system, but inserts the debate within this realm. Within this narrative, the ATT is an evidence of a chaotic scenario where NRA defends USA from foreign influence. Amid this narrative, resistance emerges as a natural posture of, as Cox and LaPierre frequently say – gun owners and freedom loving Americans. Framing, in this case, boosted resistance at the same time shapes the environment where these debates are circumscribed. Framing emerges, therefore, as an important feature in norm diffusion and, as such, further studies need to deposit attention on the effects and consequences local actors may have when using framing towards norms acceptance or rejection.

This study intended to depart from the second wave of norm diffusion literature and expand the focus of its contributions encompassing the effects framing has on early phases of norm diffusion. Further researches can depart from the contributions offered on this dissertation to understand other movements of norm resistance within discursive practices by domestic agents. Noteworthy, there is room to observe in which extent a post-structural approach would have regarding internal constructions of external agents and the internal dynamics of coercion this narrative have on political agency. Beside this, observing the capability small actors have and which diagnoses, prognostics and mobilizations they recall to resist domestic agenda of localization may present an interesting research field.

This study wanted to highlight the inherent importance discourses have on politics and, therefore, on norms diffusion. The impact resistance can have – as in the case of the ATT – can disrupt regimes and hinder international efforts and norms diffusion. On every conflict where firearms are instrument to violence and oppression, each and every shootout and in all gun related deaths, the burden of domestic resistance reflects on international efforts on SALW control. This research tried to assess the bases of this resistance to highlight the incoherence and dangers these efforts have embedded. The hope lies on understanding its content and trying to assess in which extent the current debates are and where they should be. Noteworthy, the brick wall does not separate the internal threat from

domestic security. It does separate a true and sincere debate on the effects small arms and light weapons have on society.

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## Annex I

#	Date	Title	Publication	Author	Link
1	23/01/2010	The First Step In Trampling Our Rights	Standing Guard	Wayne de LaPierre	<a href="http://www.nraila.org/news-issues/articles/2010/standing-guard-the-first-step-in-tramp.aspx?s=%22United+Nations%22+++%22gun+control%22&amp;st=&amp;ps=">http://www.nraila.org/news-issues/articles/2010/standing-guard-the-first-step-in-tramp.aspx?s=%22United+Nations%22+++%22gun+control%22&amp;st=&amp;ps=</a>
2	13/12/2010	Surrendering Our Sovereignty	Standing Guard	Wayne de LaPierre	<a href="http://www.nraila.org/news-issues/articles/2010/surrendering-our-sovereignty.aspx?s=%22United+Nations%22+++%22gun+control%22&amp;st=&amp;ps=">http://www.nraila.org/news-issues/articles/2010/surrendering-our-sovereignty.aspx?s=%22United+Nations%22+++%22gun+control%22&amp;st=&amp;ps=</a>
3	17/03/2011	How The United Nations Endangers Your Firearm Freedom	President's Column	Ronald Schmeits	<a href="http://www.nraila.org/news-issues/articles/2011/how-the-united-nations-endangers-your-f.aspx?s=%22United+Nations%22&amp;st=&amp;ps=">http://www.nraila.org/news-issues/articles/2011/how-the-united-nations-endangers-your-f.aspx?s=%22United+Nations%22&amp;st=&amp;ps=</a>
4	17/03/2011	U.N. arms control: Enabling thugs	NRA-ILA Redirection	The tribune review	<a href="http://triblive.com//x/pittsburghtrib/opinion/s_727719.html">http://triblive.com//x/pittsburghtrib/opinion/s_727719.html</a>
5	04/07/2011	United Nations gun grabbers at it again	NRA-ILA Redirection	Ted Nugent	<a href="http://www.washingtontimes.com/news/2011/jul/4/united-nations-gun-grabbers-at-it-again/">http://www.washingtontimes.com/news/2011/jul/4/united-nations-gun-grabbers-at-it-again/</a>
6	14/07/2011	NRA Delivers Remarks at United Nations Concerning Proposed Arms Trade Treaty	NRA-ILA	Wayne de LaPierre	<a href="http://www.nraila.org/legislation/federal-legislation/2011/7/nra-delivers-remarks-at-united-nations.aspx?s=%22United+Nations%22&amp;st=&amp;ps=">http://www.nraila.org/legislation/federal-legislation/2011/7/nra-delivers-remarks-at-united-nations.aspx?s=%22United+Nations%22&amp;st=&amp;ps=</a>
7	18/07/2011	NRA Takes on the United Nations	NRA-ILA	Chris Cox	<a href="http://www.nraila.org/about-nra-ila/directors-archive/nra-takes-on-the-united-nations.aspx?s=%22United+Nations%22&amp;st=&amp;ps=">http://www.nraila.org/about-nra-ila/directors-archive/nra-takes-on-the-united-nations.aspx?s=%22United+Nations%22&amp;st=&amp;ps=</a>

