IF YOU HATE GUNS, YOU ARE A RACIST: A SITUATIONAL AND FRAMING ANALYSIS OF KRIS KOENIG’S ASSAULTED: CIVIL RIGHTS UNDER FIRE

A Thesis

Presented to the faculty of the Department of Communication Studies
California State University, Sacramento

Submitted in partial satisfaction of the requirements for the degree of

MASTER OF ARTS

in

Communication Studies

by

Christopher J. Patterson

SPRING 2015
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Abstract

IF YOU HATE GUNS, YOU ARE A RACIST: A SITUATIONAL AND FRAMING ANALYSIS OF KRIS KOENIG’S ASSAULTED: CIVIL RIGHTS UNDER FIRE

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This thesis examined framing of the gun-control debate in order to locate the function of frames in message delivery. The study sought to uncover the invisible dynamics of centrist frames in persuading those audiences with little experience with the gun-control debate. Analysis of Kris Koenig’s Assaulted: Civil Rights Under Fire revealed that the creation of a larger frame, propped up by smaller more nuanced frames is useful in generating persuasive messages that appear “critical” or centrist. A centrist rhetorical strategy is capable of swaying viewers to one side of an argument or another by focusing audience perception on the notion that the text is unbiased. A discussion on the implications of the current study and directions of future research are included.
ACKNOWLEDGEMENTS

The following lines of appreciation barely break the surface of the sea of graciousness I feel is due to the supreme support network that made accomplishing this thesis possible. Nevertheless, I will try.

*Dr. Jacqueline Irwin*, you influenced me in ways that I have yet to realize fully, and you continue to do so. I am forever in your debt and life-long service to the greater chain of Team Irwin. I could not have gotten through my thesis, let alone the trials of a graduate program, without your support, guidance and wisdom. I will never forget your uncanny ability to calm me down during my worst moments of anxiety. You taught me to “stop worrying,” “just write,” and “everything is a draft.” You have also shaped my teaching, and my approach to student interaction and support. Most importantly, you instilled a level of confidence in me that I have never had previously. Your belief in me and my work pushed this thesis to the limit and resulted in a piece of research that exceeded my expectations. Without you, this thesis would not have even happened. Thank you for pushing me. You are my mentor, but what I enjoy more is that you truly have become my friend.

*Dr. Stoner*, your philosophies on teaching, research, and ultimately communication have shaped how it is that I look at theoretical research in any field of communication. Your passion for the classroom and the creation of pedagogical structures that afford actual learning opportunities has influenced both my teaching style and learning style. I cannot begin to describe the implications of your mark on my graduate career. You have taught me to question the authority of preferred research, have yet been explored. Your focus on the actual talk that occurs in real situations and the value of discussion in developing meaning and understanding of
the word has changed how I research and ultimately how I communicate. Thank you for the many inspiring conversations.

Dr. Miller, you were the first person who suggested that I could make it through the graduate school journey. Though you were not a teacher of mine during the program, your guidance, criticisms, and suggestions helped this thesis reach approval. Your comments and critiques during the different defenses shored up leaky spots throughout my arguments, encouraged me to say more, and made me believe in what I had written. You have always been in my corner, rooting for me by pushing my thoughts to the limits; and for that, I am forever extremely thankful.

Nino, Katreena, and Victoria, you have all shown me the positive experiences graduate school can bring. Nino, our talks after class late into the evening kept me going through the program. You let me vent when I was at my most frustrated and you shared in those frustrations, as well. We bonded while wading through the muck, you supported me and I you. We are friends for life. Katreena, you are the nicest person I have ever met, aside from my mother. Your overall cheeriness, warmth, and passion inspires me still and motivates me to try harder. You have been an amazing influence on my outlook on life and I look forward to seeing all great things you will do in your future. Victoria, without your request for me to join you writing a paper that would take us to South Korea in the summer of 2013, I would never have thought that I would: 1) have traveled to South Korea, 2) had a paper accepted at an international conference, or 3) win a conference award for Top Student Presentation. Your work ethic inspires me to no end. I aim to be as
hard working and successful. Thank you, the three of you have no doubt changed how I will now proceed in the world.

*My parents,* Kathy King and Jim Patterson, have been unrelenting in their support for my pursuit of a Master’s degree. To be your son is an honor. Each of you have inspired me in ways that are too personal to share in the opening of a thesis. Know that I will never forget the love you give and the confidence it inspires. I love you Lady and you too Dad.

*Morgan,* my future wife, you, above all others, have been the reason I strive to be better. I never once imagined that I would meet someone who could fulfil so many aspects of my life. I love that you are smarter than I am and that you push me to see things from different perspectives. Your love gives me strength during my darkest times. I am excited about the life we will share as we experience the years to come. You have been my rock in a stormy sea, and continue to be my bastion of support. I will love you forever, baby.
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Chapter 1

INTRODUCTION

Families gathered on January 14, 2013 to share their stories of their loved ones; this, in itself, is not unusual. Most have experienced those nights at family gatherings when grandparents would discuss our parents and their perfect, or not so perfect, childhoods. However, the families on this specific date, the fourteenth of January two-thousand thirteen, gathered for a press conference to tell stories of loved ones who had been killed by a heavily armed gunman (Rivera, 2013). On December 12, 2012, roughly one month prior to the families’ press conference, a 20-year old assailant went on a violent rampage at Sandy Hook Elementary school in Newtown, Connecticut, leaving 26 families with one last story to tell (Rivera, 2013). Those stories were intended to bolster support for violence prevention efforts and to begin “a national dialogue on issues of mental health, school safety” and “gun responsibility” (Rivera, 2013, Para. 5). These stories were important because they spoke to a situation that, should it have never occurred would have never needed discussion. It is only when an exigent situation presents itself does a person, family, community, or government “find” a position to speak with the purpose of motivating change (Bitzer, 1968).

In situations such as these, it might be that multiple voices will attempt to alleviate some of the urgency of a situation (Bitzer, 1968, pg. 13). The discourse brought forth to relieve the urgency of the Newtown shooting reignited the gun debate, stoking it to the forefront of the national consciousness. It was not just the families who spoke out; many news organizations, special interest groups, and politicians- including President
Barack Obama spoke on the situation (Rivera, 2013). This rhetorical situation, characterized by the school shooting and subsequent debate on gun control, has even birthed documentaries. One documentary in particular, *Assaulted: Civil Rights Under Fire*, by director and producer Kris Koenig, was an example of an artifact called into existence by the Sandy Hook Elementary slayings. *Assaulted* was described by a movie critic from the *Examiner* as a story that resonates with values held by pro-gun owners, but also “provides information that too few [non gun-owners] have been exposed to…[making] the subject matter approachable and justification presented sensible” (Codrea, 2013). Leydon (2013) of *Variety* argued the movie “won’t likely reach beyond its presumed target audience…already in sync with its underlying message, but it could attract a more diverse viewership, and perhaps even change a few minds in ancillary venues” (para. 1). Koenig’s care in crafting *Assaulted’s* message made the documentary come “across as too thoughtful and well researched – in short, too reasonable – to be easily dismissed” as mere propaganda (Leydon, 2013, para. 6). In essence, the stories told by Koenig in *Assaulted* were meant to communicate a particular message aimed at those on both sides of the gun debate. The goal of that message was to define the gun-control debate as misinformed and reframe the debate in terms Koenig felt would best relieve the exigence experienced from mass shooting and consequent push for stronger gun-control legislation. The intent of this case study was to analyze Koenig’s framed messages and reveal how he perceived the debate on gun-control. A brief description of *Assaulted* will better elucidate this position.
The Artifact: A Brief Description

Koenig’s, *Assaulted: Civil Rights Under Fire*, is a documentary that focuses on the Second Amendment of the U.S. Constitution and the history that has shaped the varying interpretations of the amendment’s meaning and its application to the debate on gun-control (2013). The film is made up of interviews with scholars, lawyers, and historians, and archival records (photographs, video, news stories, and documents) that frame particular moments in history involving guns as matters of civil-rights (2013). According to the synopsis on the back cover of the DVD case:

*Assaulted Civil Rights Under Fire* brings audiences to the center of the controversy that is dividing our nation — gun control… the film takes a critical look at the current gun laws and the rising movement to restrict the rights guaranteed by our Second Amendment. Informative and emotionally charged, *Assaulted: Civil Rights Under Fire* is an eye-opening look at the genesis of the Second Amendment to the Constitution, leading the audience to rethink the issues surrounding gun-control, and the effect on civil rights and liberty (2013).

Koenig’s documentary consists of events in history that spans America’s birth and growth as a country; events that he believes are most fitting of his gun-control message. Among the events Koenig uses are the Los Angeles riots of 1992, the aftermath of Hurricane Katrina in New Orleans in 2005, and “The Battle of Athens,” of 1945. Koenig frames the latter narrative as a situation in which a “bunch of self-serving politicians” are overthrown by a liberatory group of armed citizens in a shootout out at the local police station (2013). These stories, along with Supreme Court cases, and other reasonably relevant evidence, represent some of the choices made by Koenig when constructing *Assaulted’s* messages. The critical problem this thesis was concerned with was: how did
Kris Koenig utilize different historical events, and their respective situational elements, in the documentary, *Assaulted: Civil Rights Under Fire*, to frame and reframe the debate on gun-control? To better understand the choices Koenig made, a case study of *Assaulted* considered the options Koenig had to choose from in constructing his message. The choices available are representative of the “complex of situational” elements found in Lloyd Bitzer’s rhetorical situation (1968). A brief introduction to the rhetorical situation will better explain the connection between rhetorical situation and a rhetor’s attempt to frame the situations complex of elements.

**The Rhetorical Situation: A Brief Introduction**

Many rhetors have attempted to alleviate the perceived exigence of gun violence and mass shootings. Large organizations, such as the National Rifle Association (NRA) and The Brady Campaign to Prevent Gun Violence, have disseminated various messages aimed at motivating the public and law makers (The Brady Campaign, 2014a; National Rifle Association, 2014). There have been books written that discuss the gun-control debate (Henderson, 2000; Lott, 2003). News media are also considered to be a large contributor of gun-control debate messages. At the writing of this thesis, an exigent situation surrounding the gun debate peaked December, 2012, when 26 children were killed at Sandy Hook Elementary School. Like many of the violent shootings in the past there has been a marked increase in the attempts to pass legislation regarding gun-control at the state and national levels (Winkler, 2013, & Yourish, et al., 2013), as well as an increase in the rhetorical discourse attempting to alleviate the exigence (Bitzer, 1968). Supporters of gun-control would like to see a stricter national gun-control policy, while
those who oppose strong legislation would like to see laws that limit the carrying of firearms in public places to be weakened or abolished. In essence, the public have been bombarded by opposing messages regarding gun-control during situations of high exigence.

For Bitzer (1968) rhetorical discourse was intimately tied to the situation within which it developed; “not the rhetor and not persuasive intent, but the situation is the source and ground for rhetorical activity [and] of rhetorical criticism” (p. 6). Bitzer forwarded the notion of the rhetorical situation in 1968 as a means of discovering those situational elements that invited a person to produce and disseminate rhetoric aimed at mitigating the urgency, or exigence, of the situation. Bitzer (1968) argued that the situation dictated what could and could not be said by a rhetor responding to an urgent situation. According to Grant-Davie, “a rhetorical situation is a situation where a speaker or writer sees a need to change reality and sees that the change may be effected through rhetorical discourse” (1997, pg. 265). Bitzer contended that the rhetorical situation was of great importance because it explained the urgency, or exigence, of the situation that caused a rhetor to engage in discourse by defining the complex of situational elements from which a rhetor could select and make more salient in his or her creation of an appropriate rhetorical response (1968). The complex of situational elements was characterized by “a natural context of persons, events, objects, relations, and an exigence which strongly invites utterance” (Bitzer, 1968, pg. 5). The complex of rhetorical elements served as the objective reality, the factual occurrences of the rhetorical situation, from which the rhetor was called to make a rhetorical discourse capable of motivating
audience members into becoming mediators of change (Consigny, 1974, Patton, 1979). This is not the only controlling function of the rhetorical situation. According to Bitzer, “The situation dictates the sorts of observations to be made; it dictates the significant physical and verbal responses; and, we must [also] admit, it constrains the words which are uttered in the same sense that it constrains” action to be taken by audiences (1968, pg. 5). Rhetorical situations, then, had two controlling functions over rhetoric produced to relieve situational exigence. First, the complex of elements constrained what aspects a rhetor chose to form his or her rhetorical discourse (1968). A secondary constraint is experienced by audience members who viewed the rhetor’s discourse because the discourse is a reflection of his or her subjective perception of the objective situational elements (1968). Bitzer’s notion of rhetorical situation as the birthplace of all rhetoric gave the rhetor a platform from which to construct his or her rhetoric. How the rhetor perceived of the urgency of the situation, or the situation’s exigence, greatly influenced how his or her message took shape during invention.

Rhetorical situation theory has been expanded and contracted since Bitzer’s first push for a foundation of the critical paradigm grounded in the situation. Contractions have mainly focused on two issues in Bitzer’s conceptualization. First, the assumption that rhetoric was determinate based on the complex of elements of rhetorical situations was seen as limiting the “creative” abilities of a rhetor to shape a message to motivate change (Brinton, 1981; Consigny, 1974; Vatz, 1973). Second, according to Vatz (1973) the rhetorical situation wasn’t real. Rather than the situation calling forth a fitting response, he concluded the situation was called into existence by the rhetor’s act of
engaging in discourse, and then it is described by the critic who assigns definitions of exigence. However, Vatz conceded to Bitzer, though slightly, by suggesting the rhetorical situation can be generated by the rhetor and the act of generation was in fact a mirror of the reality shaped by the rhetor. In a sense, Vatz (1973) considered the situation arbitrary, as it was defined by the rhetor, and only reflects the rhetors’ choices. Patton (1979) argued, though rhetoric produced within a rhetorical situation was created at the whim of the rhetor, “The choices made by rhetors are the function of the combined influence of exigences and internal and external constraints. Moreover, the choices made by the rhetors ultimately constitute the controlling exigence. Thus, it seems clear that the choices rhetors made significantly influence both the form and the content of their discourse” (pg. 41). Exigence, Patton (1979) argued, was tied to discourse because a perception of the rhetorical situation by a potential rhetor must necessarily precede any attempt at creating rhetoric aimed at alleviating the exigence; essentially, there must be a set of situational elements that existed prior to a rhetor constructing his frame. How the rhetor constructed his selected elements defined a rhetor’s perception of the controlling situational exigence. From this position, Vatz’s attempted nullification of rhetorical situation theory’s significance, and the resulting debate on the rhetorical situations existence, actually served an expansionary role for rhetorical situation theory.

Knowingly or unknowingly, Vatz’s criticism of the rhetorical situation created somewhat of a platform from which critics can analyze decisions made through the inclusion and exclusion of particular information. Consigny (1974) recognized the theoretical connections between Bitzer’s conceptualization and Vatz’s critique. He
argued that though the situation is not necessarily all that is needed for critics to analyze and understand rhetorical attempts, it was a place where objective elements of a situation can be located, described, and defined (Consigny, 1974). This served to better judge the rhetor, as he or she actively, and perhaps creatively, constructed the elements into a desired message aimed at motivating audience members to perform some preferred action (Patton, 1979; Consigny, 1974).

A situational analysis would do well to identify the complex of situational elements that constructed the parameters within which Koenig created Assaulted, and in turn how Assaulted constrained thinking about gun-control messages by audience members. This however does not give a complete understanding of any rhetorical discourse born from the debate on gun-control (Consigny, 1974). The rhetorical situation is made out of the objective elements of a given situation, but the rhetor is still capable of constructing the lens through which the audience members are asked to interpret that message through (Consigny, 1974; Vatz, 1973). A rhetorical tool was needed, then, to further understand the force contained within Koenig’s subjective framed messages on gun-control and how those messages potentially motivate viewing audiences. An introduction to framing research follows.

**Framing: A Brief Introduction**

Entman (1993) suggested there were four locations in the communication process in which framing can impact messages. He argued these “locations” were “the communicator” (the rhetor), “the text” (the actual message or artifact), “the receiver” (the audience), and “the culture” (commonality of frames across populations) (1993, pg. 52).
Framing has been embraced by many fields of research, through many theoretical and methodological traditions, and seldom is there a coherent conceptualization of framing or approach to its study, because of this pervasiveness (Souders & Dillard, 2014). Researchers have argued, “Despite significant overlap there are many divergences in the perspectives of the social science and rhetorical traditions in frame research” (Souders & Dillard, 2014, pg. 1009). For the most part, researchers in the sociological tradition have focused on the receiver of framing attempts and the impacts those frames have made on the larger culture. Rhetorical scholars, on the other hand, have focused on the rhetor and the text he or she produced, and its potential effectiveness at motivating audiences to take the desired action of the rhetor (Souders & Dillard, 2014).

The sociological tradition is traced back to Erving Goffman. Goffman has often been credited as the founding-father of sociologically-based framing analysis, because of his seminal book, *Frame Analysis* (1974), which is based mostly on theoretical assumptions of field anthropologist, Gregory Bateson. The sociological tradition has predominantly focused on the effects of framing when disseminated by mass media agents (Sounders & Dillard, 2014). From a sociological perspective the purpose of framing analysis was meant to “discover the presence and features of individual and mediated frames and the impact they have on perception, cognition, and decision making” on an actual audience; as such, “objects of study include public addresses, news story trends, and the consumers of those pieces (Souders & Dillard, 2014, pg. 1009).

This has been a dramatically different perspective than that held by rhetorical scholars. Some researchers have argued that, “the purpose of framing research [from a
rhetorical paradigm] is to understand why and how the rhetor (the speaker, broadly) wanted to frame his or her message, how it was executed, and how it might plausibly have impacted the audience” (Souders & Dillard, 2014, pg. 1009). In essence, rhetorical scholars have been interested in evaluations of appropriateness and effectiveness of framing attempts, as well as the potential influence particular rhetorical artifacts could have on meaning-making and perception development of audience members. Though there is some conceptual cross-citation from sociological framing research, this case study generally followed the tradition of framing research from a rhetorical perspective. The case study focused on Kris Koenig’s perception of the objective elements of the current gun-control rhetorical situation and his subjective interpretation of those elements contained in Assaulted’s framed messages. An explanation of the methodology is presented next.

