

opening the conversation to those from different normative, analytic, and disciplinary perspectives. That is a service to our field indeed.

**Warped Narratives: Distortion in the Framing of Gun Policy.** By Melissa K. Merry. Ann Arbor: University of Michigan Press, 2020. 225p. \$70.00 cloth.

doi:10.1017/S153759272000153X

— Robert J. Spitzer , *State University of New York College at Cortland*  
Robert.spitzer@cortland.edu

The National Rifle Association, formed in 1871, is the nation's oldest gun organization. Its fundamental attachment to guns has never changed, but its messaging has. At some point in recent years, it began to identify itself as the nation's oldest civil rights organization, as its website proclaims. If groups like the NAACP and the ACLU somehow don't seem to be quite in the same category as the NRA, the gun group obviously discovered that this bit of rebranding would help legitimize its increasingly aggressive political activities. They're not just about shooting stuff but also about constitutional rights!

Branding, rebranding, and issue framing are, of course, central to understanding the white-hot politics of the gun issue, a fact rightly and insightfully understood by Melissa K. Merry in her new book. By her account, the framing choices of gun groups on both sides of the issue have warped the national gun policy debate and thus contributed to policy dysfunction. Gun safety groups “focus on atypical characters and settings” that “highlight white victims, child victims, and mass shootings in suburban locales,” whereas “gun rights groups focus on self-defense shootings, emphasizing threats to ‘law-abiding’ gun owners” (p. 2). Gun groups use this kind of messaging for an obvious reason: it resonates with their constituencies. The problem, however, is that these narratives warp a more accurate understanding of the role of guns. Gun murder is a serious problem, without question, but twice as many Americans die from gun suicide annually than from gun homicide, a fact often missing from their messaging. Among gun homicides, most occur in high-crime urban areas and are more likely to victimize people of color. Mass shootings are horrible by any standard, but they account for only about 1% of annual gun homicides. As for legitimate self-defense shootings, they do occur, but their numbers are usually wildly inflated and the narratives are dismissive of the blundering that too often occurs when amateurs with guns make split-second decisions about how to use them in real-life encounters.

Merry acknowledges the political calculations that lead gun organizations to use such warped framing, but that does not distract her from a deep dive into that murky process. She examines the communications of 15 gun organizations (amounting to more than 67,000 documents)

and does so in an array of media outlet modes from 2000 to 2017. She organizes this massive and diverse database around three theoretical perspectives: the narrative policy framework, the social construction of target populations, and critical race theory. Merry emphasizes that these gun group strategies are perfectly rational from a political perspective, but that in the process they warp the gun policy debate.

The book's chapters progress logically: chapter 2 examines framing theory and its application to gun policy; chapter 3 focuses on the pivotal role of gun policy interest groups; chapter 4 expands on the aforementioned theoretical frameworks; chapters 5 and 6 examine the portrayal of gun policy victims and perpetrators, respectively; chapter 7 brings in the author's prodigious empirical evidence on portrayals of gun violence, linking it to group strategies; and the final two chapters discuss the implications of earlier findings, including brief consideration of how policy warping occurs in other policy areas' debates.

The notion of victimization weighs heavily in the messaging on both sides of the gun debate. Gun safety organizations emphasize narratives centered on white victims, especially when those victims are found in lower crime areas, and child victims (these two often converge in school mass shootings). Gun rights organizations paint gun owners as culture war victims—misunderstood, demonized, marginalized. Victims must, of course, be victimized by perpetrators, and too often perpetrator framing falls back on stereotypical views of terrorists and the mentally ill. Both of these framing elements contain some element of truth, although regarding terrorism, invocations of radical Islam are much more likely than of home-grown terrorists, despite the fact that domestic terrorism is the more serious threat. That said, “perpetrators constituted minor characters in gun policy groups' narratives” (p. 116). Yet this may be an instance where data limitations miss part of the picture, because Merry's data cannot speak to the mindsets of group adherents and the larger public.

Merry's chapter on settings, denoting the context in which policy problems are raised, again emphasizes the predominant messaging used by various gun groups. Drawing on her vast dataset, she parses six possible types of gun violence and accompanying messaging: accidental shootings, domestic violence, mass shootings, suicides, self-defense shootings, and urban violence. Predictably, gun safety groups place great emphasis on mass shootings. Suicide gets little attention, in part at least because of the societal stigma attached to it. (Note, for example, that obituaries almost never report suicide as a cause of death for fear of prompting additional suicides and attaching unwanted stigma to families.) Gun rights groups heavily emphasize self-defense uses and, to some degree, urban violence—sometimes with an implicit racial subtext attached to the latter. Merry notes that these findings are

“hardly surprising” (p. 143) and that they also further warp the policy debate.