8	19/03/2012	Saving The Future Of Freedom	NRA-ILA	Wayne de LaPierre	<a href="http://www.nraila.org/news-issues/articles/2012/saving-the-future-of-freedom.aspx?s=%22United+Nations%22+++%22gun+control%22&amp;st=&amp;ps=">http://www.nraila.org/news-issues/articles/2012/saving-the-future-of-freedom.aspx?s=%22United+Nations%22+++%22gun+control%22&amp;st=&amp;ps=</a>
9	23/03/2012	International Firearm Abolitionists Prepare to Draft Arms Trade Treaty	NRA-ILA Redirection	NRA-ILA	<a href="http://www.nraila.org/legislation/federal-legislation/2012/3/international-firearm-abolitionists-prepare-to-draft-arms-trade-treaty.aspx?s=%22United+Nations%22+++%22gun+control%22&amp;st=&amp;ps=">http://www.nraila.org/legislation/federal-legislation/2012/3/international-firearm-abolitionists-prepare-to-draft-arms-trade-treaty.aspx?s=%22United+Nations%22+++%22gun+control%22&amp;st=&amp;ps=</a>
10	22/04/2012	The Movement To Torch The United States Constitution	America's 1st Freedom	James O.E. Norell	<a href="http://www.nraila.org/news-issues/articles/2012/the-movement-to-torch-the-united-states-constitution.aspx?s=%22United+Nations%22+++%22gun+control%22&amp;st=&amp;ps=">http://www.nraila.org/news-issues/articles/2012/the-movement-to-torch-the-united-states-constitution.aspx?s=%22United+Nations%22+++%22gun+control%22&amp;st=&amp;ps=</a>
11	22/05/2012	June 2012 Standing Guard: "Reject The U.N.'s Gun-Ban Fantasy"	NRA-ILA	Wayne de LaPierre	<a href="http://www.nraila.org/news-issues/articles/2012/june-2012-standing-guard-reject-the-uns-gun-ban-fantasy.aspx?s=%22United+Nations%22+++%22gun+control%22&amp;st=&amp;ps=">http://www.nraila.org/news-issues/articles/2012/june-2012-standing-guard-reject-the-uns-gun-ban-fantasy.aspx?s=%22United+Nations%22+++%22gun+control%22&amp;st=&amp;ps=</a>
12	29/06/2012	U.N. Arms Trade Treaty Drafting Starts July 2	NRA-ILA	NRA-ILA	<a href="http://www.nraila.org/news-issues/articles/2012/un-arms-trade-treaty-drafting-starts-next-week.aspx?s=%22United+Nations%22+++%22gun+control%22&amp;st=&amp;ps=">http://www.nraila.org/news-issues/articles/2012/un-arms-trade-treaty-drafting-starts-next-week.aspx?s=%22United+Nations%22+++%22gun+control%22&amp;st=&amp;ps=</a>
13	06/07/2012	U.N. Arms Trade Treaty Negotiations Underway	NRA-ILA	NRA-ILA	<a href="http://www.nraila.org/news-issues/articles/2012/7/un-arms-trade-treaty-negotiations-underway.aspx?s=%22United+Nations%22+++%22gun+control%22&amp;st=&amp;ps=">http://www.nraila.org/news-issues/articles/2012/7/un-arms-trade-treaty-negotiations-underway.aspx?s=%22United+Nations%22+++%22gun+control%22&amp;st=&amp;ps=</a>