**Methodology**

The current case study focused on the framed narratives of Assaulted: Civil Rights Under Fire to locate the judgements Koenig made when crafting his message. According to Ott and Aoki (2002) frame analysis is geared toward locating how a rhetor named or defined a situation and how those definitions have the potential to shape public opinion. Gamson’s (1989) framework of the value of framing analysis is at the core of this present study. Gamson argued:

> Informational content is relevant to the extent that it is meaningful in distinguishing among different potential frames. Information that is common to all the potential stories is least interesting since it tells us very little about meaning. But some facts are emphasized only by certain frames and not by others; hence, their presence or absence reveals the implicit story line. A frame analysis
of news content calls out attention to omissions as well as inclusions (1989, p. 158).

The very notion of an implicit story line, brought to light through the use of a particular frame instead of another, is an ideal framework with which to study Koenig’s *Assaulted*. A framing analysis allows the researcher to reveal the implied meaning of the rhetor’s content. As Gamson (1989) argued, a particular frame emphasized some facts, and if another frame were used, those facts would not be brought to light. Additionally, Gamson (1989) indicated that analyzing the frame revealed the intent of the sender of a message. Hallan (1999) echoed Gamson’s point, “As a property of a message, *a frame* limits or defines the message's meaning by shaping the inferences that individuals make about the message. Frames reflect judgments made by message creators *or framers*” (p. 207). Hallan (1999) also offered that framing is a way to understand the psyche of those doing the framing; “In addition to a rhetorical approach that focuses on how messages are created, framing is conceptually connected to the underlying psychological processes that people use to examine information, to make judgments, and to draw inferences about the world around them” (1999, p. 206). Beyond the value of a framing analysis as a way to understand the implicit story line and the intent of the sender, framing analysis can give a scholar a means to evaluating Koenig’s psychological process as he wrote, produced, directed, and promoted *Assaulted*. A frame analysis then would reveal the underlying, non-explicit implications of *Assaulted’s* rhetoric and bring to light the interpretive lens chosen by Koenig as the creator of that message.
The case study’s analysis of *Assaulted* followed Entman’s conception of framing, in that most frames are composed of four aspects: defining a problem, diagnosing a cause, making a moral judgment, and suggesting some sort of remedy. From this framework, Entman said the act of framing is to “select some aspects of a perceived reality and make them more salient in a communicating text” (1993, p. 52). In trying to understand the stories constructing the messages of *Assaulted*, a framing analysis is of great value. Entman’s “perceived reality” from which a rhetor has selected particular aspects to frame his message should be considered constituted by the rhetorical situation’s complex of situational elements. Koenig did not create *Assaulted* in a vacuum; rather, *Assaulted* was made in response to a rising situational exigence of increased gun-control legislation after several devastating mass shootings. Contextualizing the framing analysis through the rhetorical situation sheds light on the situational elements that shaped Koenig’s response, and constructs the parameters in which an audience could potentially think about or act upon gun-control after viewing *Assaulted*. The rhetorical situation offered a sense of what elements from the situation’s complex of elements Koenig had to choose from when creating his documentary. Comparison of the framed elements to the complex of objective situational elements that Koenig could have selected will give valuable insight into how Koenig thought about the rhetorical situation and how this perception of the complex and exigence guided his framing of *Assaulted*.

**Rationale**

The goal of this case study was to identify how Kris Koenig framed, *Assaulted: Civil Rights Under Fire*, and to show that no matter the viewer, his core message (that the
issues surrounding the gun-control debate are distorted in American perception) is so well framed that positions held by gun-control supporters are weakened to the point of inoculating viewers with little to no knowledge, or little to no interest, in debates on gun-control to arguments for the regulation of firearms. The most basic reason for the existence of any rhetorical discourse is to alleviate a perceived exigence and motivate an audience into becoming mediators of change (Bitzer, 1968). The discourse Koenig offered in *Assaulted* was an attempt to frame the current gun-control debate in terms that placed the onus of gun-violence on “violence” rather than “gun.” Examination of this documentary, though not pervasive in the public sphere but unique in its “critical” presentation of pro-gun arguments (Koenig, 2013), is important in understanding a more centrist approach to framing the pro-gun side of the gun-control debate.

The content of a message is very much bound by the way in which the message is framed (Gamson, 1989). The Sandy Hook Elementary School shooting and the resulting push for stronger gun-control legislation at the state and national levels were some of the situational elements that called Koenig to create *Assaulted*. Yet, these elements did not take the lead in *Assaulted’s* frames. Koenig instead chose to draw into the situation other events in history to show the audience that there are other factors to consider in gun-control, not just this most recent tragedy. At its base, a frame is reflective of the psychological processes of the rhetor during the creation of the message (Hallan, 1999). Thus, the analysis of a framing attempt would reveal how Koenig thought about the objective situational elements of the current gun-control exigence in creating his subjective interpretation of those elements. According to Entman (1993), a framed
message will define the way an issue is to be considered by the audience through making particular moral diagnoses, and will advocate for a particular course of action. In order to frame his message, Koenig selected some elements of the situational complex and made them salient, while at the same time, he hid or softened other elements (Entman, 1993). Framing of Assaulted, then, could be considered Koenig’s structuring of objective situational elements of the 2012, Sandy Hook Elementary School shooting and the resulting push for added state and national gun-control measures.

Framing is not constructed at the creative whim of the rhetor as Vatz (1973) assumed, but rather within the constraints of the current rhetorical situation, the rhetor is free to select and make more prominent certain aspects that best suit the rhetors intended message (Consigny, 1974). A framing analysis, in conjunction with the understanding of the constraining, objective situational exigence, will help shed light on the Koenig’s subjective “creativity,” or rather, his organization and structuring of situational elements and constraints. Analysis will also reveal how Koenig framed the gun-control debate in Assaulted and constructed the constraints within which the audience should think about the gun-control debate. Out of this analysis, some comments can be made on Assaulted’s frames and its potential influence on audience decisions when gun-control issues are confronted some length after viewing Assaulted.

**Organization of the Study**

Chapter two will forward a review of literature relevant to this study. An exploration of the neo-Aristotelian roots of Wichelns in early modern criticism will help set the stage for the shaping of Bitzer’s theory of the rhetorical situation. The literature of
the rhetorical situation will be examined in order to understand what constitutes the complex of elements, the constraints, and the audience capable of becoming mediators of change that make up any rhetorical situation. This chapter will also look at framing. The review of framing will consider a rhetor’s ability to shape a message for mass dissemination as the representation of his or her subjective perception of the objective rhetorical situation’s complex, constraints, and audience. Chapter two will also include a history of the gun-control debate since colonial America, up to the most current debate in which this case study was written, and an explication of the opposing factions. The final component of chapter two will provide an explication of the rhetor and how Assaulted came into being.

The third chapter will focus on analysis of Assaulted’s frames. A framing analysis of the ten chapters in the documentary will be detailed, and an explanation for what was uncovered through analyzing each chapter will be expounded.

The final chapter will be the conclusion. This final section will explicate the findings and implications, discuss the limitations of the thesis, and will outline suggestions for future research.
Chapter 2

Review of Literature

In 1925, Herbert Wichelns wrote *The Literary Criticism of Oratory* to form a method of oratorical criticism from the writings of contemporary literary critics. Wichelns’ essay aimed to locate the literary discipline’s methods of conceptualization, categorization, and evaluation to better understand “how critics have spoken of orators” (1925, p.3). The critics’ focus suggested particular categorizations, “the man, his work, [and] his times, are the necessary common topics of criticism” (Wichelns, 1925, p. 3). The emphasis on one or more of these categories varied throughout critical writings on orators and their texts (Wichelns, 1925). The methods used fixated on the orator and his or her mental capacity for eloquent prose, the biographies and histories of a particular orator and his or her chosen style, or on the “work, [while it] tends to ignore the man” (Wichelns, 1925, p. 4). Stopping at description, most literary criticisms fell short of evaluating the orator’s persuasive functions (Wichelns, 1925). For Wichelns’, rhetoric was strongly rooted in public address; its object domain was that of oratory and no other texts. Out of his essay Wichelns would form a new method of oratorical criticism which would focus more wholly on the function of the orator and his message as influencing public perception of “a given concrete situation” (1925, p. 21). In doing so, Wichelns began to carve out rhetoric from other disciplines and form a new discipline solely aimed at studying the persuasive effects of speakers (Gaonkar, 1990).

For almost a half century Wichelns’ classical approach to rhetoric would dominate critical scholarship. Wrage (1947) broadened the field of rhetorical criticism
from focus on the man, his work, and his time, to the actual ideas contained within the
text of the speech. Ideas, Wrage argued, are intimately connected with particular
historical situations and social change (1947). Ideas, then, should not be seen as occurring
in singularity, but rather ideas are historically oriented representations of a societies
customs, values, and their beliefs— their culture (Wrage, 1947). Theoretically, this concept
drove the bounded conceptualization of “immediate audience” to include those members
of a particular culture, whether present or not. Parrish (1954), in the “Study of Speeches,”
also looked to shift the perspective of rhetorical criticism by considering the quality of a
public address rather than its effect. Parrish argued determining the effect of a speech was
often problematic, and Wrage’s notion of historically contextualizing ideas contained in a
speech led to a “lack of motive for the study of public address” (1954, p. 35). Further,
any effect from a speech should not be considered the only measure of rhetorical
discourse; rather, it is one of many resources used by critics to evaluate a speech’s quality
(Parrish, 1954). Parrish also expanded the conceptualization of audience to include both
“present and remote” audiences (1954, p. 37). Ultimately, the underlying problems with
each of these methods—resulting from limited focus on Aristotelian topoi—were not fully
realized until the 1960’s.

Regardless of the particular perspective taken, the focus on the man, his work, and
his time dominated the scholarship of rhetorical criticism (Burgchardt, 2010). In the mid
1960’s, Edwin Black would upend the discipline in his book *Rhetorical Criticism: A
Study in Method* (1965). According to Black the dominant neo-Aristotelian method has
led to critiques that are more descriptive than critical (1965). The issue at hand is not with
the use of Aristotle’s canons for critical analysis, but rather, the issue was the forced
formulaic structure of the method onto a speech which limited the focus and direction of
a critic when making evaluations (Black, 1965). Black summarized his critique of the
neo-Aristotelian paradigm as such:

The neo-Aristotelian critic typically see only one direction of movement: the
common background, training, interests, and aims of a rhetor influence his
discourse, which in turn influences the audience… Similarly, the neo-Aristotelian
critics do not account for the influence of the discourse on its author; the future
commitments it makes for him, rhetorically and ideologically (p. 58).

Simply, neo-Aristotelian criticism was predominantly prescribed, uninteresting, and was
unable to answer more relevant questions regarding rhetoric as a human action (Black,
1965). While this type of critique does result in a finely tuned Aristotelian analysis, the
underlying assumption that speech exists apart from other contexts does not take into
account the speech’s broader implications and impacts.

Neo-Aristotelian criticism did lose much of its appeal after Black’s book,
however many of the foundations in Wichelns’ approach, are still used by “with
modifications to avoid pitfalls of earlier work” (Burgchardt, 2010, pg. 147). Further,
criticisms of early neo-Aristotelian critics afforded future researchers opportunities to
consider rhetoric from multiple angles; some of which relied on the traditional classical
approaches as a foundation. Specifically, this case study will follow the perspective of
Bitzer (1968) and his focus on the situation surrounding a given piece of rhetoric. Bitzer
relies on several of the classical traditions in developing his approach to rhetoric but
expands the discipline as well. Other scholars have worked to increase the efficacy of
Bitzer’s rhetorical situation (Brinton, 1981; Consigny, 1974; Gorrell, 1997; Hoffman,
2009; Patton, 1979), expand the conceptualization to include a broader notion of discourse (D’Angelo, 2010; Grant-Davie, 1997; Larson, 1970). Thus, an exploration of the literature developing the rhetorical situation will be explored next, followed by the literature on the functions of framing in message dissemination. The literature review will close with an exploration of the situational complex of elements, namely, a description of the Sandy Hook Elementary School shooting that featured in the introductory chapter, the opposing sides of the gun-control debate and the resulting push for tighter gun laws by national and state legislators.

**Rhetorical Situation**

In 1968 Lloyd Bitzer argued against traditional, neo-Aristotelian approaches to criticism as they lacked the ability to locate the situation which motivated rhetorical responses from rhetors. This perspective’s reliance on rhetorical characterization (forensic, deliberative, epideictic) and the “formal aspects of rhetorical method and discourse, whether focusing upon method, product or process,” has left researchers lacking a complete picture of the discourse uttered and the thought processes of the rhetor during invention (Bitzer, 1968, p. 2). Leff, as well as Bitzer, argued the neo-Aristotelian paradigm focused solely on the “oratorical text [as] a product with an integrity all its own” (Leff, 1987, p. 53). Leff (1987) noted the neo-Aristotelian paradigm “regard[ed] rhetoric as a thing contained,” restricted by its rooting in politics, and was “clearly center[ed] around the oration itself (p. 53). Bitzer’s proposition discredited the sole focus on the rhetoric itself, and refocused the field of criticism on the “complex” of situational elements that bound the production of the message (1968, p. 4). The discipline’s shift
from analysis of independently contained texts to analyzing constrained, contextualized situational discourse- thanks to Black- constituted a change in perspective and in what critical scholars have deemed proper rhetorical criticism. This new contextualized perspective can also be considered neo-sophist, in what Leff (1987) argued, attempts “to liberate rhetoric by conceiving it as a container, or, more properly, as a containing force” (p. 53). Rhetoric is not simply the contents of the vessel, but also the vessel that holds, constrains, and shapes those contents. The vessel, seen as shaping the rhetoric it contains, constitutes the rhetorical context in which the rhetoric was produced and given shape.

Formally, Bitzer (1968) defined the rhetorical situation as the “complex of persons, events, objects, and relations presenting an actual or potential exigence which can be completely or partially removed if discourse, introduced into the situation, can so constrain human decision or action as to bring about the significant modification of the exigence” (p. 4). Exigence, Bitzer (1968) argued, is characterized in a rhetorical situation by an “imperfection marked by urgency…rhetorical when it is capable of positive modification and when positive modification requires discourse or can be assisted by discourse” (p. 4). The controlling principle relating exigence to discourse, as expanded by Patton (1979), was that the rhetor’s perceptions of the urgent imperfection and the situational complex are necessarily prior to the production of rhetoric addressing the rhetorical situation. Patton (1979) argued:

the perception of any part of the complex of events, experiences, and conditions which comprise a rhetorical situation must be dialectically secured in the classical sense…[meaning], although perceptual processes are essential to the definition of controlling exigencies and the formulation of purposive responses, rhetorical discourse cannot be fully explained by perceptual processes alone (p. 49).
Patton’s caveat essentially gave the critic a platform from which to analyze the discourse. The objective situational elements serve as the standard to which the discourse—created through the rhetor’s perception of those situational elements—can be compared to and evaluated for accuracy and clarity (Patton, 1979).

Bitzer (1968) posited exigence was in part to a total of “three constituents of any rhetorical situation…the second and third are elements of the complex, namely the audience to be constrained in decision and action, and the constraints which influence the rhetor and can be brought to bear upon the audience” (p. 6). Aside from motivating a rhetor’s action through imperfect urgency, the exigence also serves as the “organizing principle,” specifying the audience to be addressed and the change needing to be propositioned in the discourse (Bitzer 1968, p. 7). The audience, as discussed by Bitzer, is an integral part of the rhetorical situation, because “rhetorical discourse produces change by influencing the decision and action of persons who can function as mediators of change” (1968, p. 7). As such, rhetoric always requires an audience. The definition of audience was broadened to include not only those present to the delivery of the rhetor’s message but also “those persons who are capable of being influenced by discourse and of being mediators of change” (Bitzer, 1968, p. 8).

In rhetorical situations, there are rhetorical boundaries that constrain what can and can not be posited by the rhetor as a remedy for the situational exigence (Bitzer, 1968). Constraints also influence the situational parameters from which the audience can evaluate a rhetorical artifact (Bitzer, 1968). Patton (1979) argued that:
Constraints reveal a basically pragmatic orientation and exist as answers to the question why, revealing the bases on which both rhetorical audiences and rhetors act. The constraints used by audiences in defining the nature of rhetorical situations help to explain why audiences become (or fail to become) mediators of change. In the same way, the constraints invoked by rhetors in defining and shaping a controlling exigence explain why they decide to speak as they do (p. 45).

Fundamentally, constraints are the boundaries that signal to a rhetor and his or her audience which elements are important, which elements are less important, and which are unimportant when considering the ability of the message to motivate potential mediators of change. Bitzer and others did well to explicate the conceptual definition of the rhetorical situation but it was not without contention.

Some scholars took issue with Bitzer’s focus on the situation predominating and predetermining a rhetor’s response (Consigny, 1974; and Vatz, 1973, 2009). Five years after Bitzer’s rhetorical situation piece, Vatz (1973) concluded the rhetorical situation was not the initiating force Bitzer had claimed. Conversely, Vatz (1973) argued, the rhetorical situation was born from the rhetor’s engagement in public discourse; the rhetorical situation was more a reflection of the “phenomenological perspective of the speaker” rather than actual “situational characteristics” or their qualities (1973, p. 154). Further, the critic who ascribes definitions for the exigence, breathing life into a situation that would not have existed had no one acted on it, is more likely engaged in “attribution of traits to a situation…[through the] fitting of a scene into a category or categories found in the head of the observer” (Vatz, 1973, p. 154). Vatz essentially argued that the “objective” situational elements that Bitzer contends to call forth discourse are more likely subjective cues of the individual mind of the rhetor. Consigny (1974) argued
Bitzer’s rhetorical situation is *determinate*, in that it *shifts*, to use Leff’s terminology, to occupy the space created by the exigence of a particular situation (p. 175). The rhetor, considered a keen perceiver of the complex and exigence, is essentially free to choose a ‘fitting’ response that “is predetermined by the positive facts in the objective situation” (Consigny, 1974, p. 175). Though Consigny debated Bitzer’s definition and characterization of the rhetorical situation, he did not agree with Vatz either. Rather, Consigny (1974) embraced Bitzer’s notion of the rhetorical situation as “an indeterminate context marked by troublesome disorder which the rhetor must structure so as to disclose and formulate problems,” but diverged from the theory when it came to the position of the rhetorical situation determining the response generated by a rhetor (pg. 178).

