

CULTURAL ANATOMY OF A GUN SHOW

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What does it mean to put a gun show on a cultural dissecting table, especially gun shows that take place by the thousands every year in small towns throughout the United States?¹ Gun shows are by definition local gatherings for the display, sale and exchange of firearms, but they often can include items from homemade fudge to piles of tattered romance novels.² They range from flea markets to stripped-down commercial discount stores and often contain both under the roof of a county fairground pavilion. These small town shows have become unlikely political battlefields, pitting gun show organizers, lobbyists and National Rifle Association (NRA) affiliates against unsympathetic members of Congress, government agencies, and state, county and municipal governments.

Gun shows can be studied as cultural markets that sell not only things, but also ideas and values. They house distinct styles of merchandise and meaning often connected with narratives about the nation, masculinity, and war. Individual tables and booths sell frontier-style weapons, guns culled from the history of our domestic and foreign wars, fantasy and survival guns packaged with DVDs on counter-insurgency and terrorist tactics, handguns for home defense, military-style weapons for the maximum shooting sensation, and last but not least, guns for hunting and target shooting, the recreational weapons of a thoroughly industrial and commercial society.

Litigation over gun shows has challenged the definition of what it means to be “engaging in the business” of selling firearms and who has the right to sell,

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1. TOM DIAZ, *MAKING A KILLING: THE BUSINESS OF GUNS IN AMERICA* 49 (1999). Diaz writes that the Bureau of Alcohol, Tobacco and Firearms (ATF) “estimates about two thousand of these shows,” while the National Association of Arms Shows estimates “more than five thousand a year.” JAMES B. JACOBS, *CAN GUN CONTROL WORK?* 125-126 (2002), using later ATF data, states that in 1998 “there were 4442 gun shows in the United States, usually held in arenas, civic centers, fairgrounds, or armories. A gun show is typically a weekend event, drawing 2500 to 5000 attendees, who pay a small admission price to browse through the exhibits and examine and purchase firearms that catch their fancy.” *See also* VIOLENCE POLICY CENTER REPORTS, *GUNLAND USA: A STATE-BY-STATE RANKING OF GUN SHOWS, GUN RETAILERS, MACHINE GUNS, AND GUN MANUFACTURERS* (2000).

2. Over the last four years I have attended gun shows in Washington, Idaho, Nevada, Illinois, Wisconsin, Michigan, and Pennsylvania.

exchange or trade them and under what circumstances.³ More recently, lawsuits have debated how guns sold at gun shows may be protected as political and commercial speech, and gun rights advocates have claimed that the shows themselves are a form of political expression.⁴ One such suit led to a recent legal opinion over a California gun show that rejected these First Amendment claims by stating that “a gun itself is not speech,”⁵ even though the plaintiff claimed that because political messages were inscribed on specific rifles sold at gun shows, the gun could itself become a form of speech.⁶

The court considered this claim and found that a handful of NRA Tribute rifles inscribed with ten words from the Second Amendment, “The Right of the People to Keep and Bear Arms,” may indicate an “intent to convey a particular message,” but most guns at the show had no such inscriptions and hence had no intent to convey a particular message “likely to be understood by those who view it.”⁷ Also, possession of a gun is not “commonly associated with expression.”⁸ But, the court indicated that burning a gun at an anti-gun rally might be expressive conduct, as might waving a gun to show support for gun rights. In itself, a gun simply was not speech.

On this level, the gun show presents us with a moment in our culture in which specific commodities are believed by certain people within our society to be capable of speech.

The gun itself signifies a particular message and one very likely to be understood by its intended audience. Not the human voice with its richly inflected words and symbols, or expressive human actions or gestures with symbols, but a gun, the mass product of the industrial age, can voice politics and even meaning. In this way, the gun show and its cultural history are crucial for us to understand how and why guns and gun shows have come to seem capable of voicing politics.

With the industrial age, commodities, as Karl Marx pointed out in the nineteenth century, began their curious ability to “appear as independent beings endowed with life.”⁹ Hence, the gun was seen as an object in a political economy in which it was not only a consumer product, but a conveyor of commodified meaning. Moreover, as production has become increasingly reliant upon advertising to promote sales in the twentieth century—fueling

3. WILLIAM J. VIZZARD, SHOTS IN THE DARK: THE POLICY, POLITICS, AND SYMBOLISM OF GUN CONTROL 122-125 (2000).

4. *Nordyke v. King*, 319 F.3d 1185 (9th Cir. 2003). Also, David B. Kopel writes that gun shows “are places where Americans properly exercise their First and Second Amendment rights.” *The Facts about Gun Shows*, CATO INSTITUTE, Jan. 10, 2000, available at <http://www.cato.org>.