14	11/07/2012	Wayne LaPierre Fights for the Second Amendment Before the United Nations	NRA-ILA	Wayne de LaPierre	<a href="http://www.nraila.org/news-issues/news-from-nraila/2012/07/wayne-lapierre-defends-the-second-amendment-before-the-united-nations.aspx">http://www.nraila.org/news-issues/news-from-nraila/2012/07/wayne-lapierre-defends-the-second-amendment-before-the-united-nations.aspx</a>
15	27/07/2012	NRA Stops U.N. Arms Trade Treaty	NRA-ILA	NRA-ILA	<a href="http://www.nraila.org/news-issues/articles/2012/nra-stops-un-arms-trade-treaty.aspx?s=%22United+Nations%22+++%22gun+control%22&amp;st=&amp;ps=">http://www.nraila.org/news-issues/articles/2012/nra-stops-un-arms-trade-treaty.aspx?s=%22United+Nations%22+++%22gun+control%22&amp;st=&amp;ps=</a>
16	27/07/2012	Bipartisan group of senators voice concern with global arms treaty	NRA-ILA Redirection	Fox New	<a href="http://www.foxnews.com/politics/2012/07/26/group-51-senators-voice-concerns-with-arms-treaty/?test=latestnews">http://www.foxnews.com/politics/2012/07/26/group-51-senators-voice-concerns-with-arms-treaty/?test=latestnews</a>
17	31/07/2012	UN fails to produce a gun control treaty, but the fight is far from over	NRA-ILA Redirection	Chris Cox	<a href="http://dailycaller.com/2012/07/31/un-fails-to-produce-a-gun-control-treaty-but-the-fight-is-far-from-over/">http://dailycaller.com/2012/07/31/un-fails-to-produce-a-gun-control-treaty-but-the-fight-is-far-from-over/</a>
18	01/09/2012	China's Newest Exports	America's 1st Freedom	David Kopel	<a href="http://www.nrapublications.org/index.php/14147/chinas-newest-exports/">http://www.nrapublications.org/index.php/14147/chinas-newest-exports/</a>
19	07/09/2012	U.N. "Programme of Action" Targets Civilian Gun Owners	NRA-ILA	NRA-ILA	<a href="http://www.nraila.org/news-issues/articles/2012/un-programme-of-action-targets-civilian-gun-owners.aspx?s=%22UN+Arms+Trade+Treaty%22+++%22Gun+Control%22&amp;st=&amp;ps=">http://www.nraila.org/news-issues/articles/2012/un-programme-of-action-targets-civilian-gun-owners.aspx?s=%22UN+Arms+Trade+Treaty%22+++%22Gun+Control%22&amp;st=&amp;ps=</a>
20	18/09/2012	The UN Gun Control Treaty Is Bad for Gun Owners Everywhere	NRA-ILA Redirection	Chuck Norris	<a href="http://townhall.com/columnists/chucknorris/2012/09/18/the_un_gun_control_treaty_is_bad_for_gun_owners_everywhere">http://townhall.com/columnists/chucknorris/2012/09/18/the_un_gun_control_treaty_is_bad_for_gun_owners_everywhere</a>
21	12/10/2012	Gun Owners Win Battle at U.N. ...But the War Rages On	NRA-ILA	Chris W. Cox	<a href="http://www.nraila.org/news-issues/articles/2012/gun-owners-win-battle-at-un-but-the-war-rages-on.aspx?s=%22United+Nations%22+++%22gun+control%22&amp;st=&amp;ps=">http://www.nraila.org/news-issues/articles/2012/gun-owners-win-battle-at-un-but-the-war-rages-on.aspx?s=%22United+Nations%22+++%22gun+control%22&amp;st=&amp;ps=</a>