Vatz’s argument against deterministic features of Bitzer’s rhetorical situation was addressed by Patton (1979), who urged that “creativity,” on the part of both the rhetor and the critic, be considered a reflection of either party’s internal, subjective perception of external, objective situational elements. The “creativity” of the rhetor and rhetorical critic, considered by detractors of rhetorical situation theory as something akin to intellectual finger-painting, should be considered as unique perceptions of “the objective world of rhetorical agents, in addition to their subjective experiences and beliefs” (Patton, 1979, p. 49). A rhetorical critic may differ in their perceptions of a rhetorical situation, but as a result of viewing the situation some length of time after its occurrence, the critic’s analysis is “based upon a fresh encounter with the situation under scrutiny, and usually involves exposure to additional factual information about the situation along with new or different internal perspectives” (Patton, 1979, p. 50). Patton’s view of the roles
occupied by the rhetor and the critic are such that an ever-present connection exists between the internal, psychological perceptions of those individuals encountering real, objective events and experiences which begin to structure and define the controlling exigencies and situational constraints.

Bitzer (1968) argued situations can often reoccur as an exigency arises, subsides and rises again. It is within the rhetorical situation, constituted by these reoccurring exigencies, that new rhetorical artifacts are given life. Each situation’s exigence has the power to contribute new contexts through the alteration of messages contained within each artifact. Such is the case with the waxing and waning debate on gun-control in the United States. The alteration isn’t so much to change the meaning, but to address the current exigency with a “fitting response” intended to alleviate the urgent imperfections defining the situation (Bitzer, 1968). Kris Koenig’s documentary Assaulted: Civil Rights Under Fire is one such artifact that attempted to alleviate the increased exigence surrounding the gun debate in 2012. Through his documentary, Koenig was able to create a discourse that could suggest his subjective perception of the positive, objective elements of the rhetorical situation. Whether or not this artifact was effective in motivating audiences to become potential mediators of change is limited by the constraints of the rhetorical situation on Koenig and his audience. Did Koenig accurately represent the objective situational elements in Assaulted? Did Koenig make these representations clear? In essence, was Koenig’s documentary a “fitting” response, capable of alleviating the rhetorical situation’s exigence? These questions are only partially answered through analysis of the rhetorical situation. An examination of the
complex of situational elements (Bitzer, 1968) will afford a description of the objective elements and the subjective positions Koenig shapes from those elements, but to explore the persuasive function of *Assaulted* requires a deeper consideration of the message and the ways in which it was framed by Koenig. The act of construction of elements into messages and messages into a particular organization with more or less emphasis on particular elements of the rhetorical complex constitutes what Gamson and Entman would refer to as framing.

**Framing**

The concept of framing has origins in psychology and anthropology (Weaver, 2007). Gitlin (1980) defined his concept of the media frame and applied it to how various media framed issues. Gitlin’s definition of a media frame encompasses persistent patterns that select, emphasize or exclude information in a message (1980). While the definition of framing is continually debated, various scholars agree that framing is a prominent way to study mass mediated messages because it allows for insight into the development of audience perception through locating aspects brought to the forefront, and the aspects darkened, or hidden, in those messages (Gitlin, 1980; and Weaver, 2007). Following Gitlin’s definition of framing, the concept was heavily debated in the communication field. Gamson (1989) defined a frame as “a central organizing idea for making sense of relevant events and suggesting what is at issue” (p. 157). Gamson, Croteau, Hoynes, and Sasson argued a unifying frame typically holds different elements of an occurrence together (1992). The frame chosen becomes the basis for how something is understood when distributed to others. A frame can be a slant on an issue given in a press conference,
or the angle at which a news story is covered. Accordingly, the researchers offered “the point at which a story begins is very much a question of how the issue is framed” (Gamson et al., 1992, p. 25). Other scholars such as Tankard, Handersan, Sillberman, Bliss, and Granem (1991) also offered explanations of the concept. Very similar to Gitlin (1980), Tankard et al. (1991) described media frame as “the central organizing idea for news content that supplies a context and suggest what the issue is through the use of selection, emphasis, exclusion, and elaboration” (p. 11). Entman’s (1993) article, “Framing: Toward Clarification of a Fractured Paradigm,” attempted to tie the various threads of framing research together, with the intent of developing a more succinct conceptualization. Entman (1993) defined framing as “select(ing) some aspects of a perceived reality and make them more salient in a communication text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation” (p. 52). It is this definition that most mass media scholars use today.

Entman (1993) argued, at its foundation “framing involves selection and salience” of situational elements (p. 52). When mass media select certain issues to report, they make those issues or perspectives more prominent. This constructs a frame within which audience members can consider the issue; the frame suggesting which aspects are more important for establishing or reshaping his or her perspective (Entman, 1993). Essentially, these frames tell audience members how to consider and ultimately think about certain topics (Entman, 1993). Entman’s seminal article highlighted the power of a text; “analysis of frames illuminates the precise way in which influence over a human
consciousness is exerted by the transfer (or communication) of information from one location….to that consciousness” (1993, p. 52). So, a framed message contains invaluable information about the perception of the rhetor who constructed the message and the audience members’ perception that may be influenced by encountering its content.

Utilizing the theory of framing will allow for in-depth analysis of mediated messages that gives insight into the mental processes of the message’s framer (the rhetor) and the potential influence on viewing audiences.

Frames function to influence the consciousness of an audience (Entman, 1993), thus allowing for individual audience members to make judgments on particular topics and issues. Entman’s concept of framing has been used heavily in media studies to clarify and identify the implications of frames on audiences (Van Gorp, 2007; Weaver 2007). Framing research is most often centered on political issues and media coverage (Gordon & Tadlock, 2004; Nelson & Kinder, 1996). Other studies have shown framing to affect perception development in many areas of interest including politics, advertising, and foreign countries (Aalberg, Stromback, & de Vreese, 2012; Brewer, Graf & Willnat, 2003; and Tucker, 1995), as frames define problems, diagnose causes, make moral judgments, and suggest remedies (Entman, 1993). Further, framing has shown to impact recipients of information and has the ability to interact with audiences’ values and attitudes (Brewer & Gross, 2005; Henry & Reyna, 2007; Nelson & Kinder, 1996; Nelson & Oxley, 1999). This is probably the most important reason framing is a phenomenon worthy of scholastic inquiry. The way an issue is framed has an impact on the attitudes people hold, or express, towards that particular issue. Additionally, a particular frame has
the potential to interact with the values that people may already hold as true. Given this impact, framing is sometimes used in a negative way, such as when it is used as a “rhetorical weapon in elites’ hands” (Nelson & Kinder, 1996, p. 1055). Nelson and Kinder say, “the framing of issues – by partisan elites and mass media organizations – shapes public understanding of the roots of contemporary problems and the merits of alternative solutions” (1996, p. 1055). These scholars bring up two very important issues, the people who “do” the framing, and the public’s response to those frames.

Those who “do” the framing must possess some sort of capability to disseminate information (Nelson & Kinder, 1996). Typically, this is done by political organizations or mass media outlets (Gamson et al., 1992). These types of organizations typically have the goals and means to reach a mass audience, but the power of the framing does not stem simply from their mass dissemination capabilities (Gamson et al., 1992). It comes from the impact on the audience (Brewer, 2002). The impact of framing is seen when audiences communicate the framed information to a third party (Brewer, 2002), when it impacts issue opinions (Nelson & Oxley, 1999), when it affects public deliberation (Brewer & Gross, 2005) or attitudes toward policies (Henry & Reynan, 2007). With modern digital and social media, and mass crowd-sourcing platforms like Kickstarter.com, less prominent individuals and small special interest groups are able to produce and distribute messages that offer their preferred framing of particular issues; such is the case with Assaulted: Civil Rights Under Fire.

Scholars considered message production and framing on the part of an organization from a public-relations perspective, as opposed to that of messages from
news outlets which are generally considered from a media perspective (Knight, 1999; and Hallan, 1999). Knight and Hallan offer some insight into how framing is of value in the field of public relations and interest-groups. Knight (1999) acknowledged that framing is a versatile tool in the realm of political communication, but argued that it has similar uses in the world of public relations. Frames, whether adopted by the media for a news story or used to mediate debate on a particular topic, have the potential “for achieving the advantageous win-win solution” (Knight, 1999, p. 382). Additionally, framing is a way to “find viable solutions to thorny social problems” (Knight 1999, p. 396). Hallan (1999) furthers the argument that framing is useful in public relations by suggesting seven types of framing that exist: the framing of situations, attributes, choices, actions, responsibilities, news, and – most important to this study – issues. Hallan argued that an issue frame deals with the dispute over the allocation of some sort of a resource or the treatment or portrayal of groups in society (1999). Further, Hallan suggested that issues usually involve some sort of debate within the public sphere that usually gets resolution within a political arena through court rulings or legislative action. Hallan (1999) described the operation of an issue frame as forming:

…information into a context and establishes frames of reference so people can evaluate information, comprehend meanings, and take action, if appropriate. Indeed, the message must be imbued with sufficient clues so that people can make sense of the message… Framing provides those clues (p. 224).

One frame may cue reinforcement of existing ideals or values held by the public, while in another frame may cue contention among existing frames held by the audience (Schwartz-DuPre, 2007). Such was the case for National Geographic’s 2002
documentary *The Search for the Afghan Girl*. Schwartz-DuPre (2007) argued “the text [Afghan Girl] functions rhetorically to refigure the public understanding of, and attitudes towards…policy. Put differently, [Afghan Girl] helped to render acceptable and intelligible what the American public had once vehemently opposed”; namely the implementation of facial recognition software for government use on civilians (p. 433). This signals the dynamic of framing in audience perception development. *Assaulted: Civil Rights Under Fire* is another documentary that is attempting to do change the perceptions of the public. The documentaries’ message, as movie critics noted, strongly resonates with the pro-gun community, and its presentation and inclusion of reasonably relevant stories hope to cue reflection for supporters of gun-control (Leydon, 2013). A framing analysis will allow for insight into the psychological processes of Koenig as he sorted and organized his documentary with the intention of motivating audience members to act in his desired fashion. His choices are reflected in the frames and suggest a particular definition of the problem of gun control, an explanation and moral evaluation of the cause and a proposed solution. The documentary film, *Assaulted: Civil Rights Under Fire*, was an artifact stemming from the most current rhetorical situation on gun control. This documentary contained framed messages that attempted to define the gun debate for audiences. Just how the frames were constructed in the documentary was dependent on the director’s (rhetor’s) subjective perception of the rhetorical situation’s objective complex of elements and exigence (Hermansen, 2014).

A better understanding of the rhetorical complex and exigencies that inspired Koenig to make *Assaulted* will be explored next. First, the history of the American gun-
control debate will be explored. Within that point, both sides of the gun debate will be explicated. This will be followed by a detailed exploration of the current rhetorical situation, the Sandy Hook Elementary School shooting and resultant push for stronger gun-control legislation at the state and nation levels. The last section will background Kris Koenig, his documentary, and how that documentary came into being through crowd-sourced funding on a website called Kickstarter.com.

**The History of the American Gun Debate**

The foundations of Americans’ fascination with guns and self-protection are rooted in the country’s fight for freedom and independence from British control during the American Revolution; in its identification with British law and judgment in development of the Constitution and in legal decisions; the expansion to the western United States into territories that required, at times, for one to protect the lives of family and his or herself; and post-Civil War Reconstruction (Winkler, 2011; Henderson, 2000). During these periods of American history, a debate on gun ownership and use began to take shape around the individual’s right to own guns and the collective’s right to safety (Henderson, 2000) According to Nisbet (2001) the gun debate is not about legitimizing the power of a state or the federal government to regulate firearms, rather it is a philosophical argument about what arms to regulate and how much. For example, even the NRA supports government efforts at preventing guns from reaching the hands of those deemed mentally unstable and felons (Winkler, 2011; Nisbet, 2001). The debate on gun-control in the United States is centered on different understandings of the meaning of
the Second Amendment (Shalhope, 1994). The Second Amendment of the U.S. constitution 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.

Both proponents and opponents of gun regulation place emphasis on different sections of the Amendment in developing their respective meanings and understandings. According to Shalhope, “Opponents of restrictive measures emphasize the free individual’s rights and privileges and adamantly contend that the ‘right to bear Arms’ phrase constitutes to the essence of the amendments” (1994, p.257). The proponents of gun-control emphasize “collective rights and communal responsibilities…these people stress the ‘well regulated Militia’ phrase within the Second Amendment” (Shalhope, 1994, p. 257-258). Though these groups are divided on ideological planes, they are not divided by a traditional conservative/liberal or even Republican/Democrat lines (Kleck, 1991). The remainder of this section will explore each side of the debate to gain a better understanding of the arguments made for or against current gun-control legislation.

**Those against gun-control legislation.** Traditionally, gun advocates are those in favor of less strict legislation regulating guns, or more radically, the full nullification of federal and state gun laws (Henderson, 2000). Those in support of less strict legislation often cite the formation of gun culture in early American society (Winkler, 2011). In short, for these people, gun laws are ineffective in reducing gun violence or mass shootings (Lott, 2003). Further, these advocates argue that guns are the ultimate form of protection from criminals (Lott, 2003). Proponents of easing the restrictions, though
preferably the removing of all laws regulating guns, believe these laws actually give
criminals an advantage because law abiding citizens will tend to follow the law while
criminals will not (Winkler, 2011; Lott, 2003). Further, any stronger laws, such as
banning firearms all together, will be circumvented – much like existing gun laws – by
criminals, leaving law-abiding citizens potentially defenseless against those societal
elements willing to threaten and take lives with guns (Lott, 2003). Ultimately, gun
supporters generally believe “the right to bear Arms,” as established by the Second
Amendment, is a protected civil right, meant to guard the State and its residents from
potential abusive federal government (Winkler, 2011). Any regulation attempting to
control firearms (i.e. registration/purchase databases, banning types of gun, ammunition
magazine capacities, concealed weapons bans, etc.) at either the state or the national
level are one move closer to a government that can and will disarm the public (Winkler,
2011), and in doing so, destroy the American ideals of liberty and freedom (Henderson,
2000). The pro-gun activists are often represented politically by larger organizations
capable of shaping legislation and the American public’s perception of guns.

Politically, pro-gun supporters are represented by several non-profit
organizations; the National Rifle Association (NRA) being the most recognized
(Henderson, 2000). According to the organization’s website, the NRA is rooted in
military tradition from 1871, with the primary goal of “promoting and encouraging rifle
shooting on a scientific basis” (Nation Rifle Association, 2014, para. 1). From its roots in
military marksmanship, the NRA expanded to promote “shooting sports among
America’s youth” at the turn of the twentieth century in 1903, a “cornerstone of the
NRA” which maintains a million plus youth participants almost 110 years after its inception (National Rifle Association, 2014, para. 5). One can conclude the engrained nature of the NRA in our nation’s connections to guns has certainly shaped perceptions for those proponents of leaner gun restriction. As such, the organization maintains a strong political presence at the national as well as state legislatures (National Rifle Association, 2014). According to the organization, the NRA represents the pro-gun public’s values and ideals when it comes to gun ownership and the perception that gun-control laws are unconstitutional attacks on civil rights guaranteed by the Second Amendment (National Rifle Association, 2014). The NRA and its supporters are in constant opposition to those organizations that represents the interests and values of those Americans wanting guns regulated with a more robust system of regulation and law. The opposition’s positions will be explored next.

**Those for gun-control legislation.** Traditionally, proponents of stricter gun-control believe gun ownership, particularly the owning of certain types and styles of firearms are not guaranteed by the Second Amendment (Lott, 2003; Henderson, 2000). This perspective argues that the Second Amendment, as intended by the Constitutional framers, has often been misread to include the individual protection, but was actually meant to be a protection only for the State militias against prohibition by Congress (Shalhope, 1994). From this viewpoint, guns then are not protected from federal regulation or law concerning individual use; federal power stops short of control over the State’s right to form and maintain a militia- today known as the National Guard (Winkler, 2011). Past events in American history concerning gun-control have suggested a racial
bias in the limiting of ownership (Winkler, 2011; Kleck, 1991). For example, after the Civil War in the South, newly freed African-Americans who had been armed by the Union Army during the war were forced by the Ku Klux Klan to turn over their weapons (Henderson, 2000). Today however, gun-control supporters are generally more likely to be female than male, urban residents, non-hunters, and are unlikely to actually own a gun (Kleck, 1991). Surprisingly, those in favor of stronger gun-control have never been victims of gun violence, while those that have been victims often support regulation but not outright banning of firearms (Kleck, 1991). Gun-control supporters believe background checks for gun buyers are a must for preventing firearms from reaching the wrong hands (Stolberg, 2013). They want a stronger gun registration program, aimed at connecting a gun purchase with its purchaser to potentially track the possession of a firearm used in a criminal act (Stolberg, 2013). Ultimately, gun-control supporters believe firearms are a public health concern that can be mitigated through the implementation of specifically targeted laws (Henderson, 2000; Kleck, 1991). Those who fight for tighter gun restrictions are driven by ideals of a crimeless society free of gun violence (Winkler, 2011). The pro-gun-control activists are also often represented politically by large organizations capable of shaping legislation and the American public’s perception of guns.

Politically, the Brady Campaign, a political organization devoted gun-control policy that reduces gun violence, represents the values and ideals of the pro-gun-control public (2014a). The organization was founded in 1974 as the National Council to Control Handguns (The Brady Campaign, 2014b). It would come to be known as the Brady
campaign in 2001, named after Jim Brady, the press secretary to President Ronald Reagan who was shot in 1981 during an assassination attempt on the president (The Brady Campaign, 2014b). Specifically, the organization lobbies for: “policy to keep guns out of the hands of criminals and dangerous people, legal actions within the courts to reform dangerous industry practices, defend sensible gun laws, and public health and safety programs to inspire safer attitudes and behaviors around the 300 million guns in our homes” (The Brady Campaign, 2014b, para. 3). Both the NRA and the Brady Campaign are leaders in the march for change on their respective sides of the gun debate. In times of rising gun violence these organizations, and other smaller groups around the country, become more active in creating messages that attempt to change the perceptions of guns and gun-control for Americans (Henderson, 2000).

