

ARMED VICTIMS: THE EGO FUNCTION OF SECOND AMENDMENT RHETORIC

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On June 10, 2014, Emilio Hoffman was shot and killed in a gym locker room and a teacher was wounded in a Troutdale, Oregon school.¹ The shooter killed himself after a shootout with police.² Two days earlier, a couple shot two police officers at point blank range in a restaurant, covered one of them with a Gadsden flag and a swastika, and then later killed an armed civilian who tried to stop them in a Walmart. They died by their own hands.³ On June 5, 2014, a gunman at Seattle Pacific University shot one student and injured two others before being stopped with pepper spray and disarmed by a student.⁴ This came on the heels of another shooting in May in Isla Vista, California, where a man stabbed his three roommates to death, shot and killed three others, and injured 13 others—eight by gunshot and four by hitting them with his car. He died by his own hand.⁵ Similar incidents have received widespread attention: Newtown, Connecticut; Virginia Tech; and Fort Hood stand out in recent memory because of their coverage by the mass media. However, these events represent only a small fraction of gun violence in the United States. The Brady Campaign to Prevent Gun Violence reports that “on average, 32 Americans are murdered with guns every day and 140 are treated for a gun assault in an emergency room.”⁶

As was the case in the killings at Thurston High School, Columbine High School, and Virginia Tech, many expected stronger gun control legislation

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in the wake of the Newtown, Connecticut shooting, in which a man killed 27 people including himself and injured two others at Sandy Hook Elementary School. Twenty first-grade children were killed in this incident. In response, the National Rifle Association (NRA) doubled down and argued that the solution was more guns, with NRA executive vice president Wayne LaPierre repeating the familiar refrain that “the only thing that stops a bad guy with a gun is a good guy with a gun.”⁷ This would be cold comfort for the individuals killed in the events described above, however, because none of these individuals was stopped by a “good guy with a gun.” Most were stopped by their own guns. The one exception where the shooter did not turn the gun on him or herself was the shooter at Seattle Pacific University, who was stopped by nonlethal means. Even so, recent gun control efforts eventually petered out, largely due to intense lobbying by the NRA.

What is particularly striking in all of this discourse surrounding gun rights and gun control is how gun-rights advocates have managed to maintain the narrative that these are all isolated incidents. The popular satire news website *The Onion* lampoons this stance with their article “‘No Way To Prevent This,’ Says Only Nation Where This Regularly Happens.”⁸ But in the worldview of gun-rights advocates, gun owners are the true protectors of safety, oppressed by a government that seeks to destroy their constitutional rights. In this essay, I will describe how gun-rights discourse draws on what Richard B. Gregg called the “ego-function” of protest rhetoric.⁹ Like Laura Collins, I explore this stance through the lens of the “open carry” movement.¹⁰ However, rather than using comments from online fora, which seem to bring out the extreme fringes and increased intensity, I will focus mainly on official channels that usually generate more measured discourse.¹¹

ARE RIGHTS EVER SETTLED?

Collins suggests that “if it is a settled matter that the right is protected and that all are free to exercise that right, the political movement around it collapses. In this sense, a politics oriented toward the preservation of a right requires the perpetuation of that tension rather than the achievement of a goal or purpose.”¹² This is not, however, news since rights are always a rhetorical construction. If we are to look for “natural rights,” Thomas Hobbes provides insightful guidance suggesting that the only ones to be

found are derived from one's own power.¹³ Anything else is constructed by individuals and societies and is thus open to reinterpretation as political and social environments change. For example, clause 29 of the *Magna Carta* states, "No freeman is to be taken or imprisoned or disseised of his free tenement or of his liberties or free customs, or outlawed or exiled or in any way ruined, nor will we go against such a man or send against him save by lawful judgement of his peers or by the law of the land. To no-one will we sell or deny of delay right or justice."¹⁴ Due process is likewise enshrined in the Fifth and Sixth Amendments to the Constitution. However, despite this long history of due process as a right, it has been denied at various times to certain people, ranging from the lynching of African Americans to the killing of U.S. citizens through drone strikes.¹⁵