22	28/11/2012	MILLER: Thwarting global gun grabbers	NRA-ILA Redirection	Emily Miller	<a href="http://www.washingtontimes.com/news/2012/nov/28/thwarting-global-gun-grabbers/">http://www.washingtontimes.com/news/2012/nov/28/thwarting-global-gun-grabbers/</a>
23	21/03/2013	Gun Control by the U.N.	NRA-ILA Redirection	Washington Post Editorial	<a href="http://www.washingtontimes.com/news/2013/mar/20/gun-control-by-the-un/">http://www.washingtontimes.com/news/2013/mar/20/gun-control-by-the-un/</a>
24	05/04/2013	UN General Assembly Passes Arms Trade Treaty, Senate Rebuffs	NRA-ILA	NRA-ILA	<a href="http://www.nraila.org/legislation/federal-legislation/2013/4/un-general-assembly-passes-arms-trade-treaty-senate-rebuffs.aspx?s=%22United+Nations%22+++%22gun+control%22&amp;st=&amp;ps=">http://www.nraila.org/legislation/federal-legislation/2013/4/un-general-assembly-passes-arms-trade-treaty-senate-rebuffs.aspx?s=%22United+Nations%22+++%22gun+control%22&amp;st=&amp;ps=</a>
25	01/05/2013	Obama Administration Helps Deliver U.N. Arms Trade Treaty	Political Report	Chris Cox	<a href="http://www.nrapublications.org/index.php/15616/political-report-38/">http://www.nrapublications.org/index.php/15616/political-report-38/</a>
26	18/07/2013	UN gun control treaty will reveal gun laws Obama really supports	NRA-ILA Redirection	Fox New	<a href="http://www.foxnews.com/opinion/2012/07/18/un-gun-control-treaty-will-reveal-gun-laws-obama-really-supports/">http://www.foxnews.com/opinion/2012/07/18/un-gun-control-treaty-will-reveal-gun-laws-obama-really-supports/</a>
27	14/08/2013	Obama's United Nations Backdoor to Gun Control	NRA-ILA Redirection	John Bolton & John Yoo	<a href="http://online.wsj.com/news/articles/SB10001424127887324504704578413110123095782#printMode">http://online.wsj.com/news/articles/SB10001424127887324504704578413110123095782#printMode</a>
28	01/10/2013	A Treacherous Assault On Our Freedom	Standing Guard	Wayne de LaPierre	<a href="http://www.nrapublications.org/index.php/16320/standing-guard-42/">http://www.nrapublications.org/index.php/16320/standing-guard-42/</a>
29	01/12/2013	Obama Cites UK And Australia As Gun Control Models, Signs ATT	NRA-ILA	NRA-ILA	<a href="http://www.nraila.org/news-issues/articles/2013/12/obama-cites-uk-and-australia-as-gun-control-models-signs-att.aspx?s=%22United+Nations%22+++%22gun+control%22&amp;st=&amp;ps=">http://www.nraila.org/news-issues/articles/2013/12/obama-cites-uk-and-australia-as-gun-control-models-signs-att.aspx?s=%22United+Nations%22+++%22gun+control%22&amp;st=&amp;ps=</a>
30	01/12/2013	Poison Pen	America's 1st Freedom	Blaine Smith	<a href="http://www.nrapublications.org/index.php/16708/poison-pen/">http://www.nrapublications.org/index.php/16708/poison-pen/</a>

31	01/02/2014	The Only Truth Obama Fears	America's 1st Freedom	Wayne de LaPierre	<a href="http://www.nrapublications.org/index.php/16991/the-only-truth-obama-fears/">http://www.nrapublications.org/index.php/16991/the-only-truth-obama-fears/</a>
32	02/04/2014	Sen. Moran calls on President Obama to halt efforts to implement U.N. Arms Trade Treaty	NRA-ILA Redirection	Senator Jerry Moran	<a href="http://www.moran.senate.gov/public/index.cfm/news-releases?ID=21ca22aa-d1d9-4263-8403-9fb58b545538">http://www.moran.senate.gov/public/index.cfm/news-releases?ID=21ca22aa-d1d9-4263-8403-9fb58b545538</a>
33	23/05/2014	The Democracy Alliance Joins Fight for Gun Control	NRA-ILA	NRA-ILA	<a href="http://www.nraila.org/news-issues/articles/2014/5/the-democracy-alliance-joins-fight-for-gun-control.aspx">http://www.nraila.org/news-issues/articles/2014/5/the-democracy-alliance-joins-fight-for-gun-control.aspx</a>
34	17/07/2014	Small-arms treaty, big Second Amendment threat	NRA-ILA Redirection	James A. Lyons	<a href="http://www.washingtontimes.com/news/2014/jul/16/lyons-small-arms-treaty-big-second-amendment-threa/">http://www.washingtontimes.com/news/2014/jul/16/lyons-small-arms-treaty-big-second-amendment-threa/</a>
35	01/11/2014	Vote To Save Us All	America's 1st Freedom	Chris Cox	<a href="http://www.nrapublications.org/index.php/18664/vote-to-save-us-all/">http://www.nrapublications.org/index.php/18664/vote-to-save-us-all/</a>