5. *Nordyke*, 319 F.3d at 1189.

6. *Id.* at 1190.

7. *Id.*

8. *Id.*

9. KARL MARX: SELECTED WRITINGS 473 (David McLellan ed., 2000).

fantasized desires shaped by culture—commodities have become even more saturated in meaning. Jean Baudrillard writes, “the autonomy of a commodity is revealed even less in its use than in its packaging and advertising.”¹⁰ Hence, to dissect a gun show involves unpacking several forms of commodified meaning, each with its own distinct yet related history.

For the sake of this gross anatomical exercise, let me focus on three forms of commodified meaning found at the cultural site of a gun show: national masculinity, male consumerism, and vigilante politics. Each aspect of meaning has a history dependent upon an exploration of nationalism in the United States. First, a national form of masculinity was forged through frontier and combat action heroes during the nineteenth century. William Hosley has shown how Samuel Colt developed the art of advertising for his firearms with paid testimonials from combat heroes like the Texas Rangers and artist-adventurers like George Catlin.¹¹ These models of white masculinity that roamed the frontier found their advertising hero in Buffalo Bill Cody, whose promotion of Winchester products was an essential part of his Wild West Shows. Essential props in his shows were the Winchester Ammo Wagon and the specialized rifles used in his scenes depicting Custer’s Last Stand and the revenge of Custer against Yellow Hair. The shooting exhibitions featured Winchester Rifles whose company in turn sold rifles with engraved scenes inspired by the shows.¹² Further, Buffalo Bill was reinvented in hundreds of dramas and novels that were the products of what were called “fiction factories,”¹³ distributing reproducible and repeated narratives of white male adventures and heroics, especially against races deemed inferior and in need of conquest, civilization, and, at least, supervision.

Through Cody’s extravaganzas, promoting the sale of specific firearms and national beliefs about white masculinity, the spectacle of nation building was brought to millions of Americans. Today, western memorabilia, antique frontier guns, copies and knock-offs of western guns, western clothing, jewelry, and accessories at gun shows continue to perpetuate this cultural fantasy of the West with its national male heroes, white men of action ready to charge and conquer an imagined wilderness of wild men and animals.

The frontier as a space was used to create a model of masculinity that continues to promote sales at gun shows. And Cody’s image was quickly

10. Quoted in William Pietz, *Fetishism and Materialism*, in *FETISHISM AS CULTURAL DISCOURSE* 123 (Emily Apter & William Pietz eds., 1993).

11. WILLIAM HOSLEY, *COLT: THE MAKING OF A LEGEND* 66-97 (1996).

12. R. L. WILSON & GREG MARTIN, *BUFFALO BILL’S WILD WEST: AN AMERICAN LEGEND* 68 (1998); HAROLD F. WILLIAMSON, *WINCHESTER: THE GUN THAT WON THE WEST* 185-88 (1952).

13. See *Introduction* to *READING THE WEST: AN ANTHOLOGY OF DIME WESTERNS* 1-40, *Reading the West: Cultural and Historical Background* (Bill Brown ed., 1997). See also CHRISTINE BOLD, *SELLING THE WILD WEST: POPULAR FICTION, 1860-1960* (1987) and RICHARD SLOTKIN, *THE FATAL ENVIRONMENT: THE MYTH OF THE FRONTIER IN THE AGE OF INDUSTRIALIZATION, 1800-90* (1985).

replicated by other purveyors of national white masculinity, such as Theodore Roosevelt, whose exploits here and abroad entertained Americans as he fought with his Rough Riders in Cuba, shot lions in Africa, and sailed the Amazon in Brazil, often with a trusty Winchester by his side—to which the company was gratefully indebted, using his endorsement in many of their sales promotions.¹⁴

Roosevelt's subsequent support of the National Board for the Promotion of Rifle Practice helped to further the belief that each and every white male citizen must be prepared to engage in war at a moment's notice, and to this end rifle practice became a necessary part of training for America's youth, college boys, and responsible men of business, trades, and professions.¹⁵ Surplus rifles from the Army's various frontier, border, and interventionist wars were distributed in state-sanctioned rifle clubs, bestowing each rifle with a form of national masculinity. Like white men in state militias at the turn of the century who embraced the rhetoric of the citizen-soldier, civilian riflemen, joining together in fraternal groups to promote rifle practice,¹⁶ practiced both their marksmanship and citizenship on the shooting range.