**Current gun debate**

Throughout American history, the gun debate has risen to a boiling point only to simmer down and fade out of the national spotlight (Henderson, 2000). Currently, opponents of stricter firearm regulation have argued these laws, aimed at curbing gun violence, are ineffective (Lott, 2003), while proponents of stricter legislation struggle to get gun laws passed (Yourish, Andrews, Buchanan, & McLean, 2013). For example, in 1999, an exigent situation arose within the gun debate after the shooting at Columbine High School in Littleton, Colorado. This attack, by two teenage assailants, resulted in the death of 12 students and one teacher (Follman, Aronsen, & Pan, 2013). This horrific event resulted in proposed gun-control legislation at national and state levels (“Ten Years after Columbine”, 2009). Out of this tragedy, national gun-control debates coalesced,
specifically on the issues of expanded background checks (Frumin, 2013) and the issuance of trigger locks at the time of firearm purchase (“Ten Years after Columbine”, 2009). Legislation generated in the Senate was aimed at strengthening the required background checks for gun purchase and ownership. A tie required then-Vice President Al Gore to cast the deciding vote, moving the bill to the House of Representatives for voting (Frumin, 2013). The lack of support for the bill in the Senate was reflected in the House, as the bill stalled never making it to the legislative agenda for a vote (Frumin, 2013). The Sandy Hook Elementary shooting of 2012 resembled all too well the 1999 Columbine High School shooting and subsequent push for and failure of new gun-control legislation. Like the Columbine High School shooting, the Sandy Hook Elementary shooting caused a national uproar among politicians and the public. President Obama, four days after the shooting, signaled a slight shift in his presidential agenda to focus on gun issues (Baker, 2012). The President insisted he would “in the coming weeks ‘use whatever power this office holds’ in an effort ‘aimed at preventing more tragedies like this’” (Baker, 2012, para. 4). In the 2012 legislative term, the proposed strengthening of background checks could not garner enough votes in the Senate to prevent a Republican filibuster, essentially blocking the bills progress and the advancement of gun-control on the national level (Frumin, 2013). Similar to those awful massacres before Sandy Hook, there was little legislation proposed or enacted to strengthen gun law nationally.

State legislators however, have been much more active in attempting to change gun law, both through the repeal or loosening of regulations and in tightening current law (Follman et al., 2013). On the New York Times website, users can interact with the site’s
interface to track the legislation proposed and passed during state legislative sessions since the Sand Hook Elementary School shooting (Yourish et al., 2013). According to the analysis provided, there have been roughly “1,500 state gun bills…introduced since the Newtown massacre. [Of those,] 178 passed at least one chamber of state legislature. [And, of those] 109 have become law” (Yourish et al., 2013). These statistics suggested gun-control laws have been brought before state legislators in large quantities, but just as the national political critics concluded (Follman et al., 2013), little has been accomplished regarding gun-control at the state level either. Out of 109 bills voted into law, a total of 39 were laws tightening gun restrictions and 70 laws loosening restrictions (Yourish et al., 2013). In all, there were ten categories in which gun laws were classified: Gun Permits, Public Carry, Guns in School, Mental Health, Background Checks, Assault Weapons, Nullify Federal Law, Gun Access, Lost/Stolen Firearms, and Other (Yourish et al, 2013). For example, in all fourteen state amendments made to background check laws in twelve different states, thirteen implemented greater restrictions while only one loosened (Yourish et al., 2013). In the category regarding guns in schools, all nine bills voted into law were aimed at loosening the restrictions on carrying guns while on campus (Yourish et al., 2013). So, it has not mattered whether the proposed bills resulted in laws that expanded or contracted gun rights on a multitude of levels, there is a slim chance that those bills would actually become law. Further when those bills are passed by state legislators, political action has leaned more toward weakening than toward strengthening gun-control law (Yourish et al., 2013). This data was contrary to polling by Gallup
(2013), which suggested 49% of those Americans surveyed wanted stronger regulation of guns.

The statistics on state laws passed since the Sandy Hook shooting and accompanying rise in mass shootings over the last two decades is not only alarming, but also constitutes an exigent situation ripe for a rhetor’s response. It would seem many individuals believe they can and should be the one to guide the public toward exigent-less situations and perhaps a violence-free society. Each discourse has its own affordances that make it more or less effective in alleviating a rhetorical situation’s exigence and moving audiences to become change agents (Bitzer, 1968). Documentaries, as discussed above, offer a rhetor a method of message dissemination that is unlike traditional news media, organizational activity, or even political action (Nisbet & Aufderheide, 2009). In the case of the Columbine High School shootings, the documentary Bowling for Columbine, by Michael Moore in 2002, was created. In response to the 2012 Sandy Hook Elementary School shooting Assaulted: Civil Rights Under Fire, by Kris Koenig, was crafted.

Who is Kris Koenig?

According to Internet Movie Database (IMDB) Kris Koenig is a California native, in his early to mid-forties, who lives in Chico, California (“Kris Koenig”, n. d.). He is a father to four children and an avid gun collector who also likes to hunt, shoot clay pigeons and engages in competitive pistol shooting (“Assaulted”, 2013a). Koenig’s education would not suggest a particular pedigree. He was a graduate of Gilroy High School in 1980, and completed some coursework in general studies, drama, and stage
craft from Galivan College in Gilroy in 1981 (“Kris Koenig: Resume”, n. d.). According to a fact sheet for Assaulted released by the production company, Koenig is an “expert in camera work, interviewing, lighting, writing, and production management” (“Assaulted”, 2013b, p. 2). Given his work in the field and the accolades earned, this position may very well be accurate. Koenig’s filmography contains entries for writer, director, and producer, as well as a nod for second unit director for a driving sequence in a short film titled Salute, in 2009 (“Kris Koenig: Resume”, n. d.). As a writer, Koenig penned nineteen episodes of Astronomy: Observations & Theories, a TV documentary mini-series in 2006 (“Kris Koenig: Resume”, n. d.). Koenig also produced, wrote, and was a co-cinematographer for the televised program as well (“Kris Koenig: Resume”, n. d.). Koenig wrote several feature documentaries including 400 Years of the Telescope released in 2009 and Two Small Pieces of Glass also released in 2009. Like the television mini-series, Koenig directed and produced all of these films as well. For his work, Koenig has been awarded four Silver Telly Awards for 400 Years of the Telescope. These included Cinematography, Writing, Documentary, and Use of Animations in 2009 (“Kris Koenig: Resume”, n. d.). Koenig was also presented two L.A. Emmy awards for Outstanding Non News Writer and Instructional Programming for producer/writer/videographer in 2005 for his work on the Astronomy: Observations and Theories mini-series (“Kris Koenig: Resume”, n. d.). Koenig’s past suggested a predisposition to making documentaries about space technologies and telescopes, however in 2013 he wrote, produced, and directed the documentary Assaulted: Civil Rights Under Fire (“Kris Koenig”, n. d.).
Assaulted: Civil Rights Under Fire. Assaulted was billed as a film “that brings audiences to the center of the controversy over the issue that is dividing our nation—gun control… [by taking] a critical look at current gun laws and the rising movement to restrict the rights guaranteed” by the Second Amendment of the US Constitution (“Assaulted”, 2013a, para. 2). The film intended to answer the questions: “Are visceral reactions to tragedies trumping the words of our forefathers?”, and “Should we allow fear and the growing concern over public safety to limit our civil liberties?” (“Assaulted”, 2013a, para. 3). These questions draw directly on the rhetorical situation stemming from the Sandy Hook Elementary shooting of 2012, as well as the movie theater shooting in Aurora, Colorado, also in 2012, and the Tucson, Arizona political rally shooting in 2011 (“Assaulted”, 2013a). The press fact sheet released by the production company summarized the film’s message:

With the original intention of empowering a citizenry’s ability to defend themselves against a corrupt or tyrannical government, the concept today may seem far fetched or the makings of a Hollywood blockbuster. However, it has happened throughout U.S. history. And long before gun-control was positioned as a “common sense measure” to combat violence, it was used as a means to oppress certain minority groups. Presently, the growing trend in gun-control favors the wealthy and privileged, who leverage their connections to ensure their Second amendment rights and safety, while those of lesser means struggle (2013a, para. 3).

The message constructed throughout the film by Koenig is fairly simple: emotional reactions to tragedies are not useful in establishing laws purported to prevent similar tragedies in the future. Gun regulation, whether stemming from the aftermath of Sandy Hook or other similar tragedies, does not solve the problem of mass shootings and gun violence (“Assaulted”, 2013a). Gun-control laws have really about oppression of
minority populations through gun possession restrictions and high cost associated with
ownership (“Assaulted”, 2013a). According to Koenig, the film was intended to be
“informative and emotional charged” and to serve as “an eye-opening look at the genesis
of the Second Amendment to the Constitution, leading the audience to rethink the issues
surrounding gun control, and the effect on civil rights and liberty” (“Assaulted”, 2013a, para. 4).

The film had a dismal opening, but given that the project did not have major
backing from a large production or distribution company, this is somewhat expected. The
financial backing for the film was not lobbied for in the traditional sense, as Hollywood
rarely funds political controversy (Wilder, 2005). Rather, Koenig chose to open his own
production company, Dead Patriot Films, with the specific intention of producing content
“regarding the 2nd Amendment and gun ownership in America” (“Dead Patriot”, 2014).
As of the writing of this thesis, Dead Patriot Films has only one movie to their credit,
Assaulted: Civil Rights Under Fire (“Dead Patriot”, 2014). Koenig also chose to petition
like-minded financial backers for production and distribution costs in making his
documentary, with the help of KickStarter.com, a burgeoning digital marketplace for
crowd source funding.

Crowd-Source Funding and KickStarter.com. KickStarter.com is a crowd-
source funding website created to connect project creators of all kinds (i.e. films, videos,
music, art, design, and technology) with potential financial backers (2014). Since the
companies launch in 2009, “6.2 million people have pledged $1 billion, [funding over]
61,000 creative projects (“KickStarter”, 2014, para. 1). Through KickStarter, project
creators who have an idea, but lack financing to put that idea into action, can sign up and list their project on the company’s website (2014). Project creators set the funding necessary for the project to be completed and the deadline for the funding to be raised (2014). If backers like the project, they can pledge money to the creator with the hopes of helping him or her get the project off the ground (2014). KickStarter states that backers do not profit financially from the donations made in funding a project, instead creators retain “100% ownership of their work” (2014, para. 4). KickStarter suggested backers benefit by altruistically “supporting [the project creator’s] dream to create something that they want to see exist in the world” (2014, para. 6). One requirement of the site is that the funding is “all-or-nothing;” meaning “projects must reach their funding goals to receive any of the money” backers have pledged (2014, para. 3). Should the project fail to reach its goal, all of the money collected would be returned to the backers (2014). According the sites figures, “an impressive 44 percent of projects have reached their funding goals” (2014, para. 3). Assaulted: Civil Rights Under Fire constitutes two projects that have successfully reached full funding.

In total, Koenig posted two projects relating to Assaulted, one project was for pre-production costs associated with travel, interviews, and copyrighted material (“KickStarter”, 2013a) while the second was for post-production costs in editing and scoring the documentary, distribution, and legal fees (“Kickstarter”, 2013b). Koenig attracted a total of 925 backers who contributed $71,140 of a set $65,000 goal to fund pre-production and filming costs (2013a). The film was originally billed as a revelation of
California’s role in the “battle between public safety and the 2nd Amendment” (“KickStarter”, 2013a). According to Koenig’s Kickstarter page for Assaulted:

The film takes a critical look at the original intent of the current California laws in contrast with crime and murder statistics before and since their implementation; and compare these laws to those of the adjacent states. Story threads also look at the myriad of concealed carry permitting processes across the state to illustrate that not all residents are treated equal (2013a, para. 2).

A few of the stories in the film were meant to create a larger narrative around the gun debate, “that will start a meaningful conversation, not add to rhetoric” (2013a, para. 4). These stories include several titles: the Battle of Athens follows the events of 1946 in McMinn, Tennessee, in which recently returned “GI’s from WWII faced off with a corrupt county sheriff and his cronies…by the applied use of the 2nd Amendment” (para. 6); Deacons for Defense tells the story of “an armed group of black men [who] protected the civil rights workers, broke the stranglehold of the Ku Klux Klan in Louisiana and secured civil rights for all citizens in the South (para. 7); and Guns for the White Man only which intertwines several stories of whites maintaining control of access to guns for blacks, minorities and the poor (“KickStarter”, 2013a). Koenig also noted that Southern Oregon Public Television would be the Public Broadcasting Station packaging the documentary for distribution (“KickStarter”, 2013a). Koenig was able to fully fund pre-production costs in a thirty day period, from September 4, 2012 to October 4, 2012 (“KickStarter”, 2013a). Five months after the initial project was funded in October of 2012, a post-production finishing fund Kickstarter was listed.

For post-production, Koenig was able to solidify 1047 backers who contributed $77,597 of the set $70,000 goal (“KickStarter”, 2013b). The film was now being billed
as a “critical look at the original intent of current gun laws across the nation in contrast with crime and murder statistics before and since their implementation; and compares these laws to those currently proposed by the President and various states” (“KickStarter”, 2013b). This is not much different from the pre-production listing; however, the theme had shifted some to account for the rise in exigence being experienced at the time. During this five-month gap on a December morning in 2012, the tragedy at Sandy Hook Elementary School Newtown Connecticut happened. The film was now focused on a national audience and the laws aimed at limiting the scope of the Second Amendment (“KickStarter”, 2013b). Even with the slight change, Assaulted was funded in just 24 days, from January 23, 2013 to February 16, 2013 (“KickStarter”, 2013b). Koenig’s hope was to have the documentary’s “theatrical release in March of 2013 followed by distribution by Southern Oregon Public Television” (“Kickstarter”, 2013b, para. 13). The film was not released in theaters until June of 2013 (“Assaulted”, 2013a). The film was shown in a handful of theaters around the country, copies were made available for purchase online, and digital downloads are still available through iTunes, Amazon Instant Video, Vudu, and Google Play (KickStarter, 2013a). Koenig even made available the opportunity to host viewings of Assaulted through an internet distribution service known as tugg.com which can set up large viewing parties for groups (“Kickstarter”, 2013a). For the purposes of this thesis, the DVD version of Assaulted: Civil Rights Under Fire (Koenig, 2013) was analyzed.

From the perspective of Bitzer’s rhetorical situation, a description of the objective complex of elements is necessary in understanding the discourse created to relieve its
exigence (1968). The preceding section on the history of the gun-control debate has accomplished this. The rhetorical situation gave a platform from which to critique Assaulted’s message by locating the objective elements from which Koenig was able to select in creating his rhetorical response. To further understand the actual discourse, and its potential ability to motivate audiences into becoming mediators of change, the attempted framing on the part of Koenig must be examined and analyzed. Koenig’s act of framing was an act of selecting and making salient some aspects of the current rhetorical situation while leaving other aspects out of the conversation all together (Entman, 1993). Koenig’s framing attempt symbolized his subjective interpretation of the objective elements of the rhetorical situation. Scholars, then, can look to the objective elements from which Koenig chose and utilize its categorizations as a comparative tool, of sorts, with which Assaulted’s message can be evaluated and analyzed. The absence and presence of particular rhetorical elements suggested that the messages in Assaulted were not as reasonable as critics, movie reviews, or Koenig proposed. Further, it suggested that Assaulted: Civil Rights Under Fire was not a “fitting” response to the exigence surrounding the current gun-control debate.
Chapter 3

ANALYSIS

The current case study used Entman’s conception of framing as a lens to view Koenig’s construction of Assaulted’s messages. Framing, according to Entman, is made up of four aspects: first, the rhetor defines the problem plaguing society; second, a diagnosis of a cause of the societal ill is forwarded; third, a moral evaluation is made of the problem and its cause; and lastly, a treatment recommendation is promoted to solve the problem defined (1993). Using Entman’s conception of framing to analyze the film, this case study revealed how Koenig defined the problems of the gun debate, what he ascertained the cause of the problems were, what moral evaluation he assigned to the problems and causes, and what the preferred course of action was recommended for the audience to treat the problems defined. Entman’s conceptualization of framing will be discussed hierarchically. Meaning, Koenig constructed one overarching argument for the problem definition, causal interpretation, moral evaluation, and treatment recommendation of the debate on gun-control. The main frame Koenig proposed was that there have been many misunderstandings held by the public concerning the debate on gun-control. In framing his argument, Koenig constructed smaller, more nuanced secondary frames in which the main frame was developed and supported. Koenig also constructed each of these secondary problem definitions with causal interpretations, moral evaluations, and treatment recommendations of their own. The main frame problem definition was constructed mainly in the introductory chapters of the DVD, while secondary problem definitions, causal interpretations, moral evaluations, and
treatment recommendations were explored, developed, and explicated in the main body chapters. Koenig made his final appeals in the concluding chapter which helped to solidify the secondary frames and main frame respectively. The analysis of each aspect of Entman’s framing conception is contained in the following sections of analysis.

**Defining the Problem**

The first aspect of framing, Entman suggested, was to define the problem and the issues surrounding the problem. For Koenig, the problems with the gun debate were interrelated. In the synopsis, Koenig began his framing of the debate on gun-control for the audience prior to any actual viewing of the film. Koenig noted in these descriptive lines that he would be taking a “critical look” at the gun debate, which suggested that most considerations of gun laws are approached uncritically, and that the “rising movement to restrict gun rights” is a movement that is motivated by uncritical, and baseless information. Koenig began setting the parameters of his perspective early on, but it was in the first two chapters that he developed the main problem – misinformation and misunderstanding surrounding the gun debate – more concretely.

**The Main Frame**

The DVD synopsis suggested the problem of misinformation and misunderstanding surrounding the gun debate was multi-layered. First, the problem was controversial, enough so to divide the public into factions in support of or opposition to gun-control laws. Second, Koenig insinuated that gun laws are actually attempts to “restrict” rights established in the nation’s governing document, the Constitution (2013). When coupled with the subtitle of the documentary, “Civil Rights Under Fire,” Koenig defined gun laws
as attacks on constitutional civil rights. Additionally, Koenig asserted the audience should consider legislative policies aimed toward the restriction of guns in regard to their effects on civil rights and liberty for all citizens. Further, Koenig’s assertion that laws meant to restrict firearms on any level were an attack on civil rights borrowed the rhetorical ground of liberals who during the civil-rights movement fought for the freedoms of all people guaranteed by in the Bill of Rights and the US Constitution. For Koenig, any “assault” on guns was reminiscent of laws that banned African Americans from voting, going to school, buying land or any other form of Jim Crow Law this country has seen (2013). When the rhetorical ground was framed in terms of liberal ideals, liberal, anti-gun sentiments – which were generally aimed at reducing the effects of gun violence on the public – are hard to argue for. A liberal who asked for another gun law, within the framing constructed by Koenig, would be fighting against ideals that are fundamental to their very own beliefs. In sum, these statements formed Koenig’s main problem definition, that there is a lot of misinformation surrounding the debate on gun-control, and further, that this problem is complex and multi-faceted.