The notion that rights are in force only so long as both the people and the government agree to the arrangement lies at the heart of Second Amendment rhetoric. Because many gun-rights advocates seem to understand gun rights as natural rights, there is a suspicion that the government may renege on its end of the deal. Wayne LaPierre argues against registering firearms because "ultimately registration will let the government know who owns guns and what guns they own. History provides the outcome: confiscation. And a people disarmed is a people in danger."¹⁶ LaPierre is clear on the consequences: "In Germany, firearm registration helped lead to the holocaust."¹⁷ LaPierre likewise rails against United Nations efforts to reduce the illegal small-arms trade, arguing that "their proclaimed mission is to endow themselves with global control of all firearms, long guns or hand guns, civilian or military, legal or illegal, everywhere, for everyone. Yes, this means you."¹⁸ Such rhetoric has a long history in antigovernment conspiracy discourse.¹⁹

I would like to offer an alternate view of how this rhetoric of suspicion and oppression plays out. I have argued elsewhere that right-wing discourse that alludes to "Second Amendment remedies" draws heavily on the "ego function" of protest rhetoric.²⁰ Gregg observes that such rhetoric claims victim status by demonizing the enemy.²¹ The NRA's description of the enemy as "gun grabbers" sets the terms of the discourse; those in favor of gun control are doing so not out of concern for public safety but to destroy the nation.²² In the children's book *My Parents Open Carry*, for example, the myth that the Second Amendment was put in place to potentially overthrow a tyrannical government is repeated.²³ Any potential limit on

firearms or ammunition is viewed with suspicion, and in the wake of the next school shooting, there will once again be murmurings about gun control. This, of course, confirms their suspicions that the government is up to no good and can thus be viewed as a potential attack on their freedoms. As Gregg observes, “The exhilaration obtained from calling the ‘power structure’: ‘fascists,’ ‘repressive,’ and ‘violent’ is one thing. To experience the cracking of heads, to see the blood, to face the wall of bayonets, or to receive some milder kind of ‘bust’ from the ‘establishment’ is proof for some that their views of reality, their perspectives which focus toward the establishment of self-hood are correct. The victory so obtained is symbolic, but nonetheless psychologically valid and important.”²⁴ One need not win to be convinced of his or her righteousness or oppression.

Gregg’s conception of the ego function also helps explain why open carry activists have taken such a confrontational stance in proclaiming their rights. When people bring rifles into restaurants they inevitably invite controversy. Even the NRA found this strategy problematic (before completely backpedaling):

Let’s not mince words, not only is it rare, it’s downright weird and certainly not a practical way to go normally about your business while being prepared to defend yourself. To those who are not acquainted with the dubious practice of using public displays of firearms as a means to draw attention to oneself or one’s cause, it can be downright scary. It makes folks who might normally be perfectly open-minded about firearms feel uncomfortable and question the motives of pro-gun advocates.²⁵

As a professional advocacy group, the NRA must have seen—if only briefly—how those outside of the movement would view groups of people walking into public places armed with rifles and shotguns.²⁶ However, the assumption that the gun-toting activists actually wanted to change people’s beliefs may be unwarranted. Confrontation was the desired outcome; this is understandable in light of research that suggests that “the strength of ideological orientations . . . proved to be a strong corollary of attitudes about disruption. Even in a group of activists with decidedly liberal leanings, the intensity of those leanings pushed in the direction of support for confrontation.”²⁷ Confrontational protest actions may provide the movement with excellent image events, but extreme confrontation is often antithetical to

dialogue.²⁸ In the case of the open carry activists, people are unlikely to argue with an individual holding a loaded gun.

IDENTITY OR RIGHTS?

Collins argues that “the power of rights as ends . . . ensures no end to one’s political movement or political identity—it is a stabilizing force.”²⁹ However, this glosses over a major problem that she notes in her essay, which is that a monolithic, unified identity must be maintained. This perceived identity is generally left unspoken, but one commenter describes the assumed identity: white and male.³⁰ This seems to be the elephant in the room regarding Second Amendment discourse; race has serious implications for how individuals can exercise their Second Amendment rights.