The second commodified meaning fused the national hero with a serious shopper, the male consumer whose recreation and self-image were dependent upon firearms. Roosevelt, like other hunter-politicians, valorized the sportsman as a virtuous and manly citizen, and the cultural allure of the hunter increased gun sales and spurred the start of trade shows for sportsmen.¹⁷ The earliest tradeshow occurred in 1895 at Madison Square Garden. Promoted as "extravagant expositions" for sportsmen, it and subsequent shows included exhibitions by Winchester, Marlin, Remington, and Colt, among many other arms manufacturers. They were billed as a "veritable fairyland" to lovers of outdoor sports. At Winchester exhibits, the potential buyer could look inside a mutoscope and watch two men shoot at targets that flew through the air, a breathtaking piece of invention that would soon be replaced by action western movies. The tradeshow offered displays only, however. The visitor could look and touch, but he could not buy on the spot.

These extravagant displays of consumer goods were not unlike the arcades

14. For an interesting discussion of Roosevelt as a cowboy-soldier, see SARAH WATTS, *ROUGH RIDER IN THE WHITE HOUSE: THEODORE ROOSEVELT AND THE POLITICS OF DESIRE* 129-192 (2003). See also GAIL BEDERMAN, *MANLINESS & CIVILIZATION: A CULTURAL HISTORY OF GENDER AND RACE IN THE UNITED STATES, 1880-1917* 170-215 (1995).

15. For a discussion of the rifle games, see Russell S. Gilmore, "Another Branch of Manly Sport": *American Rifle Games, 1840-1900*, in *GUNS IN AMERICA, A READER* 105-21 (Jan E. Dizard, et al. eds., 1999).

16. JERRY COOPER, *THE RISE OF THE NATIONAL GUARD: THE EVOLUTION OF THE AMERICAN MILITIA, 1865-1920*, 65-107 (1997). For additional discussions of white manhood and fraternal groups at the turn of the century, see MARY ANN CLAWSON, *CONSTRUCTING BROTHERHOOD: CLASS, GENDER AND FRATERNALISM* (1989) and DANA NELSON, *NATIONAL MANHOOD: CAPITALIST CITIZENSHIP AND THE IMAGINED FRATERNITY OF WHITE* (1998).

17. DANIEL JUSTIN HERMAN, *HUNTING AND THE AMERICAN IMAGINATION* 173-87 (2001).

and department stores created at the end of the nineteenth century. The French critic Walter Benjamin wrote about nineteenth-century France, where consumer arcades, created in part by the textile and iron industries, enticed women and laborers to stare at glittering displays and buy beyond their means. In particular, female consumerism stoked the fires of industry and brought in what Benjamin called the “hell of the new.” Time ceased to exist. History was reduced to advertising copy, and identity manufactured to soothe the stress of work. Disturbed by the trend, he imagined the woman’s body a mannequin, corpse, or clothing rack for the display of each season’s new goods.¹⁸

Similarly, the turn-of-the-century male consumer found himself adrift in the restraints and regulations of modern work. The exciting world of gun sports played upon his need to escape the daily grind of mental labor and find solace in the woods and fields, beyond industry’s reach. Illustrations in *Shooting and Fishing* showed lawyers dreaming about the woods and young men pausing in front of gun stores with wads of bills in their hands, trying to decide whether to spend their earned income on shoes for their children or guns for their needed pleasure.¹⁹ As young female consumers were sold clothing to make them desirable, young men were sold guns so they could participate in national narratives about virtuous hunters whose ability to shoot game made them worthy and competent male citizens. The narrative eschewed soft men of the office in favor of disciplined men of action with knowledge of the outdoors, who were needed as practiced riflemen, to lead the nation and control the migrating rubble washing up on their shores and agitating labor unrest along the Mexican border or wandering up from the sharecropper’s fields in the South.

Sellers of guns have always invoked morality since lethal force, not sanctioned directly by the state, must carry a civic or ethical stamp of approval. Self-defense can work to trigger sales, but myths of masculinity can keep sales going well into the future. As durable commodities, guns are often sold in a saturated market. Unlike a dress or a pair of shoes, they accumulate relentlessly, resulting in the need to tie them to desires that conjure more than survival—unless crime becomes a national pathology, calling for the newest weapon to guarantee protection and survival, which is itself a poignant end-of-days belief. Models of masculinity that profiled successful white men in combat, on the frontier, in the fields, in book-lined offices, and in the White House, made gun ownership less a necessity and more a commodity fetish.²⁰

18. WALTER BENJAMIN, *THE ARCADES PROJECT* 62-100 (Howard Eiland & Kevin McLaughlin trans., 1999).

19. Anonymous, *Third Annual Sportsmen’s Exposition*, 21 *SHOOTING AND FISHING: A JOURNAL OF THE RIFLE, GUN, AND ROD* 445 (1897). For a more comprehensive understanding, see also the illustrations for 1896.