This raises the larger point about this book. There are no surprises here. Interest groups pursue strategies that work. To paraphrase V.O. Key, politicians are not fools. Yes, a more rational policy debate on guns would both better inform and perhaps even reduce polarization. But why should key actors in the gun debate do that? If these groups relied on more accurate and factual messaging, but the result was declining political influence, doesn't that prescribe for these groups a dead end? And isn't there a distinction to be made between messaging that is out of proportion from the strict numbers, such as the emphasis on mass shootings, versus messaging that is factually inaccurate, such as saying that defensive gun uses occur 2.5 million times a year, when in fact they actually occur perhaps 100,000 times per year? The number of mass shootings is not being misrepresented, but overemphasized, in messaging. The 2.5 million defensive gun uses number, in contrast, is simply incorrect. Further, in a rational policy world, gun groups would pursue policies that reduce the greatest number of deaths and harm. But to borrow a page from Kristin Goss (*Disarmed*, 2006), perhaps a grand policy change that would save more lives is unreachable, whereas a more limited policy change that would reduce overall harm more modestly is also more attainable. From an interest group perspective, which policy direction is more sensible to pursue?

Merry has dived deeply and masterfully into the theoretical literature in the realms of messaging and gun policy and also understands well the contours of the gun debate. Even if the results of this study are obvious, they are also obviously important. Merry has advanced and deepened our understanding of one of the most incendiary policy debates of our time.

### **The Conservation Constitution: The Conservation Movement and Constitutional Change, 1870–1930.**

By Kimberly K. Smith. Lawrence: University Press of Kansas, 2019.

344p. \$39.95 cloth.

doi:10.1017/S1537592720001474

— Richard N. L. Andrews , *University of North Carolina at Chapel Hill*  
Pete.andrews@unc.edu

The literature on the history of US conservation policy includes many books on the history of public lands, water, and wildlife policies; a few on public health policies; and a very few that attempt an overview of all of these phenomena and how they have come together to form the foundations of modern US environmental policies (e.g., Richard Andrews, *Managing the Environment, Managing Ourselves: A History of American Environmental Policy*, 3<sup>rd</sup> ed., 2020). Almost without exception, however, these books focus on the policies expressed in statutes and regulations and on the actions of the administrative agencies, with only

limited mention of the legal and constitutional arguments that were battled out in the courts.

In *The Conservation Constitution*, Kimberly Smith provides a valuable new complement to these studies by presenting a far more detailed history of the legal and constitutional arguments presented to and ultimately decided by the courts during the period from 1870 to 1930—a period in which US policies for using and managing the natural environment and its resources were profoundly reshaped, and federal and state governments' authority to manage and regulate them was ultimately confirmed. Smith's chapters take us through a succession of constitutional debates and judicial decisions over the authority of state and federal authority for conservation management: first of wildlife, then of forests, then of western and subsequently eastern federal forest reserves and federal lands more generally, of state and eventually federal pollution control, and ultimately of the uses of interstate compacts for multiple-use water resource projects and other purposes.

Smith's primary aim, well summarized in the final chapter (pp. 254ff.), is “to explain how lawyers and judges reworked constitutional doctrine to accommodate the expansion of state power over the natural environment during the Progressive era; and more specifically, how legal decisionmakers conceptualized the natural environment, its relation to human society, and the public interests at stake to create the constitutional ‘common sense’ that federal and state governments have authority to protect natural resources and the integrity of ecosystems in the interest of future generations.” In the process, she discusses the interweaving of principles such as the public trust doctrine, the police power, public nuisance doctrine, *parens patriae* standing, the interstate compacts clause, and federal constitutional arguments based on the interstate and foreign commerce, property, war, treaty, spending, and eminent domain powers, as well as the interstate nuisance doctrine. She argues that even though many of these issues continue to be argued in the modern era, the sheer number of these constitutional foundations, once accepted by the courts, has ultimately made governmental environmental management authority strongly resilient to challenges. She also urges greater recognition of the roles of skilled lawyers and judges, along with the better-known politicians and citizen advocates, in achieving this stronger role for the state in environmental conservation. Finally, she notes the continuing need for further evolution of our understanding of the Constitution: the Progressive understanding did not address the distributive imperfections of environmental regulation, nor the implications of administrative processes for procedural justice, nor—perhaps most problematic today—the absence of effective capacity for national economic and environmental planning, particularly in international cooperation to address global environmental challenges such as climate change.