The white male subject has been a prominent figure in open carry actions—for good reason. They are the ones who are able to exercise this right most freely. Frank Walton demonstrates this sharp contrast using the cases of Steve Lohner and John Crawford.³¹ Lohner, a white 18-year-old male, was stopped by police while he walked around the streets of Aurora, Colorado (the location of the 2012 movie theater shooting that killed 12 people and injured 70) with a loaded shotgun. When police officers stopped him, he refused to put down his shotgun or show his identification and still walked away with his shotgun and a misdemeanor citation for refusing to show his identification. His stated purpose? “If enough people were to lawfully open carry in those areas and do it in a safe and lawful manner then these people would end up feeling comfortable around it.”³² On the other hand, Crawford was a 22-year-old African American male who was shot down in a Walmart while holding a toy gun that he planned to purchase. He was on the phone with LeeCee Johnson, the mother of his children. Johnson states, “The next thing I know, he said, ‘It’s not real,’ and the police start shooting, and they said ‘Get on the ground,’ but he was already on the ground because they had shot him.”³³

Both incidents began with a 911 call but ended quite differently. As one commenter on the Crawford story observes, “An angry white man with a gun is a patriot. An angry Muslim man with a gun is a terrorist. An angry black man with a gun is a corpse. Nothing exemplifies the stark racial divide in America like putting a gun in the hands of men of different races.”³⁴ What Crawford did is no different from what many in the open carry movement

have done; walk into a business with a loaded weapon.³⁵ Of course Crawford was “armed” only with a toy and was actually buying it from the business rather than bringing in his own weapon. Still, open carry is legal in Ohio, so he was presumably within his rights even if he did have an actual rifle.³⁶ This racial dynamic has played out in the open carry movement as well. For instance, Hell’s Saints, a Michigan open carry group, had one of their African American members arrested while he wore an unconcealed weapon.³⁷ He had previously participated in demonstrations with his white colleagues without incident.

Race has long played a role in the ability to exercise Second Amendment rights. In colonial times and in the early republic, laws in many states prohibited Native Americans, African Americans (both slave and free), and those of mixed race from owning firearms.³⁸ In the Reconstruction South, Black Codes within the states forbade African Americans from owning firearms, which was sometimes enforced through murder even after the passage of the Fourteenth and Fifteenth Amendments.³⁹ As Joan Burbick observes, “By making the gun debate rest on individual rights alone, we have torn the debate from the historical struggle of minorities and women to gain the protection of the government. And we have forgotten how culturally important the disarming of blacks was to many white Americans.”⁴⁰ This double standard has persisted into the modern era. Indeed, Adam Winkler traces modern gun regulation discourse to efforts to disarm Black Panther members in California who engaged in open carry activities that today’s activists should applaud. Each group makes similar claims: the gun is the best form of protection; the police will not always be able to protect you or those around you; they are exercising their rights and protecting themselves from government tyranny. As Bobby Seale proclaimed in his statement on the steps of the California Capitol building, “Black people have begged, prayed, petitioned, demonstrated and everything else to get the racist power structure of America to right the wrongs which have historically been perpetuated against black people,” concluding that the “time has come for black people to arm themselves against this terror before it is too late.”⁴¹ The backlash was swift, and strict gun control legislation was signed into California law three months later by conservative icon Ronald Reagan, who stated, “There’s no reason why on the street today a citizen should be carrying loaded weapons.”⁴²