20. The term “fetish” was originally used in the study of religion, especially the study by Europeans of religions in Africa and Egypt. In the nineteenth century, both Marx and Freud used the term fetish to identify symptoms respectively of the psyche and the political economy. For Freud, the fetish was illogical but resolved the conflict for the son of the

As such, it was more than anything else a springboard to a set of identities, a web of dreams, a way of knowing the self, emptied of everything that got in the way of the urge to buy, and filled with the moral pap of nation building.²¹ By the end of the nineteenth century, the gun as a commodity was saturated in meaning. But could it attempt to speak?

By the 1930s, gun shows had become places to display firearms collections, especially guns connected with wars fought on American soil or by Americans abroad. Consumers became collectors as surplus firearms from World War I spilled into the market.²² In some ways, gun shows became memory fairs of male combat, highlighting American military history. With collections came enactments, re-creation of battles and military dress to amuse and educate mainly white men, and with each war came more surplus firearms entering the market, and more money to collect. After World War II, firearms collecting took off with special books on what and how to collect, accompanied by an increase in articles on historical military guns in such magazines as *The American Rifleman*—the official journal of the National Rifle Association

mother's lack of a penis. The fetish was a substitute for the maternal penis that made the fear of castration controllable and the sexual pleasure derived from women possible, hence it was both a protection against castration and homosexuality. With Marx, commodities acted like fetishes in that they seemed to convey life while hiding their means of production based on human labor. The social character of labor that establishes relations between humans assumes the form of a relation between things. Hence the utility of a commodity is not mysterious, but its value needs interpretation to uncover its secrets of production and exchange, and its dependence upon social processes. My use of the term has also been influenced by Slavoj Žižek, though I do not retain all the implications of his analysis. I see the fetish as a process that places onto a thing a network of discursive practices. As Žižek points out, the market and mass media, hence advertising, are dialectically connected, and the fetish is always already part of a network of discursive meaning inseparable from this dialectic. Further, the fetish is used to resolve conflict superficially and hence obscure and disavow the analysis of specific discourses that would lead to its lack of meaning. See 22 SIGMUND FREUD, *THE STANDARD EDITION OF THE COMPLETE PSYCHOLOGICAL WORKS OF SIGMUND FREUD* 149-157 (1964); KARL MARX: *SELECTED WRITINGS* 472-480 (David McLellan ed., 2000); *THE ŽIŽEK READER* 53-86 (Elizabeth Wright & Edmond Wright eds., 1999); see also JEAN BAUDRILLARD, *FOR A CRITIQUE OF THE POLITICAL ECONOMY OF THE SIGN* 88-101 (1981); FETISHISM AS CULTURAL DISCOURSE (Emily Apter & William Pietz eds., 1993); William Pietz, *The Fetish of Civilization: Sacrificial Blood and Monetary Debt*, in *COLONIAL SUBJECTS: ESSAYS ON THE PRACTICAL HISTORY OF ANTHROPOLOGY* 53-81 (Peter Pels & Oscar Salemink eds., 1999).

21. Michael Taussig, *Maleficium: State Fetishism*, in *FETISHISM AS CULTURAL DISCOURSE* 217-247 (1993), discusses how the state itself can become a fetish and mask political reality. I would add that the gun in its association with a state-sanctioned masculinity acts as a fetish to obscure the contested nature of political reality, substituting instead narratives of national masculine identity that reassure and promise static state power.

22. The Ohio Gun Collectors Association, started in 1937, represented their collecting as a participation in "a reenactment of the American dream." History is known through firearms, especially the history of the United States, and in a crucial way is unknowable without the gun. "Without firearms we would not today be free men and women." OHIO GUN COLLECTORS ASSOC., available at <http://www.ogca.com>.