The opening lines of the film’s first chapter restated the main problem definition constructed by Koenig on the DVD’s back cover synopsis. The narrator stated that the Second Amendment is “just twenty-seven words strung together into one simple sentence. Yet, its meaning and purpose in our modern society has created on of the biggest debates in recent history. ‘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’” (2013) These opening lines reinforced the main problem definition by
suggesting the Second Amendment is relatively simple to understand, but because the “meaning and purpose” are misunderstood by the public, how the amendment applies to “modern society” is continually debated (2013). In constructing the problem definition, Koenig did not choose a side from which to argue. Instead, the frame chosen by Koenig was described as a “critical look,” that takes into account the debate as a whole (2013). In this frame, an audience member, whether they are for or against gun control, is not presented with another piece of rhetoric that is clearly for or against the issue of gun-control. Rather, the frame spoke to both conservative audiences and liberal audiences, by suggesting that all parties are misinformed to some extent.

**The Secondary Problems**

Koenig’s framing of the main problem definition relied on the framing of four secondary problems. These problem definitions are: 1) the public is misinformed about the meaning of the Second Amendment; 2) the public is misinformed about the definition of the gun owner; 3) the public is misinformed and uneducated about guns; and lastly, 4) the public is misinformed about the effect of gun laws and reducing gun violence. Each of these secondary problem definitions will be explored next.

*“It’s just twenty-seven words”*

At the beginning of the chapter titled, “What is the meaning of the Second Amendment?”, Koenig places an interview with 70’s rocker, Ted Nugent, who is often associated with the pro-gun community. Nugent is often depicted as the far-right wing, Bubba Buckshot stereotype introduced by Koenig as an image liberal, anti-gun supporters typically conjure when thinking about gun owners. Invoking his considerably biased
definition and reflection on the second amendment, Nugent stated, “The second amendment is so simple… ‘Keep and bear arms’ means they’re mine. You can’t have them. And I’ve got some on me right now and they’re loaded.” Koenig made a clear choice to show Nugent as a real life personification of the stereotype, that this person does, in fact, exist in our country. Koenig turned the stereotype upside-down through the framed message that the meaning of the second amendment is not generally treated as simplistically by those who debate the actual understanding and meaning derived from it. Further, this moment in the documentary seemed to speak to those in opposition to guns. It reinforced Koenig’s centrist frame by making a mockery of the fringe, radical pro-gun community, and drew liberal thinking audiences further into his framing of the problem gun-control laws. This “fair-play” Koenig engaged in suggested to the audience that just as the liberal anti-gun advocate is misinformed about the second Amendment, so too, is the conservative pro-gun advocate.

Immediately following Nugent’s comments, the narrator stated politicians and scholars have continually questioned the meaning of the second amendment. Koenig argued these individuals contend the “second amendment to the constitution is outdated and no longer valid in our society” (2013). Koenig followed this line with several rhetorical questions that the documentary was charged with answering: “But can we throw out our country and the individual bricks, called ‘civil rights’ in the name of public safety? What did the founding fathers envision when they wrote the second amendment? And can we continue to pay the price with human lives to support it?” These questions suggested several things. First, regulation, restriction, or removal of the Second
Amendment, an amendment that is a civil right given its place within the Bill of Rights, would be like removing the keystone from an archway, and ultimately result in the destruction of our country. Second, the Constitutions’ framers envisioned the Second Amendment for particular reasons that are rooted in history. Lastly, Koenig advanced, humans have “continually” risked and sacrificed their lives in support of the Second Amendment and their civil-right to self-defense.

To help answer these questions and further define the problem of the misunderstanding of the meaning of the Second Amendment, Koenig introduced several interviewees. The first was David Kopel, Research Director of the Independence Institute. Kopel claimed that “guns have been a part of American culture” since the first European explorers began treks to the Americas some “four centuries ago.” Koenig used Kopel’s comments on the history of gun culture to help define the relationship between guns and the American public. Koenig cut Kopel’s comments to interject a quick note from Professor Eugene Volokh, Ph.D., at the UCLA School of Law. Volokh’s comments reflected the development of the American Constitution in relation to English law, which confirmed to Constitutional framers that citizens’ had maintained the “right to have arms for a hundred years” (Koenig, 2013). Koenig transitioned back to Kopel, who explained that the right to bear arms was “a pre-existing right,” much like the first amendment rights to assembly, to speech, to press, and to religion. Kopel, and thus Koenig, believed the second amendment right “to keep and bear arms” was not a right dreamed up by the framers of the U.S. Constitution, but rather served as a fundamental right of self-defense.
that all humans have, “simply by virtue of being human.” Koenig, again, transitioned back to Volokh with the intent of clarifying the civil-right of citizens to self-defense.

Koenig used Volokh’s comments to highlight the historical reasoning behind the adoption of law that restricted a government’s ability to confiscate weapons and disarm the public, particularly when the public maintains a position counter to that of the government. Volokh cited the example of the “Glorious Revolution, a largely bloodless revolution” in England during the late 1680’s. The development and implementation of the English Bill of Rights ensured the rights of the public, particularly Protestants, to keep and bear arms against undue governmental influence, which at the time, was controlled by a Catholic monarchy. Koenig transitioned back to Kopel to contextualize the notion of self-defense in America, and to argue, though the right self-defense is virtuous, it comes with a responsibility to the community, as well.

Historically, colonial America depended on the armed citizen for protection of personal property as well as the larger community. To support this argument, Koenig introduced Judge Phillip Journey, from the Eighteenth District of Kansas. Journey spoke on the framer’s intentions when constructing the Constitution and the Bill of Rights. Journey suggested the framers were motivated by the pursuit of liberty, and the proposed Bill of Rights was installed in the Constitution because it was the “ultimate guarantor of all our freedoms. When the courts fail, when the legislature fails, when the political process fails, there is one final way to protect your freedom and your liberty.” Koenig used the comments of Wesley Morris, a gun store owner, to further solidify his position of the meaning of the right to bear arms. Morris claimed that the second amendment is
really about the “right to defend ourselves form tyranny, whether it’s from a criminal element, or an oppressive government.” Koenig transitioned back to Volokh, who suggested that the courts are not currently faced with deciding whether the right to keep and bear arms includes protection from a tyrannical government. Further, he stated that should the court task itself with ruling on such a case, endorsement would be unlikely, “regardless of the historical evidence for that.” Audience members, particularly the anti-gun crowd, are forced to imagine a time when the U.S. government, or a governing body such as law enforcement officers, had been tyrannical. Volokh is cut off by the narrator who stated, “The thought of a civilian uprising against tyranny seems like a farfetched idea of a Hollywood feature film. But is has happened.” Koenig inserted the narrator’s comments to move the documentary to the next chapter, “The Battle of Athens,” and assured those who could not come up with an instance where the public has fought back against an oppressive government that such events have occurred in America’s recent past.

Koenig began the “Battle of Athens” chapter by having the narrator set up some context of the story to follow. Koenig uses this moment in 1945 as an example of when a group of armed citizen’s rises up against a tyrannical force. In Athens, Tennessee, a local sheriff and his group of corrupt officers bullied the population and attempted to control the outcome of local elections. Newly returned World War II veterans armed themselves and liberated the town from law enforcement’s oppressive control. Koenig used this story for two reasons. First, he uses it to support the claim that guns, when used for good, have the power to disrupt the strongholds of oppression, like those in Athens, Tennessee.
Secondly, Koenig’s framed narrative reinforced the problem definition, that the gun and gun owners are misrepresented as evil.

**The Misrepresented Gun Owner**

Early in the opening chapter, Koenig argued that the media has often misrepresented the gun owner. He chose comments by Gary Kleck, Ph.D. and professor of criminology at Florida State University, to describe the common stereotypical representation of a gun owner as not that of the average American. Kleck states:

> There are people who like guns and people who don’t like guns, and the people who strongly support gun-control often despise the characteristics they associate with gun ownership. They’ll [gun-control supporters] view a typical gun owner as a politically extreme right-wing person as a person who’s indifferent to the suffering of victims of gun violence, as an ignorant, backwoods hick. Because they dislike the stereotype associated with gun ownership, the feel no qualms about restricting gun ownership very severely. They don’t think that group has any rights that they need to respect.

Kleck discussed the caricature most gun-control supporters hold of gun owners as “a politically extreme right-wing… ignorant, backwoods hick.” Koenig used Kleck’s comments to argue that this stereotypical perception, one which is misplaced given the actual demographics of gun-owners, has led those who don’t like guns to support legislation and regulations that limit and restrict the gun owner’s ability to own or possess firearms. The problem with the gun debate, as Koenig is argued for in this opening chapter, is that the debate on gun-control has historically been decided on the terms of the radical gun owner stereotype; that gun-control is, in essence, to control those on the fringe to prevent gun violence. Also, Koenig is disrupting the perceptions of audience members who actually hold this conception of the gun owner to be true. Koenig
stigmatized the thoughts of those audience members who have held the perception of the redneck hillbilly by stating the perception was a stereotype of gun owners. From this position, Koenig developed and forwarded his own definition of gun owner – one that was not defined by homogeneity.

To support the claim that the stereotype of the radical gun-owner is misplaced, and that the gun community is rather heterogeneous, Koenig offered the comments of Chris Cheng, a professional marksman who also happens to be Asian-American. Koenig’s choice of this interviewee to discuss the demographics of the average shooter reinforced the notion that the stereotype is more often than not, misplaced. Further, Koenig’s choice in which of Cheng’s comments to use in the documentary broaden the stereotypical definition of the gun owner from the far-right, uber-conservative, slack-jawed yokel to include “all sorts of races, men, women, young, [and] old.” In another attempt to reinforce his claim that stereotypes of the typical gun owner were misrepresentative of the actual gun-owning community, Koenig introduced Thomas Boyer, the spokesperson for the San Francisco chapter of the Pink Pistols, “a LGBTQ firearms association, or a gay gun group” (2013). According to Boyer, the group’s hope was to dispel the perception “that gay people don’t own firearms.” The short focus on the Pink Pistols reinforced Koenig’s argument about diversity in gun ownership. It also reinforced that not only were conservative people gun owners, but also those people to be considered more liberal-minded. Koenig, in a sense, spoke to the liberal viewer in a way that says, “Why, yes, you are accounted for as well.” The broadening of the definition of the gun owner helped to draw those individuals who are staunchly opposed to guns into
the rhetorical space. Anti-gun audiences, who are generally more liberal-minded, were asked to at least consider the documentary further because it gave voice and a sense of agency to the LGBTQ community; a community often under-represented in political discourse and often opposed on by the conservative mindset associated with the stereotypical gun owner.

To further broaden the definition of a gun owner, and thus the perception of gun ownership, Koenig introduced Gene Hoffman of the CalGuns Foundation, a pro-gun organization in California. Hoffman’s comments spoke to the shift in gun ownership demographics to the “new, younger gun-control movement.” Hoffman declared that gun-control is now “more about civil-rights. We’re more interested in making sure that the grandmother in east Oakland has a shotgun, ‘cause she is the one without adequate police services.” Koenig moved the rhetorical boundaries of the gun-owner definition through Hoffman’s comments, to include not only those victimized because of their sexuality, but also those individuals targeted because of their age or location. Koenig expanded “gun-ownership” to include not only the stereotypical gun owner, Bubba Buckshot, but also other minorities who have benefitted, or may have the potential to benefit, from gun ownership.

Koenig introduced Attorney Kevin Thomason as a means of broadening the definition of a gun owner from a person that lives in the country setting to a person that lives in the inner cities. Thomason commented on the perception that some locations in the U.S. are often deemed criminal, while, in fact, that perception is created by the actions of a small segment of the population living there. Thomason stated, “Most
people… are law-abiding citizens. They rely on the right to self-defense to literally stay alive, to protect their homes, to protect their families, protect their businesses.” The final interview in this initial introductory sequence was with Bobbie Ross, a civil-rights attorney. She stated that in some locations, citizens have not only been under-protected by law enforcement, but often times they were completely unprotected. Ross rolled over her last all-encompassing term, “wherever,” and expanded the problem of self-defense to the potential universal audience. Koenig’s use of her comments broadened the definition much more by including locations other than Oakland, such as “South Central [Los Angeles], Compton, or Watts,” and further. A person may need a gun to protect his or her life when law enforcement cannot, or will not, protect it for them. The statements of Cheng, Boyer, Hoffman, Thomason, and Ross helped create identification with the audience by expanding the conception of the stereotypical gun owner.

With this introductory segment, Koenig has taken the stereotypical notion of a gun owner, often held by those who want gun-control legislation, and turned it on its head, reframing the conception of the gun-owner to include particular demographics not normally associated with gun-ownership, such as those with differing sexual orientations, the elderly, and all other law-abiding citizens, “wherever” they may be. As Koenig further developed his problem definition of the gun owner, he interjected the narrator to focus the audience on the effectiveness of the gun in situations of self-defense, particularly those situations when victims are physically outsized by their attacker. Koenig’s slight shift in topic continued the expansion of the gun owner definition, and
also began his framing of the next secondary problem definition of guns and the misinformed public.

**The Gun Distortion**

Following Koenig’s presentation of the misinformation of the gun owner stereotype, Koenig chose next to indict the misinformation surrounding the gun itself. Koenig called the gun “the great equalizer,” because it “does not rely on strength or incredible speed to be used. It allows a 5’, 90-pound woman to defend herself against a 6’, 200-pound attacker.” Koenig draws a fairly large distinction between his supposed victim and attacker, but the point is made fairly clear, that the gun has the capacity for the smallest of the small to match up with the biggest of the big in a physical confrontation. It also reinforced the problem definition of the gun owner by suggesting the victim in the example is small in stature, a woman, and seemingly defenseless against a large male attacker.

At its base, Koenig argued, there is a misunderstanding of the philosophical purpose of the gun. In developing the introductory chapter of *Assaulted*, Koenig cleverly pushed the documentary further toward the side of pro-gun by taking the stance that guns are mechanistic and thus amoral. This frame has been consistently invoked by gun supporters in the phrase, “Guns don’t kill people. People kill people.” Koenig seemed to suggest that he did not create a documentary that would follow, absolutely, this line of thought. The narrator’s comments, and thus Koenig, described “what is really at the heart of” the gun debate in the United States: “this quandary of good and evil that the gun possess—both sides clinging to their vision of the gun but not willing to listen the other,
holding onto fear and misconception while waging a war of rhetoric.” The narrator’s statements were followed by a man speaking at a rally that could potentially be either for or against gun-control. It served as a symbol of the rhetoric produced within the debate on gun control. In particular, the clip chosen takes the stance that gun laws are “depriving citizens of the right to defend themselves;” a stance that “is not reasonable.” In these examples, Koenig argued the philosophy of the gun as a means for self-defense, the most vital defense if our system of government ever collapsed, not as the source of gun violence. Another way to better understand the gun, Koenig posited, was to be familiar with the guns’ differentiating qualities.

The misunderstanding of the gun and its physical properties often results in mislabeling of certain types of weapons. Koenig enlisted Alan Samuel to describe the differences between two seemingly identical firearms. Koenig chose to place Samuel’s comments in several chapters, the first being chapter three, “Guns for the White Man Only.” Samuel begins with the notion that audience members who are unfamiliar with guns do not have a trained eye capable of discerning one rifle as an automatic firearm or another as a semi-automatic firearm. The only visible difference is in the selector switch just above the pistol grip and trigger, on the main body of the weapon. The automatic M-16 has three options: safe, fire, and full (automatic), while the semi-automatic has two options: safe and fire. Koenig used the demonstrations of Samuel not only to show those who are unfamiliar with guns that they are, in fact, misinformed or possibly uneducated to the details of different firearms, but to educate and reframe the notion of the gun by explaining the subtleties between two very similar weapons for those that are
inexperienced. Samuel was called on again to discuss the different caliber of ammunition fired by the two different firearms in the chapter titled “The Armed Citizen.” The first demonstration was of the semi-automatic AR-15, which shoots a much smaller round, the .223, which is essentially a .22 round used in small rifles for target shooting. The target was a plastic bottle filled with red liquid. When the .223 bullet hit the target the bottle was pierced and the liquid flowed out; a second round hit it and knocked it off the ledge on which it sat. The second demonstration was the full-automatic M-16, which shoots a much bigger round, the .30-06, which is a round meant for hunting. The target for this demonstration was also a bottle, but with orange liquid. When the bottle was hit, just a single time, it was decimated. Like an explosion, the bottle burst spraying orange liquid, and vanished off screen as if it were evaporated by the sheer force of the bigger bullet.

Koenig chose a demonstration of two easily conflated gun types to reinforce his claim of the media misrepresentation of guns. In some of the recent mass shootings discussed in the introductory chapter of this thesis, the media has often confused the smaller, sporting rifle for the more powerful military assault weapon. This misrepresentation, Koenig argued, is the foundation for the institution of gun laws that attempted to control the access of such powerful weapons by criminals, but in the process, the rights of law-abiding citizens were also affected. This problem definition will be explored next.

**The Effects of Gun-Control Laws**

As already developed in this analysis, Koenig asserted the last problem is that the public is misinformed about the effects of gun-control laws. Koenig, through the parade
of his interviewees’ comments throughout the film, claimed that gun-control laws do not really reduce or prevent gun crime. Gun-control laws do, however, limit access to guns by minorities. He argued that in colonial America “slave codes” existed to prevent slaves from owning weapons. These laws become “black codes” in the post-Civil-War era, which continued to bar newly freed African Americans access to firearms. Koenig turned again to the interview with Hoffman for examples of other minorities who had restricted gun rights. Hoffman stated, during the 1920s carry-concealed laws were instituted to “quiet the Tong community or take the passion out of the Hispanic communities” in California. A more recent example of the gun laws meant to restrict minority gun-rights involved the Black Panthers marching on the capital of California. The Panthers walked into the building carrying automatic rifles and handguns to make a statement about their mistreatment and abuse by law enforcement. Legislative action was taken by a republican state senator, and was signed into law by republican governor, Ronald Reagan. The law restricted the “open” possession of firearms in public.

Gun-control laws also limit access to guns through socio-economics. One example already discussed was the NFA of 1934, which was intended to stop organized crime violence through tax evasion traps. The unintended consequence from the law prevented poorer members of the public who could not afford the stamp tax from obtaining certain classes of firearms for sport or for protection. Another example, Koenig argued, were enhancements to the NFA during the civil-rights movement, in the banning of the importation of cheap handguns, made gun ownership unreasonably expensive. Though these gun laws are aimed at preventing access to criminals, Koenig argued these laws
actually represent “infringements” on the Second Amendment, and the law-abiding citizen’s right to self-defense.