Discourse that privileges rights allows gun-rights activists to elide serious differences in identity concerning those who may wish to bear arms. More importantly, this rhetorical sleight of hand directs attention away from actual injustices, such as institutionalized racism, and toward the possibility of future injustices by a conspiratorial government. The NRA's strategy of choice is often the slippery slope argument, in which any proposed government regulation is a precursor to complete disarmament of the citizenry.⁴³ LaPierre, in a fund-raising letter to the NRA membership, stated as "fact" that "the semi-auto ban gives jack-booted thugs more power to take away our Constitutional rights, break in our doors, seize our guns, destroy our property, and even injure or kill us."⁴⁴ This caused some backlash, with former president George H. W. Bush and others resigning their lifetime memberships.⁴⁵ Bill Bridgewater, the executive director of the National Alliance of Stocking Gun Dealers, the largest firearms trade group, also responded to the campaign in a scathing letter to LaPierre: "You absolutely must find some other way to justify your existence and your incessant appeal for more and more cash from your members without having an *enemy* to vanquish. Of late, if there is no visible enemy to trash, then you must invent one. You look damned foolish when you do, and you often do damage you don't realize."⁴⁶

The desire to create an enemy is quite in line with Gregg's conception of the ego function: "By painting the enemy in dark hued imagery of vice, corruption, evil, and weakness, one may more easily convince himself of his own superior virtue and thereby gain a symbolic victory of ego-enhancement."⁴⁷ Fighting an enemy, even an imagined one, keeps the focus on the enemy and allows gun-rights advocates to more easily maintain the illusion of a unified aggrieved class of citizens and to ignore dissent within its ranks. It is easier to fight the phantom of possibilities than to combat the actual violations of life and liberty experienced by those who do not fit the mold of less threatening citizens, such as people of color or religious minorities.

Finally, the discourse surrounding rights allows the gun-rights advocates to ignore the other half of rights—responsibilities.⁴⁸ The notion that government has the right and responsibility to regulate firearms is enshrined in the first two clauses of the Second Amendment: "A well regulated Militia, being necessary to the security of a free State." It should come as little surprise that the inscription in the NRA's lobby omits this, leaving only "the

right of the people to keep and bear arms, shall not be infringed.” Indeed, the specific individual responsibilities were laid out in the Militia Act of 1792, which described the firearms and accessories (powderhorn, shot, and the like) that each militia member—which included “each and every able-bodied white male citizen” between 18 and 45 years of age—should possess and maintain.⁴⁹ Still, for a group fixated on the Constitution as conceived by the Founding Fathers, such omission is not only convenient but necessary. By ignoring their individual responsibilities surrounding the Second Amendment, most notably that the role of the militia was “as an institution for suppressing armed insurrection” and that the Constitution “nowhere endorses a right to revolution against republican government,”⁵⁰ they would have to abandon their fantasy that the Second Amendment sanctions the potential overthrow of the government. The entire narrative of an unrestrained Second Amendment falls apart if the notion of individual responsibility is introduced along with individual rights because responsibility always places restraints on the individual.

CONCLUSION

The only way out of this quandary for the open carry activists is to accept responsibility, both individually and collectively, in addition to their rights. This is not necessarily a call for greater civility but rather recognition that rights are never absolute. Just as there are limits on other rights, open carry advocates must accept that there will always be some limits to the right to bear arms. One cannot yell “fire” in a crowded theater and claim freedom of speech. By the same token, it is difficult to tell the difference between an armed individual exercising his or her rights and an armed individual bent on shooting as many people as possible before it is too late. Steve Lohner and other open carry activists are not only rhetorically insensitive but enjoy a level of safety in their exercise by virtue of their whiteness that none of them seem to acknowledge.

Unfortunately, open carry advocates have painted themselves into a rhetorical corner by portraying their cause as that of the oppressed patriot standing up to a tyrannical government.⁵¹ This limits the potential strategies available to them and guides them toward the rhetoric of attack. As Gregg observes, “To defend one’s life style publicly is, by implication, to attack the life styles of others who adhere to dissimilar styles.”⁵² They alone

stand between the overreaching government and the rights of all citizens. As Open Carry Texas tweeted, “We don’t carry a gun because we’re scared; we carry them to protect those who are scared of guns.”⁵³ Open carry activists suggest that they are performing a public service by exercising their right to bear arms, a right that must constantly be exercised lest government regulations strip them of *all* of their rights. The Second Amendment is, for the open carry activists, the keystone of the Bill of Rights; take that right away and the rest of the rights are in peril. In this worldview any deviation from the one true gospel of the gun marks that individual as a traitor to the cause of individual liberty, as Collins observes in her discussion of *Guns & Ammo* contributing editor Dick Metcalf.⁵⁴ So long as open carry advocates continue on a rhetorical trajectory that favors armed confrontation with the general public, reasoned dialogue concerning the role of firearms in American society is unlikely.