(NRA).²³

This eclectic yet militarized version of gun shows began occurring with more frequency after 1948. In that year, the NRA began an “exhibit of arms” at its annual corporate meeting that included dealers, manufacturers, NRA-affiliated gun collector organizations, and branches of the Armed Services.²⁴ By 1961, there were sixty gun collector organizations affiliated with the NRA. At some gun shows groups of serious collectors met in closed sessions, listening to lectures and technical information on historical guns. An article in *The American Rifleman* highly recommended that codes of ethics and conduct should be observed and enforced at both commercial and collector shows. Further, local celebrities and individuals from the media should be invited to make the case for gun ownership reasonable and respectable. More significant, to dispel fears about guns where these shows were held, organizers were encouraged to hand out brochures on the American firearms heritage and why Americans own, shoot, and collect guns.²⁵ The gun became an essential prop in an invented national tradition, wiped clean of advertising. The gun commemorated the war hero who fought for his country and who, as a citizen no longer under command, nonetheless perpetuated his military preparedness.

At one gun show I attended in Kankakee, Illinois, 120 years of combat guns were laid across the tables, from Springfield rifles used in the Spanish-American War to M16s from the Vietnam and Gulf wars. Veterans and collectors told war stories, traded guns, and complained about their health. Some veterans told me they worried that these men at the gun shows needed to get on with their lives. They were stuck. Others reminded me that firearms meant freedom. Americans needed to stand up and be proud. Still others just sat in silence behind a few rifles and stacks of ammunition, close to tables selling medals, buttons, and insignia—the remainders of bravery and booty from most of the wars fought in the twentieth century.

Several veterans were defiant and defensive. The 1960s introduced a backlash against war, especially the war in Vietnam, and a national challenge to who should and could represent America, and what firearms had actually accomplished on the frontier, the border with Mexico, and abroad. The civil rights movement led to major indictments of America’s racism, especially as practiced by supposed law-abiding citizens who claimed to lead the nation. The new paradigm viewed white manhood fetishized in the gun as sinister and even pathological. Buffalo Bill changed from a frontier hero to a serial Indian killer. Theodore Roosevelt morphed from a national hero to an imitation Brit on African safaris, or a cowboy-soldier acting on ridiculous fantasies of power. White men’s guns were brutal. White rifle clubs in the South were even worse

23. James E. Serven, *Why Americans Own, Shoot, and Collect Guns*, 111 *THE AM. RIFLEMAN* 12 (1963).

24. Ad for annual convention, 96 *THE AM. RIFLEMAN* 40 (1948).

25. James E. Serven, *Conducting the Gun Show*, 109 *THE AM. RIFLEMAN* 48 (1961).

than the Ku Klux Klan. White men with guns signaled police brutality, vigilante justice, and mob hatred.

The gun fetish had begun to lose its power to protect and legitimate white national masculinity. The law-abiding white gun owner was charged with violence in everyday American social relations. A new form of legitimacy was required to realign the gun, masculinity, and nation. Though the rumblings that civilian gun ownership was protected by the Constitution began in the 1930s and continued in scattered editorials throughout *The American Rifleman*, this discourse found a pointed articulation during the period between 1960 and 1977 as articles in *The American Rifleman* fumbled for a renewed high moral ground on which to defend gun owners, finally finding rhetorical security in the Second Amendment to the Constitution.²⁶

For a commodity to speak, a network of discursive practices must become articulated often across time and space and through specific institutions. In *The American Rifleman*, one strand of this discourse appeared that made the gun speak in a particular way, voicing what I call vigilante politics. This third commodified meaning developed only after a series of rhetorical spurts and false starts when the traditional role of the citizen-soldier was privatized into the militia of one. After World War I, when state militias came under federal jurisdiction, the civilian rifleman was further distanced from the language of civic duty, promoted by state militia members. He was reduced to the status of a private citizen who owned guns. In this vacuum, he simply appropriated the language of civic duty through militia service for his personal vision of the citizen-soldier, unregulated by officers or the state.²⁷

26. Although a detailed analysis of the conflicts surrounding the interpretation of the Second Amendment goes beyond the scope of this article, certain key writings need to be noted. In his introduction, Carl T. Bogus wrote that the first legal article "advocating the individual rights interpretation appeared in 1960" and cited the NRA's magazine *American Rifleman*. He then described the extent of the NRA's involvement in individual rights legal argumentation. Intense debates in the 1980s and 90s shaped much that has been articulated by historians and legal scholars on the Second Amendment. THE SECOND AMENDMENT IN LAW AND HISTORY: HISTORIANS AND CONSTITUTIONAL SCHOLARS ON THE RIGHT TO BEAR ARMS 4-13 (Carl T. Bogus, ed., 2000); see WHOSE RIGHT TO BEAR ARMS DID THE SECOND AMENDMENT PROTECT? (Saul Cornell, ed., 2000). For individual rights interpretations in particular see Sanford Levinson, *The Embarrassing Second Amendment* 99 YALE L.J. 637 (1989); Eugene Volokh, *The Commonplace Second Amendment*, 73 N.Y.U. L. REV. 793 (1998); AKHIL REED AMAR, THE BILL OF RIGHTS: CREATION AND RECONSTRUCTION 46-59 (1998). To supplement these polarized views see Elaine Scarry, *War and the Social Contract: Nuclear Policy, Distribution, and the Right to Bear Arms*, 139 U. PA. L. REV. 1257 (1991).