The “apex of that infringement,” Koenig argued, was the Firearms Control Act of 1975, passed in the District of Columbia. In response to a rise in gun violence, the District passed the act which restricted ownership of handguns and both semi- and full-automatic rifles to law enforcement or to guns registered before 1976. This narrative made the point that gun laws are not effective in reducing gun violence, and in this example of Washington D.C., it actually caused an increase in gun-related crime. Koenig inserted comments by Henry Winkler, who moved to D.C. ten years after the passing of the 1975 Act, and at that time, the District was considered to be the murder capital of the country.

In their actions to rid the country of an amoral machine, Koenig argued gun-control advocates have rendered defenseless the law abiding citizens who may otherwise lack protection from law enforcement. This is a position that is in direct opposition to the arguments presented by Koenig that guns are a societal benefit because they allow for self-defense. This positioning of the rhetorical boundaries also reinforces the pro-gun notion of a firearm’s amorality, because individuals, whether they are for or against guns, make choices that have the ability to shape the will of the gun. The old pro-gun adage is invoked again; “Guns don’t kill people. People kill people,” but with a twist. Koenig seemed to believe this, especially instances when legislation is enacted that limits the use or ownership of firearms. He developed a notion that those “people” supporting the bill made a choice at the ballot box that has the potential to “kill people,” just the same as
someone who holds a gun has the choice to pull the trigger and kill a person. The onus of death is on the person not the tool. The killing mechanism proposed by Koenig in *Assaulted* is legislation, enacted by “people” that prevents self-defense, not the gun used to enable it. The narrator stated at the close of the introductory chapter, “it’s words and concepts this debate is about, not the gun” (sic). This final comment solidified the documentary’s place in the pro-gun rhetoric, as *Assaulted’s* clearly framed content pushed the audience toward potential misrepresentation of gun owners and misunderstanding of the actual impact of gun laws that result from the often-heated rhetoric surrounding the gun-control debate as the issue at hand. Again, Koenig stated the problem is “not the gun,” which took focus away from the notion that “guns kill people,” and forces the “people kill people” frame. The gun is merely a tool, much like that of the ballot; it is the means of a problem with criminal violence, but not the reason for the problem. These arguments and evidence, used by Koenig as support for the main problem definition, are woven together in varying form throughout the remainder of the film.

In essence, these four secondary problems created the main problem definition of misinformation driving the current rhetoric in the gun debate (2013). Explored next are the causes Koenig assigned to these problems.

**Interpreting the Causes**

Like the problem definition, Koenig suggested the causes to the main and secondary problems are multi-layered. As already mentioned in the problem definition section above, the causes of the main problem, constructed by Koenig, were situated within the secondary frames. In defining his frames, Koenig chose to first invoke the definitions that
the audience may already be familiar with, such as the stereotypical redneck, gun owner. He then suggested that the stereotypical definition is often misplaced because of media portrayals of gun owners and gun violence. Inaccurate interpretations of firearms and their owners have resulted in the misrepresentations of the gun itself as evil, and have led to legislation that has diminished the intended meaning of the second amendment while attempting to control the inherent evil a gun possesses. These secondary problem definitions were woven together to support the larger problem definition of misinformation surrounding the debate on gun-control. These are problems Koenig attempted to fix in Assulted, but not before he assigned causes to these problems. Koenig’s interpretation of what caused the problems will be explored next, and in the same organizational pattern as the previous section.

**A Muddled Amendment**

Politicians and scholars who argue the second amendment is no longer valid in today’s society have pushed legislation that is aimed at disarming the public for reasons of public safety. In the chapter titled “Money, Guns, and Lawyers,” Koenig argued that Senator Tom Dodd, author of the 1968 Gun Control Act, and lawyer during the trials of former Nazi officials in Nuremberg, was witness to the powerful effect of gun-control on a population. Koenig argued the Nazi’s, as well as Soviet Russia under Stalin, used gun-control to render the population defenseless and thus incapable of stopping millions from being slaughtered. Koenig mentioned this anecdote to suggest “a quirky fact” about the 1968 Gun Control Act authored by Dodd. It was quite similar to some of the rules and regulations of firearms implemented by Nazi Germany in the 1938 German Weapons
Act, just before the Nazi’s began rounding up scores of Jewish citizens. Koenig’s supposed the cause of misunderstanding of the Second Amendment, when framed as legislative action, was tied to one of the worst atrocities this world has witnessed in the past decade. This connection in particular, forced viewers to confront their attitudes, thoughts, and feelings about gun-control in light of a mass genocide that resulted in the deaths of nearly 15 million people over two centuries. A viewer who advocates for gun-control most likely will not want to align themselves with horrors of mass murders, so, the unspoken option Koenig suggested was to rethink the Second Amendment and become a pro-gun advocate. For Koenig, the cause of the misunderstanding of the Second Amendment did not fall on the shoulders of politicians alone.

According to Koenig’s framing, the court system is charged with the interpretation of the law, and there are instances in history when the court system has wavered on the rights guaranteed in the Second Amendment (2013). For example, United States v. Miller, in 1939, a case appealed to the Supreme Court, challenged a provision in National Firearms Act of 1934 that required a $200 tax stamp be paid prior to legally owning firearms regulated by the Act. The court ruled that the ban was constitutional, and further, the court extended the rights protected by the Second Amendment only applied to the states – focusing on the “security of a free state” clause in the amendment – not to the individual. Koenig argued the Miller decision set in motion roughly fifty years of court perspective that favored regulation for the public and freedom for the state. Koenig developed a frame in which the cause of bad gun laws can be reduced to the overreach of a powerful government. When considered in conjunction with the cause of political
legislative push, and the connection Koenig made between the U.S. Gun Control Act of
1968 and the German Weapons Act on 1938 in Nazi Germany, the cause of the
misunderstanding of the Second Amendment among politicians advocating for gun-
control is one which borders on the tyrannical as it limits access to firearms by the law-
abiding public.

The Media & Rednecks

Koenig asserted that the cause of the problem of misinformation surrounding the
gun debate is born out of the causes of the misrepresentation of the gun owner. Koenig
argued the problem definition was a misrepresented gun owner characterized by
stereotypical representations like redneck, or backwoods hick, by media at large (i.e.
television, movies, news reporting, etc.), or as gangsters and criminals by politicians and
law enforcement. Koenig asked the audience to consider the means by which the media
get their content and how the reporting of that content, in turn, shapes what is known by
the audience about gun owners. The choice by Koenig moved the cause of the problem
from the media to that of the public, and in particular to empowered politicians that
focused on the connection between gangsters, criminals and guns. Again, the example of
Senator Dodd was a concrete example of the move by political actors to connect violence
during the civil rights movement with criminal elements and the need to restrict guns.
Another example already discussed was the implementation of the National Firearms Act
of 1934, which made law-abiding gun owners or potential gun owners, criminals or
gangsters if the tax was unpaid. Koenig implied those who were unable to afford the tax,
but still wanted to possess a firearm banned by the Act, undoubtedly turned to illegal means for acquiring a banned gun. Further, a stigma was associated with these types of weapons that suggested those who owned or possessed these guns were gangsters, thugs, or criminals.

*The Media Says, “Guns Are Bad!”*

Koenig argued the stigmatized perception of the gun owner bled onto the perception of the gun held by the public. Koenig again placed the cause of gun stigmatization on the “glorification” of guns in popular media. Media portrayal has led to the misrepresentation of guns in other public arenas. Both of the Acts detailed in the above sections also represented examples of Koenig’s causal interpretation of the misinformation about guns. Koenig posited the laws implemented in federal and state legislatures have categorized guns based on misinformed reasoning. Koenig’s framing of the “demonization” of guns constructed by the news media, politicians, and anti-gun groups, has also led to public misinformation about guns by causing confusion through generalizations of gun type. Koenig explained that misinformed reasoning has led to the unreasonable support for laws that regulate guns that should not be regulated.

*Misguided Perception to Misguided Law*

The explicit causes for the misinformation about the effect of gun laws is surprisingly absent from Koenig’s documentary. Koenig chose to include only one instance where the public was misinformed about effects of gun laws. It was placed at the close of the documentary. Koenig chose the comments of Donald Kilmer, Jr., a civil-
rights attorney and gun-rights supporter to address directly the misinformation about the
effect of gun laws, Kilmer stated:

I give this to the gun banners. I’m in full agreement with them that I’d like to stop
violence, okay? The problem is that there’s almost a philosophical issue there,
okay? How do you maintain your freedoms under our constitution and deprive
people of the means of self-defense in your attempt to try and prevent what are
actually rare occurrences? Gun crime is actually down in this country. Violent
crime overall is down in this country. And people just refuse to acknowledge
these statistics. Yet firearm ownership is at an all-time high.

Kilmer’s comments suggested the cause of the misinformation is simply, “people refuse
to acknowledge the statistics” of reduced gun crime and violent crime overall currently in
the United States. The cause of this problem must be inferred by considering the other
secondary problem definitions framed by Koenig. The interpretation that Koenig implied,
then, through the media’s demonization of the gun, members of the public have been told
the gun is something that gangsters use to kill each other, and criminals use to victimize
innocents. Further, the media has historically and consistently represented guns and gun
owners as a societal problem that needs to be handled with the implementation of gun-
control laws. Koenig forced the audience to consider what they know about gun
ownership, guns, and gun laws, and how that knowledge and perception has been defined
and generalized by the media through his description of these media frames. It can be
inferred from here, then, that Koenig’s intended cause of the misinformation of the
effects of gun laws was media generalizations that led members of the public to support
gun legislation. The media, as well as politicians, suggested the problem of gun violence
stemmed from the gun. The public adopted this perception while not paying attention to
the actual effect the gun law may have on crime reduction and prevention, or on the reduction in a citizen’s capacity for self-defense.

Koenig framed the causes of these problems in such a way that each secondary problem was dependent on the other in forming one larger cause of misinformation in the gun-control debate. Koenig established the main frame of misinformation surrounding the gun-control debate in order to correct it; his intended crux was to reframe the debate in terms of civil-rights and liberty. Koenig could not have accomplished this without the moral evaluations he made of the proposed problem definitions and causes of misinformation. The morality Koenig assigned is presented next.

Assigning Morality

Koenig did not mince words while evaluating the problem of misinformation in the gun debate. Through the analysis, Koenig clearly implied the problems of the misunderstood Second Amendment, the stereotype of the gun owner, and the demonization of guns has led to support for gun laws (assault weapons bans, conceal-carry permit restrictions, bans on cheap guns, etc.) that destroy the civil rights of law abiding citizens, instead of protecting civil-rights of those citizens. In a somewhat circular pattern of reinforcement, Koenig argued the common misunderstandings surrounding the debate on gun-control has led the public to the moral evaluation of gun owners and the gun as evil. Further, it has led to evil laws that restrict the rights and access to the immoral gun by malicious people. Exploration of the secondary frames that constructed Koenig’s main larger frame will highlight more detailed analysis of the moral judgments made in Assulted.
**The Virtuous Amendment**

Koenig followed similar themes in framing the moral evaluation of the secondary problems. The themes developed suggested support for guns and people who use them for self-defense, and strong dislike for gun laws and people who want to restrict gun use. For example, Koenig’s moral evaluation of the misunderstanding of the Second Amendment was straightforward. Koenig insisted the problem of the misunderstood Second Amendment in the past has led to political reasoning that suggested the Second Amendment no longer applied in today’s society. Koenig implied this reasoning has shaped the modern debate on gun-control through the implementation of the National Firearms Act of 1934. Koenig also suggested that the law can be abused by law enforcement, which by extension represented abuse by a tyrannical government. Koenig’s claim was most evident in his inclusion of narratives discussing the chaotic days after Hurricane Katrina in the chapter titled, “The Thin Veneer of Civilization.” Koenig followed the narratives of three individuals and their interactions with overly aggressive law enforcement in the aftermath of the hurricane’s devastation. The other main event Koenig drew on to illustrate his moral evaluation of the gun-control debate was the Los Angeles Riots of 1992. This narrative described a very different level of law enforcement, zero enforcement.

The richest example Koenig used to contextualize his moral evaluation focused on bar owner, Joann Guidos, who, like many other residents of New Orleans, chose to stay and ride out the impending storm of Hurricane Katrina, in 2005. Guidos provided safety and shelter for people who had lost their homes in the flooding. She possessed
guns and used them to chase criminals away during the first days of violence and looting after the storm. Her actions with the gun were considered “good,” just as Koenig wanted, or perhaps needed to make his evaluation permeate the audience’s senses. Joann was the epitome of a strong woman who defended her property, as well as those folks from her community who had no property and no means of protection, through her moral invocation of her Second Amendment rights. However, 12 days later those rights developed a threshold that Koenig suggested should not be included in the terms of the Second Amendment. Joann’s bar was raided by police and National Guardsmen armed with “M-16s;” she and the people she protected were pulled from the bar and their guns were confiscated. Koenig suggested the decision by the bar owner to stay and use her guns for protection against looters, while providing a safe house for those who lost their homes, was a moral decision; a decision that reflected a proper interpretation of the Second Amendment. In the same instance, those officers who misunderstood the citizens’ rights protected by the Second Amendment, as well as the “Fourth and Fifth amendments along with it,” were morally wrong to have taken her, or anyone else’s, guns, especially in the manner in which they accomplished their act. For Koenig, and the audience for that matter, the officers’ actions left Guidos and her patrons defenseless against the looters and gangsters that were taking over the streets in the storm’s aftermath. In Koenig’s frame, this act was the pinnacle of infringement on the Second Amendment through an overly aggressive political regime motivated by self-preservation in the light of swarming criticism about crisis management.
Koenig also focused audience attention to a situation when the police were not aggressive, but rather completely absent; this example was that of the Los Angeles Riots in 1992. After the acquittals of four white LAPD officers, who stood trial for the beating of Rodney King during arrest, the African American population revolted. They destroyed property, looted, started fires; in general, the mob caused utter chaos in the city streets. The police pulled their forces from the streets because they were simply outnumbered. As a result of the police pulling out, the streets became a free-for-all. Some business owners in the area, particularly that of the Korean community in Koreatown, sought help from law enforcement to defend the threat of a spreading mob of looters and rioters. Law enforcement responded to the people with a suggestion to leave as they would not be able to help the business owners defend their property. The Korean population moved to protect its property, family and livelihood, and for three days they successfully accomplished that goal. With AR-15s and other guns, the Korean business owners were able to hold off the mob until the National Guard arrived to support the police. Koenig’s moral evaluation placed the choice of the Korean Americans to defend their property as a good use of the gun and a good interpretation of the Second Amendment. It was because the Korean population understood the Second Amendment that they were able to defend themselves from large imposing mob of looters and criminals. In particular, the Hurricane Katrina and L.A riot stories, making up “The Thin Veneer of Civilization” chapter, also showed Koenig’s moral evaluation of the other secondary problems, as well.
Not Your Typical Gunslinger

Like Koenig’s moral evaluation of the problems of misinformation of the Second Amendment, Koenig’s moral evaluation of the misrepresentation of the gun owner is also fairly straightforward. As noted in the previous sections on problem definition and causal interpretation, Koenig argued, the common frame held by voters is a misrepresentation of the gun owner, and is stereotypical at best. This misrepresentation has led to the gun owner being demonized, and has led to gun laws that have not respected the rights of the gun owner. Morally, Koenig considered the demonization frame to be misplaced, and resulted in gun laws that prevented law-abiding citizens, especially those who need them most (i.e. the weak, old, disabled, unprotected, and under-protected), from obtaining the “best” tool to “equalize” a situation and engage in self-defense (2013). When the examples of Hurricane Katrina and of the L.A riots were considered, Koenig chose narratives that reflected his definition of the “diverse gun owner.” In the Katrina example, a woman was the subject and her good use of the gun was highlighted as the introduction to the story. In the L.A narrative, the people being attacked by the large evil mob were minorities. Koenig implied through the moral evaluation that if the public were to actually consider gun owner demographics, they would notice that the gun-owning population is quite diverse. In addition, Koenig argued gun owners, specifically those licensed to carry a concealed weapon, “are much more law abiding than the average citizen. In fact, might be more law abiding the police officers.” Koenig placed gun owners in a more diverse, and favorable position, in particular to the liberal mindset that held the stereotypical view of the poor, white, country, redneck gun owner. Koenig
moved the boundaries of the definition to include diversity in age, gender, race, sexual orientation, socio-economic status, and location.

*An Amoral “Tool”*

Koenig asserted misinformation about guns placed the blame of guns as the cause of gun violence, not on the person who used the gun. According to Koenig’s frame, “Guns don’t kill people, people kill people,” the gun should be considered amoral; it is the person who used the gun that should be used to define its firing as either moral or evil. For Koenig, crime was considered an evil use of the gun, while self-defense was considered good. Koenig implied that guns, when used for “good,” allowed an oppressed town to overcome a tyrannical police force (i.e. “Battle of Athens”), or an elderly woman to defend her home from an intruder (i.e. “The Armed Citizen”). For Koenig, these uses of the gun are virtuous because the gun enabled the right to self-defense for the citizen.

According to Koenig, the gun itself is not bad and should not be considered such. In fact, the gun can be used to overcome evil when it is used for defending the good. In Koenig’s example of Hurricane Katrina, a female bar owner used guns to protect those unfortunate people who lost their homes in the storm’s surge. In the L.A riot example, Koenig established the gun as a savior of the Korean population when law enforcement refused to protect their property; In “The Battle of Athens” chapter, Koenig illustrated the gun as a savior to the oppressed town’s people from a corrupt police force. A prime example of the framing used by Koenig to morally evaluate the gun is illustrated in the fifth chapter, titled, “Guns for the White Man Only.” In this chapter, Koenig introduced the notion of the gun as an assistant to the minority “good” in overcoming a powerfully
oppressing governmental tyranny. He used the narrative of the Deacons for Defense, a
group of armed church deacons who organized to protect civil-rights workers who were
continuously harassed by racial extremist groups like the Ku Klux Klan and the Knights of
the White Camilla. When the deacons had properly protected the civil-rights workers
from violence, workers were better able to do their job of getting civil-rights legislation
passed.