## Annex II

	Meaning	Social Language	Conversations	Intertextuality	Figured World	Discourses
Significance	<ul style="list-style-type: none"> <li>• "Their" march</li> <li>• USA bowed to ONU</li> <li>• ATT represents an United Nations predation on USA constitution</li> <li>• Mobilization and Resistance -&gt; "1871, ever since, staunchly defended the rights of its 4 million members", "The NRA long ago recognized the threat these U.N efforts pose to America's gun owners"</li> </ul>	<ul style="list-style-type: none"> <li>• Informal, direct and accessible</li> </ul>	<ul style="list-style-type: none"> <li>• Idea of Global Norm = International Takeover</li> <li>• Originalism and "What our Founding Fathers Intended"</li> </ul>	<ul style="list-style-type: none"> <li>• UN/ATT as an attack on the second amendment</li> <li>• Left-wing politicians who support gun control also believe in suppressing freedom</li> </ul>	<ul style="list-style-type: none"> <li>• Foreign Power Interest</li> <li>• Tyranny</li> <li>• Coup</li> </ul>	<ul style="list-style-type: none"> <li>• "An adamant Stand" vs. "Destructive efforts"</li> </ul>

<p>Practices</p>	<ul style="list-style-type: none"> <li>• USA cooperation with U.N. -&gt; Meetings to give away, provide at ease, "unsealed the protections"</li> <li>• Resistance as Defense - "The Brick Wall"</li> <li>• Norms and Treaties as Int'l Backdoor to domestic policy</li> <li>• "Preserve our freedom from threats, both foreign and domestic"</li> <li>• ATT as beginning steps to a "full-blown confiscation of firearms owned by Americans"</li> </ul>	<ul style="list-style-type: none"> <li>• "Keep them on the leash"</li> <li>• "The brick wall standing between the U.N and our 2nd Amendment Freedoms"</li> </ul>	<ul style="list-style-type: none"> <li>• America as a bastion of freedom and hope</li> <li>• Self-Defense as a Right</li> <li>• Arms Exports to Allies as a Moral Right</li> </ul>	<ul style="list-style-type: none"> <li>• International Norms" and ONU "Dialect" as Int'l takeover on USA freedom</li> </ul>	<ul style="list-style-type: none"> <li>• United Nations Bureaucrats meet to trample US Rights</li> <li>• Secrecy Plans/ Meetings/ Schedules</li> <li>• Defense against evil attackers</li> </ul>	<ul style="list-style-type: none"> <li>• "NRA is going to fight this U.N. attack on human freedom with all of our power"</li> </ul>
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<p style="text-align: center;">Identities</p>	<ul style="list-style-type: none"> <li>• Evil Principles; Evil Attackers</li> <li>• 2nd Amendment as the Heart and Soul of America</li> <li>• “Us”, friends, and Them that are "no friends of the second amendment"</li> </ul>	<ul style="list-style-type: none"> <li>• Everyday Comparisons - "Enabling Thugs"</li> <li>• Informal</li> <li>• "Believe me"; "I tell you" - &gt; Authority</li> </ul>	<ul style="list-style-type: none"> <li>• Domestic Govern vs Global Governance</li> <li>• Right to Bear Arms - Protection to "yourself, your family, your community and your nation"</li> <li>• U.N. has anti-freedom policies</li> </ul>	<ul style="list-style-type: none"> <li>• Americans, Private Citizens vs Individuals</li> </ul>	<ul style="list-style-type: none"> <li>• Despots, thugs, scoundrels, punks and various crooks</li> <li>• Socialists, Tyrants and Dictators</li> <li>• America as a lighthouse of freedom, "Bastions of Freedom", " Freedom is ingrained in our culture"</li> </ul>	<ul style="list-style-type: none"> <li>• American as a value - "The values and the freedom we believe in"</li> <li>• Patriotism as Vigilance - - "Standing Guard" against a "real Threat"</li> <li>• Tough guys – “Bring it own”, “we are all in”, “Fight to defend our freedom”</li> </ul>
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<p>Relationships</p>	<ul style="list-style-type: none"> <li>• USA bowed to U.N. with Obama</li> <li>• Defense/ Mobilization against these Foreign and Internal Threats</li> <li>• Fight to resist, far from over</li> <li>• Devastate your rights</li> </ul>	<ul style="list-style-type: none"> <li>• Informal, not technical, "gun haters"</li> <li>• Irony - "It is obvious", "Last time I checked", "there is nothing less than an international gun registration scheme", " the secretary forgets we can read too"</li> </ul>	<ul style="list-style-type: none"> <li>• Participate in Int'l Treaties = Concede the liberals/ leftist a Victory</li> <li>• National Sovereignty cast aside in favor of "global norms"</li> </ul>	<ul style="list-style-type: none"> <li>• "Human rights doesn't mean [to U.N.] the right to self-defense as we know it"</li> <li>• Differences between Bush and Obama - Politics and Practices -&gt; "Reversion" "Change"</li> </ul>	<ul style="list-style-type: none"> <li>• - Signing ATT reflects a Domestic Intentions on Gun Control</li> <li>• Gun-Ban Fantasy, "Treaties, utopian devices, fails the test of enforcement"</li> </ul>	<ul style="list-style-type: none"> <li>• Teach Freedom, Teach a Lesson to those who do not know freedom -&gt; "That experience taught them how incredible the 2nd Amendment was. And they said we should never give up".</li> </ul>