27. Universal conscription of all white male citizens between the ages of 18 and 45 ceased to function as a civic duty by the early nineteenth century, but the political rhetoric of the citizen-soldier persisted throughout the nineteenth century mainly through voluntary militias that were brought under federal jurisdiction by the end of World War I. These citizen-soldiers were under command and were paid, if somewhat minimally, for their training and service. See LAWRENCE DELBERT CRESS, CITIZENS IN ARMS: THE ARMY AND THE MILITIA IN AMERICAN SOCIETY TO THE WAR OF 1812 (1982); JERRY COOPER, THE RISE OF THE NATIONAL GUARD: EVOLUTION OF THE AMERICAN MILITIA, 1865-1920 (1997); H. RICHARD

The shift between 1960 and 1977 brought a dramatic return in the pages of *The American Rifleman* to the language of the “founding fathers” to justify why mainly white men needed to control what they owned—and why they owned guns. Ultimately in this argument, no person, law, or government was worthy of interfering with the moral authority of the individual to buy and own weapons, provided, of course, that he was law-abiding.

Walking the aisles of gun shows for four years, I have heard this political language repeated like a mantra to hold off both accusation and betrayal. In this way, the Second Amendment is not a legal statement, but a cultural belief used by a specific group of individuals to justify their gun ownership and to deny any criticism that their actions have contributed to systemic violence, poverty, or racism in the United States. This cultural rhetoric is laced with the righteous stance of the law-abiding citizen who upholds a form of national manhood with roots not only in the nineteenth century, but also in the founding of the nation.

As one gun rights organizer told me, the gun rights movement was forced to develop a strong counterargument in response to the successes of the civil rights movement, which largely benefited the Democratic party. Even worse, the civil rights movement had created a disturbance in party politics, with moderate Republicans splitting their own party. In the early 1970s, it was essential to “reverse the flow in the pipes.”²⁸ By the mid-1970s, groups like the Young Americans for Freedom championed gun rights in their magazine, *The New Guard*.²⁹ Organizations such as the Second Amendment Foundation, the Institute for Legislative Action of the NRA, and the Gun Owners of America quickly formed to lobby, educate, and hone campaign skills for gun rights politics. By 1976, the use of the Second Amendment to support individual rights of gun ownership became part of the Republican National Platform. The rhetoric of gun rights helped to “reverse the flow” by giving the gun a conservative political voice—one which continues to speak.

Legal technicalities about the Second Amendment could have been overcome through a continued high profile fight in the media and election campaigns to insist on the right of individuals to own guns. But there continued to be nagging legal complications. Early articles in *The American Rifleman* by judges and lawyers that debated whether the Second Amendment was applicable to private gun ownership often fell short of embracing the Second Amendment as a righteous language for gun owners, finding instead “a feeble hope” or a “slender reed” in the Constitution and the Supreme Court.³⁰

UVILLER & WILLIAM G. MERKEL, *THE MILITIA AND THE RIGHT TO ARMS, OR, HOW THE SECOND AMENDMENT FELL SILENT* (2002).

28. Confidential interview (January 14, 2004).

29. John M. Snyder, *An Aspect of Freedom: The Right to Bear Arms* 11 *THE NEW GUARD* 10-13 (1971).

30. Ashley Halsey, Jr., *Can the Second Amendment Survive?* 121 *THE AM. RIFLEMAN* 17 (1973); Harold W. Glassen, *Right to Bear Arms is Older than the Second Amendment* 121 *THE AM. RIFLEMAN* 22-23 (1973).

Further, the fact of a constitutionally-protected commodity created linguistic and semantic challenges for the interpretation of constitutional law.³¹

In a dramatic move, an August 1977 article in *The American Rifleman* simply declared the gun owner to be a private member of a general militia, granting the individual the rights, but none of the duties, of the militia member. "The guardians of our basic liberties are not formal bodies of police or military. They are not mercenaries hired to preserve and defend the rights of free men and women. The guardians of civil liberty are those, each individual, who would enjoy that liberty."³² A rhetorical return to the required militia of the eighteenth century, long rejected by American citizens as a fighting force, refurbished³³ a civic glow to gun ownership. Leeches of morning or weekend musters, training at arms, haggling over officers, pay, and time spent away from work and family, the modern militia member had a right to bear without a duty to provide an essential service to his country.