The “Guns for the White Man Only” chapter was an explicit example used by Koenig
to frame the moral evaluation of the gun in terms of good triumphing over evil. The
inherent good of the civil-rights movement is built into the example and bled onto the
perception of the gun. Further, Koenig drew liberal audiences more into the rhetorical
space by reframing the moral evaluation in terms of these rights. Koenig seemed to argue
that if the public could just consider the gun for what it is, a tool used for many things –
only one of which is killing people – then they could realize the gun has the power to
“equalize” situations in which the general law-abiding public is the weaker victim faced
with a stronger adversary. Koenig’s choice in the use of “equalizer” further connected the
gun to the good cause of civil-rights and reframed the gun as the ideal tool that can aid in
achieving the ideal of equality for all, especially for those susceptible to oppression,
dominance, tyranny, violence, or unfortunate circumstances. As Judge Phillip Journey
argued in the third chapter of Assaulted, the gun should be considered, “the ultimate
guarantor of all of our freedoms. When the courts fail, when the legislature fails, when
the political process fails, there’s one final way to protect your freedom and your liberty.”
Koenig argued freedom of self-defense was, and continues to be, imperiled when bills
that restrict the rights of the Second Amendment are brought before legislatures at both the state and national level.

The Immorality of Gun Laws

Koenig’s moral appraisal of misinformation about the effects of gun laws stated bills and laws aimed at controlling firearms were ineffective measures that don’t prevent gun violence. Koenig was clear in his evaluation of the morality of gun-control law; any law is a bad law. In Koenig’s opposing position, gun laws do, however, prevent law-abiding citizens the right to defend themselves in life-threatening situations of tyranny, crime, anarchy, and environmental disaster, or in Koenig’s closing words of chapter seven, “the rare moments when society temporarily ceases to be civil.” Koenig’s moral evaluation of gun laws was most clearly stated in Assaulted’s closing chapter, titled “Good Gal with a Gun,” made through the comments of Eugene Volokh, who stated:

Most gun-control laws are highly unlikely to do any good. Some of them are unlikely to do much harm, either. But some of them are likely to interfere with self-defense with very little crime control benefit. By and large most murders and even large share of other gun crimes are committed by people who are pretty committed criminals. If they’re unwilling to follow the laws against murder or against robbery, they’re unlikely to follow laws against possessing guns (2013).

In addition to his argument for the unreasonable thought that gun-control laws prevent criminals from obtaining and using guns, Koenig argued misinformation about the effects of gun laws has led to restrictions on the rights of the “weak” in society (i.e. women, elderly, disabled, etc.), or otherwise law-abiding citizen, from being able to engage in self-defense against the criminals who evade law as a profession (2013). Koenig framed gun laws as morally opposed to self-defense, civil-rights equality, and to liberty and
freedom from government infringement. In Koenig’s framing of the gun-control debate, gun laws created in the name of public safety were infringements of those rights.

Koenig illustrated the moral implications of a public misinformed about the impacts of gun laws in framed message throughout Assailed, but the clearest example of this message was the Hurricane Katrina story in chapter eight. Koenig argued that, “the national disaster…set up one of the biggest civil-rights abuses in this country’s history since the civil-rights movement” (2013). Through the interview comments of author Gordon Hutchinson, Koenig framed post-Katrina New Orleans as, “armed robbery by cop. They were stealing legally owned property from private citizens. They were confiscating guns. The Second Amendment guarantees the right to keep and bear arms” (2013). Koenig implied that what led to the confiscation of the guns held by all of the protagonists in the narratives was the misconception by some police officers that “marshal law had been declared” (2013).

In these narratives, Koenig was “preaching to the choir” by showing one of the fears of many gun owners in action — mass governmental gun confiscation. The narratives were framed as broad governmental overreach that was presented as a means to increase “public safety” but actually had the negative impact of “robbing” the “good” citizen’s means of protection, of self-defense, and ultimately self-reliance. Further, Koenig included the mindset of liberal audiences through his newly defined “diverse gun owner” (i.e. the female bar owner, the elderly women, the two men recovering family heirlooms) and through framing the stories as civil-rights violations; particularly during a time when the need for protection was more than warranted, it was required. Koenig
argued, “Post-Katrina New Orleans is a glaring example of the government, or at least a handful of misguided law enforcement officers, suspending our rights in the name of public safety” (2013). Koenig continually reinforced his perception through the consistent reference to the lack of respect for the second amendment on the part of law enforcement, and by extension, the government as a whole.

In further condemnation of gun laws and the abusive nature of an overreaching government, Koenig asked the question, “Can we really trust our government to be there when they’re needed?” This question assigned the government as inept at not only creating gun-control laws, it is also not well-suited to handle a large uprising in the public like that of Hurricane Katrina or the Los Angeles riots. Koenig’s assumed answer to this rhetorical question is, obvious; based on Koenig’s examples, no the viewing audience should not trust the government or law enforcement for protection. As Koenig closed, “The Thin Veneer of Civilization” chapter, he argued that what the public witnessed, aside from the civil unrest and violence, was the notion of self-defense for the individual was justified and moral. Koenig (2013) stated:

Ultimately, they [the public] are responsible for their own safety and well-being. It is not the state’s responsibility to protect them. That is what the founding fathers knew when they wrote the Second Amendment. They knew that a civil society only exists when people are respectful of others. Governments are only as good as those elected, and evil does walk amongst us. The right to defend oneself is not like a permit to drive. It is the most sacred civil right.

In this concluding statement, Koenig argued that the moral right to self-defense is not a responsibility that can be, or should be controlled by a governing body. This particular statement concerned the states’ police power, but Koenig’s reasoning could be applied to
a national level, as well as to the bills and laws that limit and regulate firearm possession and ownership. Politicians in support of these bills and laws, or who have power to control police forces were considered the point of emphasis for treating Koenig’s defined problem frames.

**Recommended Course of Action**

The last aspect of Entman’s frame analysis was the suggestion of a treatment or remedy to the problem definition developed by the rhetor (1993). The treatment recommendations suggested by Koenig have been touched upon several times in the discussion of the analysis. In essence, the main problem, according to Koenig could be remedied by simply thinking like him and seeing the notion of gun-control as a notion opposed to civil-rights. As stated on the back cover of the DVD case, the documentary is described as, “informative and emotionally charged” with the intention of giving the audience “an eye opening look” at the Second Amendment, and hopefully at the end Koenig will have convinced them “to rethink the issues surrounding gun control” as an assault on the institution of civil-rights and liberty that have been historically rooted in the traditions and laws of the United States (2013).

By itself, Koenig’s main treatment recommendation, to simply rethink the issues surrounding the gun debate, was grounded in somewhat porous assertions. Those who love guns and pursue actions to prevent gun restrictions from taking hold are most readily convinced. However, asking those members of the public who steadfastly oppose guns to reconsider their position is not such a simple task. Koenig framed more nuanced elements for the secondary treatment recommendations through development of the film’s content,
which in turn strengthened his main, overarching remedy. Koenig’s preferred method of accomplishing the treatment goal was to ask the viewer to set aside and take out of consideration the perception of the stereotypical gun owner. Then he would usher in examples of diverse gun owners, evoking their liberty and rights guaranteed in the Second Amendment through the use of guns for the good purpose of self-defense from evil criminal tyranny or supposed governmental despotism. An exploration of the secondary treatments suggested by Koenig in the following section will allow for a better understanding of just what course of action Koenig wanted viewers pursue.

**Treatment for the Second Amendment**

In regard to the misinformation of the public about the Second Amendment, Koenig reframed the second amendment as a civil right and as virtuous self-defense. Koenig argued, through his examples of proper evoking of the Second Amendment (i.e. “The Batter of Athens” chapter, and the narrative of the Koreatown) and improper infringements on the Second Amendment (i.e. the narratives of Hurricane Katrina, and the description of the National Firearms Act), that the amendment still applied to the current political and social world. The Amendment, and the protections of which Koenig argued included self-defense outside of the home, was not to be regulated or limited, but embraced as the preferred form of self-defense for all citizens.

Simultaneously, Koenig argued the Second Amendment was to be considered in terms of its historical development, not in the terms of the emotional struggles faced by the country after three major mass shootings (2013). For Koenig, an appeal to the historical roots of the Constitution and the Bill of Rights was an appeal to tradition, and
to the wise founding fathers that “recognized” the need for a person to protect themselves in the absence of law enforcement, or in the presence of an authoritative government.

Koenig argued that the right to self-defense established in the Bill of Rights has long recognized that the possession of weapons was the “last measure” one could take to prevent the loss of their life. This right, Koenig argued, has been a fundamental human right since the beginning of time and should continue to be.

**Treatment for Gun Owners**

Koenig recommended first to reconsider the gun owner as a diverse group of law-abiding citizens who lack police protection. Throughout *Assaulted*, Koenig argued that the typical gun owner is not a stereotypical anti-government, conspiracy-theorist gun-hoarding-hillbilly. Koenig reframed the gun owner, in particular carry conceal licensees, one of, “if, not the most,” law-abiding citizens (2013). Of the best examples, again, Koenig’s construction of the “The Good Gal” chapter highlighted the impacts a woman (representative of “the weak”), who legally carried a concealed weapon (representative of a “good” use of the gun), can have in preventing further killings during a mass shooting (representative of the triumph of good over evil through the equalizing nature of the gun). Koenig’s choice in narratives revealed his recommendations for how gun owners ought to be considered. They were saviors during situations that were out of control, as in the case of mass shootings. They were also considered saviors of the weak, as they served to protect those individuals who stayed in New Orleans and dealt with the aftermath of Hurricane Katrina, or in the case of Koreatown during the L.A riots. Lastly, they were considered liberators of the oppressed, as was the case in the “Battle of Athens,” and the
Deacons for Defense’s protection of civil-rights workers from the KKK. Koenig argued gun-law advocates ought to consider adopting his frame of the diverse gun owner.

_Treatment for the Gun_

Koenig suggested the appropriate consideration of the gun was not to focus on the weapon as the cause of violence, but rather that the gun is merely a tool wielded for good or evil depending on the intent of its user. The gun, according to Koenig’s recommendation, should be considered amoral by the audience. This called upon the “guns don’t kill people, people kill people” frame explored in the problem definition section. For Koenig, when the gun is considered amoral, public support of any kind was unwarranted because the law will do little to prevent criminals from acts of violence. In this vein, Koenig inserted the often-quoted rebuke of gun-rights supporters, “people kill people.” In the closing chapter, and as Koenig’s conclusion wrapped up, an argument about the use of everyday objects as weapons was forwarded; “Anything can be used as a weapon. My vehicle, if I decide to drive it into a crowd of people and injure them is, in essence, a weapon. And unfortunately, there are bad people wherever we go. Those people are the people that are causing the problems” (2013). Koenig’s perspective relied on the ideal that people who are violent are going to be so regardless of the medium for violence, and his treatment recommendation for the perception of the gun is no different from any other “tool” that could be used to kill someone. It begs the somewhat silly question: if cars can be used to kill, and there are a surprisingly high number of vehicular related fatalities, should we outlaw cars or drivers?
Again, Koenig focused the audiences’ attention to the idea that the gun’s *raison d’être* is not to kill. Koenig’s message was straightforward and easy to accept for those with an affinity in conceiving of guns as amoral tools. Koenig recommended that gun-control supporters in the audience consider a gun’s telos as amoral; that when used by good, law-abiding citizens for sport, for hunting, and most importantly, for self-defense, the gun was a tool that enabled the weak to overcome evil; and, that when used for crime by career criminals, the gun was a tool that enabled evil to dominate the weak. Koenig argued, the only way for evil to be overcome was for the weak to get a gun and “equalize” the evil through its “good” use. Laws aimed at preventing criminals from obtaining the gun, according to Koenig, are actually preventing the appropriate use of the gun.

*Treatment for Gun Laws*

In regard to the problem of misinformation surrounding the effects of gun laws, Koenig suggested the audience should consider the facts on gun violence and really think about unintended consequences gun laws have on law-abiding citizens. According to Koenig’s framed message, gun crime is down, violent crime overall is down, but the public “refuses to acknowledge these statistics” (2013). Koenig argued gun laws do not accomplish the purpose of reducing gun violence, murders, and mass shooting. They did not stop gangsters during Prohibition, but they did stop average, law-abiding citizens from attaining firearms that were regulated by the institution of the National Firearms Act of 1934 (Koenig, 2013). Koenig insinuated that the laws instituted to prevent gun violence can, and will, prevent the public from defending themselves and their
community. Koenig chose to show instances when lack of gun-control legislation was beneficial to the community. The “Battle of Athens” chapter was used to describe a situation where “a community can rise up and overthrow a bunch of self-serving politicians” (2013).

The most established example of Koenig’s treatment recommendation for resolving misinformation about the effects of gun laws was in the Assaulted’s ninth and final chapter, titled, “Good Gal with a Gun.” In this chapter, Koenig attempted to solidify the secondary frames through two examples: one of an armed citizen who stopped a mass shooter in Colorado; and the second, a mass shooter who rampaged through a school in Newtown Connecticut. Koenig tied the first example and second example together through the words spoken by NRA president, Wayne LaPierre, after the 2012 Sandy Hook Elementary School shooting. Koenig selected LaPierre’s suggestion for a “good guy with a gun” to present themselves in times where a shooter is attempting to cause mass homicide, and defend themselves and their community through a good use of a gun (2013). Koenig suggested that these words need not be uttered because there has already been a “good gal with a gun” who stopped a mass shooter in Colorado Springs in 2005.

**The Main Frame Treatment Recommendation**

Koenig’s “Good Gal” chapter encompassed all four secondary frames by including a narrative that encompassed all his secondary treatment recommendations. First, the narrative reinforced Koenig’s established frame of the “good” or “proper” application of the Second Amendment. Second, this narrative also strengthened Koenig’s established frame of a diverse gun community, with the protagonist being an armed
woman. Third, the narrative spoke to Koenig’s established frame of the gun as amoral, that when used for good, the gun enabled weaker victims to overcome stronger offenders, and that it can be a savior of individuals, as well as the community. Finally, the narrative focused attention to Koenig’s argument that gun laws (i.e. conceal-carry laws) aimed at protecting the right for the individual to possess a firearm outside of the home (according to Koenig, like the Heller v. District of Columbia suggested) are needed to stop mass shooters before large quantities of people are injured or killed. If Koenig’s line of thinking was followed, then gun laws that limit the ability for the public to respond, such as the case of Newtown elementary school shooting, are essentially, the cause of mass shootings. The police will not respond quick enough, like the narrative Koenig used chapter seven, “The Armed Citizen,” that resulted in the successful home defense by an elderly woman against an intruder. Or, the police may not show up at all, as was the case for Koreans in the 1992 L.A. riots.

In the “Good Gal” chapter, Koenig really drove home his treatment recommendations one last time, particularly in the main frame of misinformation surrounding the gun debate. After the example of the woman who stopped the mass shooter in Colorado, Koenig began concluding the documentary. First, Koenig asserted the proposition that an “armed citizen can stop evil” was reasonable (2013). It has happened in history, in Athens, Tennessee, in the South during the civil-rights movement, in post-Hurricane Katrina in New Orleans, and in riots of Los Angeles in 1992 (2013). More currently, Koenig argued, defensive gun use “happens over a million times per year, when law abiding citizens use their guns for self-defense” (2013). Koenig
reinforced the historical roots of the Second Amendment in “natural law of self-defense,” and he tied this “natural law” to the mindfulness of the constitutional framers and their sheer righteousness of including the right to bear arms in the Bill of Rights (2013).

Koenig used these concluding statements to sum up the frames he presented in the main content of the film and to show the audience his preferred form of action for resolving the problem of misinformation surrounding the gun debate. If the audience were to think like Koenig, then the only solution to preventing legislation that limited and regulated firearms is to actively participate in the political process.

As Koenig began to conclude his message and tie together his secondary frames – effectively closing the holes in his posited main frame – he asked yet another rhetorical question: “Why would our elected servants want to infringe on this vital and empowering civil-right?” (2013, emphasis added). This question became the beginning of what Koenig argued was the ultimate recommended course of action. In this regard, Koenig framed politicians in their constitutionally intended role as representative of the constituency from which he or she was elected. From Koenig’s perspective, representatives should be considered “servants to” the public, not to their own self-serving interests. This frame was implied to varied degree in Koenig’s presentation of the Battle of Athens narrative, the move by the California legislature to limit open-carry of firearms for fear of the Black Panthers, the move by the Governor of New Orleans who pushed out the survivors of Hurricane Katrina as a response to strong public criticism of the city’s emergency response management, and in the example of police inaction during the riots of Los Angeles.
Though it is never stated in these words, Koenig seemed to suggest that the appropriate action to take to rectify the misinformation about the effect of gun laws was to vote for national, state, and local candidates who “know” and stand on the virtuous side of the gun debate. These politicians should also be respectful of the Second Amendment as a civil-right guaranteed in the Bill of Rights. They should be mindful of diversity in gun ownership and understand guns are merely tools used for many purposes. Ultimately, these politicians should not forward bills or vote for legislation that supports the regulation of firearms or the limitation of their possession.

Koenig’s *Assaulted* was a rhetorical artifact that reinforced beliefs, attitudes, and values already held by pro-gun communities. Koenig’s reframing efforts most likely fell on deaf ears for those devout proponents of gun-control measures. The notion that the Second Amendment invokes rights that are inalienable to all citizens has been a chorus trumpeted by many organizations lobbying for reductions in gun-control laws that restrict the civil-rights of the American public (NRA, 2014). Koenig’s message, however, probably spoke loudest to those audience members who are undecided on the issue of gun-control or those who do not have any opinion on gun-control laws. These audience members were considered to have the least formed frame to which Koenig’s reframed message undoubtedly added information and shaped. Koenig’s message derived its power from a strong reliance on framing stereotypical assumptions held by many members of the public as misunderstanding and misinformation. Essentially, the rhetorical position Koenig took poked holes in the ant-gun argument by suggesting it was based on biased information. It created a rhetorical space for the liberal gun-control argument that was
somewhat more porous, and actually not liberal at all, but rather extremely closed-minded and possibly racist. From Koenig’s perspective the liberal position is a position that most people would not want to be affiliated with. So, adoption of his argument is not terribly difficult, and voting for members of government that support free gun use and ownership could be adopted as an effective way to limit the impact of gun laws.
Chapter 4

CONCLUSION

The current case study offered that Koenig’s *Assaulted: Civil Rights Under Fire* leaned heavily toward the pro-gun side of the gun-control debate. Though the film’s director noted the film’s intent was to critically examine the gun debate, it took a perspective that supported gun-rights, supported the “diverse gun owner” characterization, and supported politicians who fight for a “virtuous self-defense” interpretation of the Second Amendment (2013). The documentary is an artifact stemming from the pro-gun side of the debate on gun-control, yet it is also an artifact aimed at oppositional arguments for the regulation of firearms. In particular, this artifact spoke loudest to those members of the public who know little to nothing about the debate on gun-control and those who remain undecided regarding the debate. Koenig developed a specific framing format, in which smaller, secondary frames were developed to aid in a larger overarching frame. The misinformation surrounding the gun-debate was dependent on the smaller, more intricately developed, secondary problems of misunderstandings of the gun, the gun owner, and the effect of laws aimed at curbing gun-violence. All chapters in the DVD version of *Assaulted: Civil Rights Under Fire* were analyzed using Entman’s (1993) conceptualization of framing as a method to better understand the “critical” arguments presented in Koenig’s framed message, and further his attempts at reframing the gun-control debate. There were some aspects of framing that this thesis was not able to consider. The final chapter will conclude with a discussion of limitations of
this study, a discussion of the conclusions made about the frame analysis of *Assaulted*, and suggestions for fruitful paths of future research.