NOTES

1. My omission of the names of the perpetrators is intentional.
2. Marisol Bello, “Police Say School Shooter Armed for Mass Killings,” *USA Today*, June 12, 2014, 4A.
3. Marisol Bello, “Vegas Couple Wanted to Commit ‘Next Columbine,’” *USA Today*, June 10, 2014, 1A; Rick Jervis, “Walmart Victim Took ‘Heroic’ Action,” *USA Today*, June 10, 2014, 3A; and Michelle Rindels and Martin Griffith, “Shooting Spree in Las Vegas Leaves Five People Dead,” *Washington Post*, June 9, 2014, A3.
4. Kirk Johnson, “After Seattle Shootings, Students Seek Solace in Faith and Heroic Act,” *New York Times*, June 7, 2014, A14.
5. “Santa Barbara Shooting Suspect Feared Police Would Foil Attack,” *Chicago Tribune*, May 25, 2014, <http://www.chicagotribune.com/news/chi-santa-barbara-shooting-20140524-story.html#page=1> (accessed September 23, 2014).
6. Brady Campaign to Prevent Gun Violence, “About Gun Violence,” 2014, <http://www.bradiycampaign.org/about-gun-violence> (accessed September 24, 2014).
7. “The Gun Lobby Speaks,” *Washington Post*, December 22, 2012, A14. This theme is the subject of one of LaPierre’s books; see Wayne R. LaPierre, *Guns, Crime, and Freedom* (Washington, DC: Regnery, 1994).
8. “‘No Way to Prevent This,’ Says Only Nation Where This Regularly Happens,” *The Onion*, May 27, 2014, <http://www.theonion.com/articles/no-way-to-prevent-this-says-only-nation-where-this,36131/> (accessed September 23, 2014).

9. Richard B. Gregg, "The Ego-Function of the Rhetoric of Protest," *Philosophy and Rhetoric* 4 (1971): 71–91.
10. Laura Collins, "The Second Amendment as Demanding Subject: Figuring the Marginalized Subject in Demands for an Unbridled Second Amendment," *Rhetoric & Public Affairs* 17 (2014): 737–56.
11. Thomas W. Benson, "Rhetoric, Civility, and Community: Political Debate on Computer Bulletin Boards," *Communication Quarterly* 44 (1996): 359–78; Kevin Coe, Kate Kenski, and Stephen A. Rains, "Online and Uncivil? Patterns and Determinants of Incivility in Newspaper Website Comments," *Journal of Communication* 64 (2014): 658–79; Jay D. Hmielowski, Myiah J. Hutchens, and Vincent J. Cicchirillo, "Living in an Age of Online Incivility: Examining the Conditional Indirect Effects of Online Discussion on Political Flaming," *Information, Communication and Society* 17 (2014): 1196–1211; and Diakopoulos Nicholas and Naaman Mor, "Towards Quality Discourse in Online News Comments," in *Proceedings of the ACM 2011 Conference on Computer Supported Cooperative Work* (Hangzhou, China: ACM, 2011), 133–42.
12. Collins, "The Second Amendment as Demanding Subject," 738.
13. Thomas Hobbes, *Leviathan, Parts 1 and 2*, ed. A. P. Martinich (Peterborough, ON: Broadview Press, 2005), 64.
14. U.S. National Archives and Records Administration, "Magna Carta Translation," http://www.archives.gov/exhibits/featured_documents/magna_carta/translation.html (accessed September 23, 2014).
15. Donna Leinwand Leger, "Al-Awlaki Strike Did Not Kill Bombmaker," *USA Today*, October 3, 2011, 6A.
16. LaPierre, *Guns, Crime, and Freedom*, 86.
17. LaPierre, *Guns, Crime, and Freedom*, 86.
18. Wayne R. LaPierre, *The Global War on Your Guns: Inside the U.N. Plan to Destroy the Bill of Rights* (Nashville, TN: Nelson Current, 2006), 223.
19. Richard Hofstadter, *The Paranoid Style in American Politics, and Other Essays* (Cambridge, MA: Harvard University Press, 1996); and Brett Lunceford, "On the Rhetoric of Second Amendment Remedies," *Journal of Contemporary Rhetoric* 1 (2011): 31–39.
20. Lunceford, "On the Rhetoric of Second Amendment Remedies."
21. Gregg, "The Ego-Function of the Rhetoric of Protest," 82.
22. Defining the enemy is a powerful strategy that has a long history in American rhetoric. See Haig A. Bosmajian, "Defining the 'American Indian': A Case Study in the Language of Suppression," *Speech Teacher* 22 (1973): 89–99; Jeremy Engels, *Enemyship: Democracy and Counter-Revolution in the Early Republic* (East Lansing: Michigan State University