Forgotten were the compromises of the turbulent post-revolutionary years that insisted on a well-regulated militia with officers and a chain of command, hedges against abuse by either state or federal actions. Even more important, forgotten were the intervening years of voluntary state militias haggling over federal control until the Mexican Revolution and World War I determined their fate. Forgotten were reprimands to civilian rifleman when they proclaimed the right to act like a citizen-soldier in the frantic military hunt for Pancho Villa in 1916.³⁴ Forgotten was the function of a civil, representative government to check the excess of its citizens, especially its citizens-in-arms. No, every man was a militia island unto himself. And because he was declared virtuous and law-abiding, he was beyond regulation.

In 1979, Harlon Carter declared that the National Rifle Association was "foremost in the struggle to protect and preserve all our God-given, constitutional and long-accepted rights."³⁵ He and the NRA were waging a "great battle." "Strong men will not shirk or flinch. Free men cannot do so. Ours is a great revolution, which began on this continent 200 years ago."³⁶ And

31. If possession of a gun by a law-abiding individual is protected by the Second Amendment, does that mean guns in themselves are protected and to what extent? Or only guns used in the exercise of civic duty as a militia member, or guns used for self-defense, or guns used for hunting, or guns used to blow up sticks of dynamite in the backyard? To what extent is the possession protected? Who has the authority to purchase what and how much, especially when the contested issue is the authority of the individual to decide, not the government? This slippage between agent, action, and the means to act through an object have led some gun rights organizers to claim that guns are a constitutionally protected product and that product has claims as strict and strident as those of free speech, as protected by the First Amendment.

32. NRA Institute for Legislative Action Reports, *The Right to Keep and Bear Arms: An Analysis of the Second Amendment*, 125 THE AM. RIFLEMAN 38 (1977).

33. NRA Official Journal Insert, 127 THE AM. RIFLEMAN (1979).

34. Anonymous, *The NRA Has Border Troubles*, 40 ARMS AND THE MAN 283 (1916).

35. *Id.* at 5.

36. *Id.*

further, the renewed political mission to protect guns through the Constitution was “not the light-hearted pursuit of sport, though there’s nothing wrong with that.”³⁷ The psychic investment in guns that legitimated the actions of specific white men had morphed into the “deep and serious voice of a people determined to be free.”³⁸ A renewed national narrative anchored in the founding fathers and the Constitution had restored the gun owner to his rightful place in the American mythos.

Rhetorically, for the gun owner, gun rights had taken the place that the struggle for civil rights had for millions of minorities and women in the 1960s and 70s. By 1977, the gun had finally found its political voice. What followed was a continual struggle to let this voice ring throughout the land, a voice that spoke in repeated articles and speeches about crime, and not the social and economic conditions of crime, a voice that spoke of permissive judges and lawyers dumping criminals on the street, and not the social will and infrastructure needed to make neighborhoods safe, a voice that blasted government as the haven of gun-grabbers and denounced citizens who wanted reasonable regulation of guns as domestic terrorists. The gun inscribed with the NRA insignia does speak, and it has sought sanction for its speech in state and federal courts.

Advertising has not hurt either. The earliest advertisement I found fusing the Second Amendment with consumerism was published in March of 1964. Redfield Gun Sight Company, a popular manufacturer of mounts and telescopic sights, simply wrote, “We are legally and morally right in opposing bad legislation through the Second Amendment to the Constitution.”³⁹ And the last forty-plus years have created even more clever ways to link the right to buy with the right to bear arms. Purchasing has become political, and gun shows a place to practice politics.

In 1986, Ronald Reagan helped to pass the Firearms Owners’ Protection Act (FOPA), an act that created a boom in gun shows throughout the United States.⁴⁰ By making it easier for licensed dealers to sell away from their place of business, gun shows became much more than small-scale events for antique and historical gun collectors and their hunting buddies.⁴¹ As a major gun show organizer told me, the FOPA was an “entrepreneurial opportunity.”⁴² The only

37. *Id.*

38. *Id.*

39. Ad on back cover, 112 *THE AM. RIFLEMAN* (1964).

40. ROBERT J. SPITZER, *THE POLITICS OF GUN CONTROL* 118 (2004).

41. The Firearms Owners Protection Act of 1986, or what is known as McClure-Volkmer, created a boom in gun shows because of the slippery concept of “doing business.” As Robert J. Spitzer writes, the “act also eliminated record-keeping requirements for ammunition dealers, made it easier for individuals selling guns to do so without a license unless they did so ‘regularly,’ allowed gun dealers to do business at gun shows, and prohibited the ATF from issuing regulations requiring centralized records of gun dealers.” *Id.*