**Limitations**

The largest limitation of the study was that it only analyzed one artifact from one rhetorical situation, thus it was a case study. As such, specific conclusions drawn from this case study’s analysis were limited to *Assaulted: Civil Rights Under Fire*. According to Follman, Aronsen, & Pan (2013), there have been sixty-two mass shootings between 1982 and 2012. Seemingly, then, there has been ample opportunity for potential rhetors to create framed messages aimed at alleviating the exigence of their corresponding situations, and, undoubtedly as a result, there were numerous artifacts deserved of analysis. The possible implications regarding other artifacts called into existence by a different rhetorical situation should also be analyzed to more fully understand the debate on gun control. For example, Michael Moore’s, *Bowling for Columbine*, was the result of the mass shooting in Columbine, Colorado in 1999 (Wilshire, 2004). The documentary took a different perspective in framing the gun-control debate, one which Moore framed and reframed the 1990s gun-debate exigence and rhetorical complex (Wilshire, 2004). Analysis conducted on the arguments presented by Moore in *Bowling* could be compared to Koenig’s arguments in *Assaulted* for a more robust understanding of the particular rhetorical situations that have called for documentaries to be made about the gun-control debate. Further analysis could create a broader understanding of the possible frames used by the opposing sides of the gun-control debate. Future analysis in this direction would increase the amount of possible frames a member of the public could be exposed to and
how those frames may agree, reinforce, contradict, or even refute one another. A study taking multiple artifacts from multiple rhetorical situations would also bring a longitudinal perspective to the research, creating a map, of sorts, of how framed messages have changed over time, or even perhaps through which rhetorical situation did a particular frame have a tendency to dominate other framed messages. Further exploration in future research should highlight more specific paths for rhetorical situations and debates surrounding gun-control. Additionally, the film under examination represented only one type of possible artifact stemming from the gun-control debate. This does not, however, take away from the conclusions made within this framing analysis on Assaulted’s message; it was a unique artifact, in that it represented the pro-gun side of the gun-control debate, but did so from a framed position that was more centrist. The information on framing is invaluable to other organizations or movements constructing their own arguments.

Discussion

Most noteworthy of this study was Koenig’s use of smaller frames to build, shape, and ultimate attempt to reframe the debate on gun-control. Koenig highlighted the larger frame at the outset of his documentary, and then slowly and deliberately he dismantled the stereotypical frame of guns, gun owners, and gun laws. Once dismantled, he reframed the pieces in his chosen images. First, Koenig insisted the stereotype of the hillbilly, redneck gun owner was misplaced. Instead, he offered that the gun-owning community was quite diverse, encompassing men, women, children, elderly, varied racial backgrounds, and even those from the LGBTQ community. Koenig, having broadened
the definition of “gun owner” beyond the stereotype, asserted the gun was misconstrued as evil by mass media, especially during times of mass shooting (i.e. high exigence). Koenig’s image of the gun transformed the tool from a grizzly device used in the commission of crimes, to a self-defense measure aimed at preventing victimization. The gun, then, was not the stereotypical killing machine, but rather a tool that enables law abiding citizens to engage in self-defense, particularly during moments when a victim is physically outmatched by an attacker. From this position, Koenig was able to force audience members to confront their perceptions of guns, gun-owners, and in effect, gun laws that limit ownership and possession. Koenig’s framing and reframing of gun ownership, guns and gun-control laws supported his larger goal of showing the information held by gun-control supporters is misguided, misinformed, and ultimately biased; simply, these thoughts should be expunged from the perception of the audience members for fear of further endangering themselves, their loved ones, and in total, the country’s livelihood.

One noticeably missing aspect of Entman’s framing conceptualization in *Assaulted* was the underdevelopment by Koenig of the causal interpretation for the misunderstanding of guns. This portion of Koenig’s argument was lacking support and development. Koenig consistently referred the audience to the misrepresentation by the media and their tendency to dramatize and demonize guns to support his argument that the cause of misinformation about guns held by the public. Koenig presented news clips of media personalities and politicians who were blatantly misinformed or confused about guns, which suggested the media is the ultimate biased information outlet (2013). The
bulk of Koenig’s gun frame was accomplished through moral evaluations of the gun’s use by either good, law-abiding citizens or bad, criminal elements, and through the treatment recommendation to consider guns amoral (2013). The weak ties Koenig made in his causal interpretation were not dooming to his ultimate goal because the movie itself was aimed at propping up his larger, more important task in reframing the debate on gun-control in his terms, and through his pro-gun frame. This is of particular importance because Koenig’s base argument— that the debate on gun-control has been conflated— was dependent on a malleable audience perception that was open to reframed messages.

In a possible alternative, had Koenig developed a clearly stated cause of the problem of gun misinformation, Koenig may have inadvertently inhibited his reframing efforts by focusing the audience’s attention on the wrong ill, which would have made his treatment recommendation inappropriate.

For example, had Koenig examined the media influence on gun perception development in the public sphere, his “vote for pro-gun politicians” treatment recommendation may have been off-target. In this example, audience members would have been forced to consider media influence over the misinformation of guns, gun owners, and gun laws alongside the influence of politicians. Inherent in this comparison is the impact of media on the development and passing of gun laws. Most audience members would realize the media would have little to do with the passing of gun legislation; case in point, the events surrounding Sandy Hook Elementary School mass shooting resulted in considerable media coverage of the event, as well as the subsequent push for stronger gun-control legislation. However, at least at the national level, no
legislation was passed; no bill was voted into law. Koenig’s handling of the cause of gun misinformation glazed over this aspect of framing with purpose. The purpose was to force the pro-gun politician as the ultimate reliever of the situational exigence, because without the person mass shootings will continue to occur. Perhaps from Koenig’s perspective, had there been pro-gun legislators in office prior to Sandy Hook, then laws permitting the open-carry of firearms in public, and in particular, schools, would never have been established. The mass shooting, then would have been preventable. Inevitably, his chosen frame suggested that to prevent these events in the future, the audience must vote for pro-gun politicians.

Aside from the lack of a fully developed causal interpretation of the misinformation of guns, a second observation this analysis made was the issue of government overreach, mismanagement, misinformation, misinterpretation, and overall lack of ability to do anything right when it comes to gun-control was consistently invoked by Koenig in Assaulted’s messages. Even in moments where the government seemingly had no involvement in the narrative, Koenig would build connections between the antagonists of the story to the larger governmental foe. For example in, “The Battle of Athens” chapter, a corrupt police force was equated to a group of “self-serving politicians” (Koenig, 2013). In “Good Gal with a Gun,” law enforcement was the vengeful arm of an embattled governor who wanted to save face during mounted media pressure on the handling of the aftermath of Hurricane Katrina (2013). From this position, Koenig was able to suggest throughout the remainder of Assaulted’s message that the government’s ability in determining what controls, if any, should be in place to
protect its citizenry was abysmal. From Koenig’s perspective, the core message was that the second amendment should be applied as an individual right because the individual was better suited determining their particular defense needs than an ill-equipped, self-serving political machine. While the specifics of the narratives changed, from the “Battle of Athens,” to D.C. v. Heller Supreme Court case, to the Los Angeles riots, what was left unchanged was Koenig’s core framed message.

A third conclusion can be drawn from analyzing Koenig’s framed message. Koenig’s ability to solidly frame and reframe situational elements of the gun debate forced the viewer to consider the debate on gun-control in only one way — his way. Koenig attempted to bring into the situation elements that were not readily apparent in the given rhetorical situation of the Sandy Hook Elementary School mass shooting and the resultant push for stronger national gun-control measures. Throughout the movie, Koenig pulled historical events, scholarly interpretations, field experts, and legal professionals into the current debate on gun-control. In fact, the Sandy Hook massacre was mentioned three times in the whole movie. For Koenig, this event was not “the” event that should define how the nation responds to a perceived increase in mass shootings. Instead, his suggestion was that there were many stories that should be included in the conversation on gun-control. He suggested that the Sandy Hook mass shooting was merely the most recent and was particularly monstrous, in that it resulted in the deaths of so many young people. In a sense, Koenig framed the gun and gun ownership as empowering in that it enables the everyday person to overcome the powerful mass shooter. For Koenig, his
stance was that armed citizens could have prevented the loss of life that day, and further, on any other day a mass shooting might occur.

As stated at the conclusion of chapter three, those who were most likely impacted by Koenig’s framing were those who had little to no knowledge or interest in the gun-control debate. Never should these individuals be considered “blank-slate receptacles who take in stimuli as they exist in some independent and objective way, but rather as experienced and sophisticated veterans of perception who have stored their prior experiences as an ‘organized mass,’ and who see events and objects in the world in relation to each other and in relation to their prior experience” (Tannen, 1993, pg. 20-21).

Koenig’s message framed pro-gun arguments more concretely for those with little prior knowledge or interest, and embossed the first, most-marked impressions on those with no prior knowledge or interest. Despite his billing, and reviews of film critics, as a critical look at the gun-control debate, Assaulted is rather one-sided. Audience members were exposed to messages that attempted to alter, or one some cases, began to develop, their perceptions, or in other terms, their primary framework (Goffman, 1974). Primary frameworks are characterized by their ability to structure ways in which a person takes in particular events and how meaning is given to its situational elements (Goffman, 1974). This case study did not take into account primary frameworks of audience members that might be functioning “in the daily life of our society” (Goffman, 1974, pg. 21) but, as will be discussed in the closing section, future research on framing of the gun-control debate should consider this.
Finally, though the implications of this case study to framing the gun-debate are limited, the implications of what the analysis of Assaulted reveals about the invisible dynamics of framing are powerful. Koenig, through his complex framing strategy, was able to convince viewers, especially those who have only slight exposure to or experience with the gun-control debate, that if you were a supporter of gun-control then you were a supporter of socialism, or far worst, a racist. Koenig’s framing, in most cases, relied on enthymematic reasoning which forced the viewer into false dichotomies, all the while maintaining the impression that it was a “critical” or “centrist” exploration of gun-control history. The current analysis of Koenig’s framing is useful more broadly because it suggests that there is a strong impact on the persuasiveness of a frame based on its ability to appear neutral or unbiased. Other organizations or movements might benefit from this knowledge of frame development in creating their own arguments. For example, the Brady Campaign, in particular to the gun-control debate, could use Koenig’s framing “playbook” and construct their own texts that take a “critical stance” in their persuasive appeals from the opposing side of the gun-debate isle. For potential rhetors everywhere, the centrist approach is worth considering to bolster your position, however, avoid the pitfalls of enthymematic reasoning and forced dichotomy, as well as comparisons to Hitler…it will give you away every time.

Future Research

Ultimately, what Koenig accomplished through Assaulted’s framed messages was the construction of a formulaic remedy against gun-control arguments, essentially “inoculating” potential audience members against arguments held by supporters of gun-
control legislation. Koenig constructed fallacious, straw man arguments for arguments held by proponents of gun-control (i.e. the solution to gun violence is achieved through regulation of guns) only to present a well-developed, thoroughly framed, pro-gun argument that acts like a wind to knock down the pro-gun-control position. Koenig’s message presented scene after scene of narratives that embodied “salvation through the gun,” or “guaranteed oppression without personal protection” frames. Koenig’s framing was deemed centrist by many film critics, yet analysis of its framing revealed marked bias against the gun-control supporters while standing firmly on the pro-gun side of the debate. Koenig’s adept framing enabled him to incorporate rhetorical elements that maintained slight connection to the rhetorical situation in which Assulted was constructed in a way that best fit most audiences, and still maintained the core message that guns are good and gun laws are bad. Further study should be conducted from a sociological perspective of framing to focus on the “scripts” that were evoked by Koenig, and how those particular frameworks influenced different audience’s schema (Tannen, 1993).

Future research should also consider the formation of anti-gun perception, as this would give a more complete understanding of how gun-control is framed by opposing sides of the debate. For example, rhetorical analysis of the abortion debate revealed each side was arguing from a different rhetorical ground (Hayden, 2009; see also Andsager, 2000; Simon & Jerit, 2007). In this case, pro-life supporters framed messages against abortion as killing and murdering vulnerable, helpless babies, while pro-choice supporters framed their messages in support of abortion as a personal right to choose, and
freedom over the body from governmental intervention (Hayden, 2009). Framing of the abortion debate revealed that it is hard for either side to gain any ground in the rhetorical battle lines because they were essentially fighting in separate rhetorical valleys, especially when those frames become less fluid and more concrete (Hayden, 2009). If you were pro-life, then the other side was considered pro-death; likewise, if you were pro-choice, the other side was considered pro-government oppression (Hayden, 2009). From these rhetorical spaces, neither side was able to undo the other (Hayden, 2009). Similarly, pro-gun and pro-regulation sides of the gun-control debate could be experiencing symptoms of differences in rhetorical space. Assaulted’s analysis revealed Koenig framed the pro-gun side of the debate as “pro-gun → pro-America,” while he framed proponents of gun-control as “anti-gun → anti-America.” Perhaps those supporting gun-control will be in full support of instituting a communist or socialist regime where no one is able to own weapons or eat, but that seems to be less than the truth of the matter. It would seem, however, that those in support of gun-control are in fact supporters of civil-rights, they may just happen to value saving a life before saving a tool. The current case study did not consider the arguments held, or frames created, by those in support of gun-control, but future research should take this into account, and like Hayden’s research on abortion rhetoric, this future research should compare the rhetorical spaces in which both sides of the debate operate. Further inquiry will give a more robust understanding of the debate on gun-control and it may begin to highlight just how gun-control has been framed in its entirety.
In particular, the case study of this thesis was focused solely on the construction of framed messages by Koenig in *Assaulted*; how problems were defined, what causes were assigned, which moral evaluations were applied to which aspects, and what preferred treatment recommendation was forwarded were the only aspects of the frame identified in this case study. Approaching the movie from a sociological perspective might give greater insight into how *Assaulted’s* message impacts viewers. According to Goffman (1974) when the audience is exposed to a rhetor’s account of actual events through his or her framing of messages, the rhetor’s frame of the events include a “layering” or “laminating” of different considerations for the issue being taken up by the rhetor. Goffman (1974) stated,

> Given the possibility of a frame that incorporates rekeyings [or attempts to recontextualize the situational elements], it becomes convenient to think of each transformation as adding a *layer* or *lamination* to the activity. And one can address two features of the activity. One is the innermost layering, wherein dramatic activity can be at play to engross the participant. The other is the outermost lamination, the rim of the frame, as it were, which tells us just what sort of status in the real world what the activity has, whatever the complexity of the inner laminations (pg. 82).

These layers and laminations serve as means for the rhetor to transform his message, generalizing the “actual events” (as perceived and framed by the rhetor) for application by the audience in the real world.

The engrossment in the drama lends itself well to development of the “outermost lamination, the *rim* of the frame, as it were, which tells us just what sort of status in the real world activity has, whatever the complexity of the inner laminations” (Goffman, 1974, pg. 82). The rhetorical artifact, in this case study, *Assaulted*, can be considered the
“rhetor’s account of actual events,” while the “rim of the frame” can be constituted by the audience-adopted attitude, belief, or behavior. Considered from Goffman’s tradition of framing, Assaulted provided a vicarious experience for the viewer that guided audience members through Koenig’s multiple “rekeying” attempts intended to change perceptions of guns, gun owners, gun laws, and the Second Amendment. Research in this tradition would give a better understanding of how the gun-control debate, particularly the pro-gun side, establishes, changes, and shifts their message framing. Studying Assaulted’s message through this perspective would require a slightly different methodology, as rhetorical analysis is not well-suited for analyzing the perceptions of larger populations. Proposed future research should also take a perspective that there are some theoretical and methodological traditions in the conceptualization of framing that span the sociological and rhetorical spectrums of research (Souders & Dillard, 2014).

Souders and Dillard (2014) suggested future research on framing should explore unions between rhetoric and social scientific research that could benefit both research paradigms. The authors argued for methodological pluralism between rhetorical criticism and social science, particularly in the place where inductive and deductive reasoning meets. Though the theoretical underpinnings and methodological traditions of each approach to frame analysis is different, “framing can be broadly understood [it can be engaged] in cross-disciplinarily grounded research that contributes to the field of framing” (Souders & Dillard, 2014, pg. 110). The researchers argued, while differences exist between the fields, by “understanding the differences in perspective—and grounding research clearly—we can utilize scholarship from across the divide and gain a
rounded perspective on many cases of framing, even without fully resolving the term ‘frame’ itself” (Souders & Dillard, 2014, pg. 1012). Souders and Dillard’s (2014) suggestion should be considered in future research on framing, particularly in the field of gun-control. The sociological tradition of communication studies has shown itself to be valuable for generating large data sets and evaluating the effects of frames on audiences. Rhetorical analyses of framed messages, such as this case study, have shown how frames were constructed and what messages were preferred by a rhetor through specific decisions made during construction of his or her artifact (Souders & Dillard, 2014). While social scientist are focused on effect of mediated framed messages on audiences, implying a preference for the “transferring/reporting agent” (namely, mass media) and the individual audience member, they disregard the message generation and the choices a rhetor made in framing situational elements of a particular rhetorical exigency. Souders and Dillard (2014) amounted this to the inability for “why” questions to be quantified. In the same vein, while rhetorical scholars analyze a message, preference is given to the rhetor and the artifact (text) and not to the actual measured effects from the transferring or reporting of framed messages through media outlets or impacts on audience perception and decision making (Souders & Dillard, 2014). Approaching the gun-control debate from an interdisciplinary perspective could better elucidate framing of rhetorical situations from invention to actual effectiveness. In particular to this thesis, until the problem of gun-violence, or idealistically, all violence, is resolved, rhetoric produced by either side of gun-control debate will be continually created and disseminated. It is important for scholars to continue research framing of the gun-control debate. Perhaps if
some rhetorical ground were found in which both sides of the debate could have room to negotiate their respective frames of guns, gun owners, gun laws and the Second Amendment, some sort of progress can be made in the reduction of mass shootings.
References