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<p>Politics</p>	<ul style="list-style-type: none"> <li>• U.N/ ATT Endangers Your Firearms Freedom</li> <li>• Abnormal Conduct, "Reversing the politics"</li> </ul>	<ul style="list-style-type: none"> <li>• "Trash constitutional rights" - Attacks towards the USA constitution</li> </ul>	<ul style="list-style-type: none"> <li>• "An adamant Stand" vs "destructive efforts" Self-Defense as a Human Right Government action does not suffice to provide security v</li> </ul>	<ul style="list-style-type: none"> <li>• ATT breaks the confidence - untruthful</li> </ul>	<ul style="list-style-type: none"> <li>• - 2nd Amendment Essential to USA - "Right to Keep and Bear arms, to its core, as individual freedom, human worth and self-destiny"</li> </ul>	<ul style="list-style-type: none"> <li>• Resistance by patriots vs. Provision by "gun-grabbers"</li> </ul>
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<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Connections</p>	<ul style="list-style-type: none"> <li>• Resistance against the UN tyrannical super-state to protect "essential human rights"</li> <li>• External resistance together with internal resistance -&gt; "vote out the people who got us into the treaty"</li> <li>• "norms" and "treaties" are backdoor to domestic agenda trying to surpass both House and Senate</li> <li>• "ATT reflects ideological bases of foreign governments and anti-gun activists here at home"</li> </ul>	<ul style="list-style-type: none"> <li>• Military Technical Terms vs Resistance from invasion</li> <li>• "Gun-registration on steroids"</li> </ul>	<ul style="list-style-type: none"> <li>• Super-State Vs Independent State</li> <li>• Right to Bear Arms - the greater freedom of all -&gt; Protect your family</li> <li>• Rogue States and their values</li> <li>• Liberal Agenda Frustrated by the Constitution's limits on government</li> </ul>	<ul style="list-style-type: none"> <li>• - "My cold Dead Fingers" -&gt; Ultimate Resistance, last stand - "1871, ever since, staunchly defended the rights of its 4 million members"-&gt; Always resistant - NRA is All In - The 2nd Amendment guarantees that freedom"</li> </ul>	<ul style="list-style-type: none"> <li>• - Super-State Vs Independent State</li> <li>• International norms vs national norms</li> <li>• Conspiracy, Secrecy, Plot, In the Shadows, Backdoor, Schemed, Unfolding</li> <li>• Obama as a member of "that club of governments"</li> </ul>	<ul style="list-style-type: none"> <li>• Bureaucracy and Inefficiency - "inspection and condemnation"; "what U.N. does best: nothing"</li> <li>• United Nations as Tyrants - "accumulate power at the expense of the sovereignty of individual nations and fundamental individual rights"</li> <li>• Incompetence</li> </ul>
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<p>Signs System</p>	<ul style="list-style-type: none"> <li>• "Attack"; "Threat"; Security terms</li> <li>• Sovereignty under attack</li> <li>• Fight and War</li> </ul>	<ul style="list-style-type: none"> <li>• Fight, Battle, Duty, Vigilance -&gt; Resistance and War</li> </ul>	<ul style="list-style-type: none"> <li>• Fight, Battle, Duty, Vigilance -&gt; Resistance vs. Domination</li> </ul>	<ul style="list-style-type: none"> <li>• Medical/ Natural Terms</li> <li>• Predation, Prevention; "Our Right to keep and Bear Arms might not be able to survive"; "Gun registration on steroids"</li> <li>• Military terms as Battle, Prevent, Reverse the Damage, "Surrender", "Rough Battles", "Duty", "Ticking Time Bomb", "the war rages on", "constant attack", "the enemies are advancing"</li> </ul>	<ul style="list-style-type: none"> <li>• Resistance/Fight</li> </ul>	<ul style="list-style-type: none"> <li>• The Framers, Founding Fathers -&gt; Carrying Originalism</li> </ul>
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