42. Confidential interview (February 4, 2004).

problems were the tough competition from other shows and the overlapping demographics served. He added that “the number of gun shows continues to expand. The audience is not expanding.”⁴³ He also insisted that a gun show was a form of political expression, though one that was fragile and endangered.⁴⁴

He worried that the young men who were into military-style guns, movies, and fascination with global mercenaries were not bound by the myths of national manhood resurrected in the language of the founding fathers. Neither were, perhaps, those odd guys at gun shows buying weapons based on Lord of the Rings movies, huge swords with names like Glamdring, Sting, Narsil, and Hadhafang, next to stacks of partially opened boxes of fantasy guns from Star Wars, Star Trek, and Stargate Atlantis.

To some of the men I interviewed, to purchase a gun was to practice politics, an act of resistance to the authority of the state and its regulatory powers. The regulations were perceived as threats by liberals and the Left to control their lives. Purchasing a gun meant that you could defy the brand of politics you despised. At a time when access to political power to affect social change seems to belong ever more to a class of professional politicians, lobbyists, and moneyed elites, the act of buying a gun can mimic genuine political action, making citizens into consumers rather than participants in civil society, turning guns into commodities that require federal courts to battle over whether they are protected by the Bill of Rights.

In this way, gun shows are markets for political pantomimes that simulate the exercise of political power with commodities that seem to contain and convey political speech. Gun shows provide more than merely compensation for the loss of access to political power in every day life. They redirect political energy to continue a system that always withholds effective political power. Like pulling the trigger of a gun, the sensation of political resistance is given, only to be taken away in the harsh realities of political lobbies, parties, and corporations that dominate American politics.

In this cultural anatomy of a gun show, the gun does indeed attempt to speak. And what does it say? Inscribed on its surface are the ten words: “The Right of the People to Keep and Bear Arms.” The gun speaks to interpret the Second Amendment, justifying the purchase and exchange of firearms and protecting commodities, not citizens. The gun’s words depict a militia and a government of the individual, for the individual, and by the individual. The praise of republican virtue based on communal duty is replaced by the din of the cash register. The vigilant citizen working to protect and extend the full range of rights under the law to all citizens is replaced by the vigilante-as-citizen, a militia unto himself, under command of his private vision of moral authority stamped with national identity. And worse, the Second Amendment is

43. *Id.*

44. *Id.*

reduced to an advertising gimmick, fending off the threats of bans and regulations and spurring gun-buying sprees in the United States.

In this vision of the Constitution, the Second Amendment becomes a political discourse that valorizes the individual in his law-abiding nature as the legitimate subject of lethal force, especially the individual hero who fights crime from his living room and not only protects but punishes, not only defends but condemns. The individual paradoxically takes over the functions of the state, unmitigated by the social needs of others, and defines these needs as irrelevant and even dangerous. When the gun speaks in this way, what is demanded is the social death of the other and the loss of what Judith Butler has called “a livable life.”⁴⁵ The law-abiding citizen protected behind the gun can turn his back on systemic social and economic ruins found in our orchards, ghettos, dying rural towns, trailer parks, and gutted neighborhoods.

This voice of the gun grants lethal force to the individual in his isolation from others except his imagined fraternal band. It justifies his right to such a gun based on national myths of masculinity. It cries self-defense against the anonymous face of the juvenile predator, the psychotic rapist, and the unknown evil that bangs at the front door or lurks in the shadows. The individual becomes the mini-state, the army of one, who dreams of the ultimate in political power, a gun beyond regulation.

The rifle raised in the hand above the head mimics and defies the “Black Power” salute. It reassures the patriots of their descent from the original minutemen, the band of brothers, who represent the nation and protect it from those whose rights impinge on their freedom—the girlie man, the juvenile predator, the gangster rapper, the tax man, the liberal, the school teacher, the femi-nazi. The list is long and enemies are generated anew every hour to challenge the right of the law-abiding man to buy, own, and brandish the gun. The gun finally speaks, its commodified meaning always threatened and threatening, an advertised discourse upheld by the Constitution and the founding fathers, passed on to kin and kind.

45. JUDITH BUTLER, *THE PSYCHIC LIFE OF POWER: THEORIES OF SUBJECTION* (1997).