- Press, 2010); and Jeremy Engels, "Friend or Foe? Naming the Enemy," *Rhetoric & Public Affairs* 12 (2009): 37–64.
23. Brian Jeffs, Nathan Nephew, and Lorna Bergman, *My Parents Open Carry* (Hamilton, MI: White Feather Press, 2011), 10. For more on the belief that the Second Amendment guarantees a right to rebel against a tyrannical government (and its refutation), see Robert J. Spitzer, "Lost and Found: Researching the Second Amendment," in *The Second Amendment in Law and History: Historians and Constitutional Scholars on the Right to Bear Arms*, ed. Carl T. Bogus and Michael A. Bellesiles (New York: New Press, 2000), 16–47; and Michael Waldman, *The Second Amendment: A Biography* (New York: Simon and Schuster, 2014), 96–102.
 24. Gregg, "The Ego-Function of the Rhetoric of Protest," 88.
 25. The original posting was taken down. See Paige Lavender, "NRA: Gun Activists 'Crossed the Line' with 'Weird' and 'Scary' Protests," *Huffington Post*, June 2, 2014, http://www.huffingtonpost.com/2014/06/02/nra-open-carry-activists_n_5433648.html (accessed September 23, 2014).
 26. Shortly after the statement was made, it was removed from the NRA's website and replaced with a reaffirmation of the NRA's support for open carry activists. For more on the professionalization of social movement organizations, see Suzanne Staggenborg, "The Consequences of Professionalization and Formalization in the Pro-Choice Movement," *American Sociological Review* 53 (1988): 585–605; and John D. McCarthy and Mayer N. Zald, "The Trend of Social Movements in America: Professionalization and Resource Mobilization," in *Social Movements in an Organizational Society: Collected Essays*, ed. Mayer N. Zald and John D. McCarthy (New Brunswick, NJ: Transaction Books, 1987), 337–91.
 27. M. Kent Jennings and Ellen Ann Andersen, "Support for Confrontational Tactics among AIDS Activists: A Study of Intra-Movement Divisions," *American Journal of Political Science* 40 (1996): 331.
 28. For more on image events, see Kevin Michael DeLuca, *Image Politics: The New Rhetoric of Environmental Activism* (Mahwah, NJ: Lawrence Erlbaum Associates, 1999).
 29. Collins, "The Second Amendment as Demanding Subject," 752.
 30. kmom246, "Response to 'An Open Letter from Howard Schultz, ceo of Starbucks Coffee Company,'" *Starbucks*, September 17, 2013, <http://www.starbucks.com/blog/an-open-letter-from-howard-schultz/1268#comment-108519> (accessed September 23, 2014).
 31. Frank Vyan Walton, "Why Black Men Don't Open Carry," *Daily Kos*, August 8, 2014, <http://www.dailykos.com/story/2014/08/08/1320164/-Why-Black-Men-Don-t-Open-Carry#> (accessed September 23, 2014).

32. Quoted in Dave Young and David Mitchell, "Aurora Teen Walks on Busy Streets with Shotgun, Videotapes Encounter with Police," *Fox 31 Denver*, August 1, 2014, <http://kdvr.com/2014/08/01/aurora-teen-walks-on-busy-streets-with-shotgun-videotapes-encounters-with-police/> (accessed September 23, 2014).
33. Quoted in Steve Bennish and Eric Robinette, "Dead Man's Relatives Say They've Contacted Civil Rights Organizations," *Dayton Daily News*, August 7, 2014, A1.
34. Raptavio, "Said It Before (Response to 'Why Black Men Don't Open Carry')," *Daily Kos*, August 8, 2014, <http://www.dailykos.com/story/2014/08/08/1320164/-Why-Black-Men-Don-t-Open-Carry#> (accessed September 23, 2014).
35. See Harrison Berry, "Plate of Politics: When Restaurants Become Culture War Battlegrounds," *Boise Weekly*, June 11–17, 2014, 8–9.
36. "Legality of Open Carry in Ohio," Ohio Open Carry, <http://www.ohioopencarry.com/legality-open-carry-ohio> (accessed September 27, 2014).
37. Michael Jackman, "Black Open-Carry Advocate Arrested in Detroit; Rally Sunday," *Detroit Metro Times*, September 17, 2014, <http://www.metrotimes.com/Blogs/archives/2014/09/17/black-open-carry-advocate-arrested-in-detroit-rally-sunday> (accessed September 23, 2014).
38. Adam Winkler, *Gunfight: The Battle over the Right to Bear Arms in America* (New York: W. W. Norton, 2011), 116. Winkler notes that there have been many prohibitions that shifted with the prevailing attitudes surrounding certain groups. For example, prerevolutionary Maryland prohibited Catholics from owning guns.
39. See Waldman, *The Second Amendment*, 72–77.
40. Joan Burbick, *Gun Show Nation: Gun Culture and American Democracy* (New York: New Press, 2006), 23.
41. Quoted in Winkler, *Gunfight*, 240.
42. Quoted in Winkler, *Gunfight*, 245.
43. See Jack Anderson, *Inside the NRA: Armed and Dangerous: An Exposé* (Beverly Hills, CA: Dove Books, 1996), 12–15.
44. Quoted in Anderson, *Inside the NRA*, 116.
45. See Anderson, *Inside the NRA*, 118–19; and Scott Melzer, *Gun Crusaders: The NRA's Culture War* (New York: New York University Press, 2009), 41.
46. Quoted in Anderson, *Inside the NRA*, 113.
47. Gregg, "The Ego-Function of the Rhetoric of Protest," 82.
48. This social contract is likewise a rhetorical construction. However, the two components—rights and responsibilities—are an intrinsic part of the social contract. As Jean-Jacques Rousseau notes, one "may wish to enjoy the rights of citizenship without being ready to fulfil the duties of a subject. The continuance of such an

- injustice could not but prove the undoing of the body politic.” Jean-Jacques Rousseau, *On the Social Contract*, trans. G. D. H. Cole (New York: Dover Publications, 2003), 11.
49. For a discussion of these requirements, see Mark V. Tushnet, *Out of Range: Why the Constitution Can't End the Battle over Guns* (New York: Oxford University Press, 2007), 36–37.
 50. Jack N. Rakove, “The Second Amendment: The Highest Stage of Originalism,” in *The Second Amendment in Law and History: Historians and Constitutional Scholars on the Right to Bear Arms*, ed. Carl T. Bogus and Michael A. Bellesiles (New York: New Press, 2000), 76.
 51. For example, one benefit of joining Idaho Open Carry is a bumper sticker that states, “2nd Amendment is about tyranny—not hunting.” “Join Idaho Open Carry Protect Your Rights,” Idaho Open Carry, <http://idahoopencarry.org/join/> (accessed September 27, 2014).
 52. Gregg, “The Ego-Function of the Rhetoric of Protest,” 86.
 53. Open Carry Texas, Twitter post, September 27, 2014, 4:40 PM, <https://twitter.com/OpenCarryTexas/status/515979286730522624>.
 54. Collins, “The Second Amendment as Demanding Subject,” 748–52.

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