
Armed Violence and the Politics of Gun Control in Brazil: An Analysis of the 2005 Referendum

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This article analyses the factors behind the paradoxical result of the Brazilian gun-control referendum. It adopts a qualitative approach to explore the dissemination of ideologies surrounding crime, gun control and security. For this purpose, interviews were conducted with activists involved in the referendum's campaign. The results reveal that ideologically driven campaigns in a context of corruption scandals, high levels of violence and fear influenced the result. The neoliberal discourse of individual freedoms played a role, as did the phrasing of the referendum's question, fragile confidence in public institutions and unequal campaign funding and regulation.

Keywords: Brazil, firearms, gun control, policing, public security, violence.

Data from the Brazilian Ministry of Health and the United Nations reveal that on average 38,000 firearms deaths happen in Brazil annually. Between 1980 and 2012 over 880,000 people died from firearm wounds in Brazil, a country with firearm death rates higher than countries at war (21.9/100,000 inhabitants in 2012 and 47.6/100,000 among the population aged 15–29) (Waiselfisz, 2015). As a point of comparison, the world's average homicide rate in the year 2000 was 8.8/100,000; for high-income countries it was 2.9; for low and middle-income countries it was 10.1 (Bailey and Dammert, 2006).

A decade has passed since the Brazilian Government approved a referendum that enabled the population to vote on whether to ban gun sales to civilians. A vote for the ban was expected to have had a significant impact on the international community and on gun control policies around the world. Three weeks before the referendum, campaigners were allowed prime television time to present their arguments. Prior to the campaign, opinion polls revealed that 80 percent of the population supported a gun ban (Datafolha, 2005; Anastasia, Inacio and Novais, 2006); however the actual referendum result was 64 percent against a ban as reported by the International Action Network on Small Arms (IANSA) (IANSA, 2005a).

An analysis of the referendum and of the lessons that can be learned from this event in Brazil's history is timely given that the Brazilian gun lobby is now even more organised than in 2005 and that they have proposed significant legal reforms to Brazil's gun-control legislation. Among other changes, the proposed legislation (PL 3722/12) would reduce

the age requirements for purchasing firearms from 25 to 21 years old, extend the rights to purchase guns and the amount of ammunition that can be purchased – one person would be entitled to own up to nine firearms and purchase up to 5400 bullets per year, creating as Fernandes, Vicente and Silva (2015) put it, ‘a dream’ for the gun and ammunition industry.

This article investigates the factors that influenced the referendum’s result. It contextualises the development of firearm availability in Brazil and some of the barriers faced by those who attempt to promote a world with fewer guns and the violence that accompanies them. Additionally, it analyses the implications of the discourses of two different groups: civil society activists promoting an anti-violence agenda, and gun lobbyists.

The research elements for this article included evaluation of 24 in-depth telephone interviews and open-ended survey questions administered through email between October 2009 and March 2010, with pro-gun and anti-gun campaigners from organisations in the United Kingdom (UK), United States (US) and Brazil. Interviews lasted on average 45 minutes and were recorded when participants consented. Initial participants were recruited by approaching activists at organisations such as Viva Rio in Brazil and the US National Rifle Association (NRA). Further participants were recruited through a snowballing method. They were asked about the challenges of the referendum’s campaign and their opinions of why the referendum failed.

In the next section, the article examines some of the existing analyses of the Brazilian gun control referendum, how the referendum came about and the socio-economic background against which it was set. Subsequently, the article discusses five key themes that emerged from the interviews that according to activists were important in swaying the referendum’s result. These include: (a) campaign strategy and funding; (b) the formulation of the referendum’s question; (c) indecision and confusion among voters; (d) corruption scandals and the politicization of the referendum’s question and (e) the role of the Electoral Justice System. Finally, the article concludes with a broader discussion of the discourses deployed at the time of the referendum, and how in the Brazilian context of inefficient public institutions, it became difficult for Brazil’s population to make a decision about gun control.

The Referendum

A number of studies focused on analysing the Brazilian gun control referendum and explaining its result. Most explanations emphasized the rarity of public consultations in Brazil (Anastasia, Inacio and Novais, 2006; Araújo and Santana, 2006; Inacio, 2006; Lissovsky, 2006). Other explanations focused on the exploitation of fear of crime in the rhetoric of the televised gun lobby’s campaign, which argued that given the inefficiency of the Brazilian state in protecting its citizens, a gun ban would leave citizens defenceless (Mota, 2006; Esteves, 2007; Goldstein, 2007; Veiga and dos Santos, 2008). Although not focused on the referendum, Borba’s (2012) analysis also suggested that negative propaganda, such as the exploitation of fear, challenges ideas that political campaigns do not affect voting intentions.

Maia’s (2009) analysis of newspapers focused on the role of news media in the referendum’s deliberative process and found that contending parts would benefit from taking into consideration the perspectives and rationales of others. Similarly, Mendonça (2009) focused on the deliberative process concluding that it is not enough to defend ‘the right to life’ (pro-ban) or the ‘right to free choice’ (gun lobby). He suggested that what these

rights constitute must be explained and counter arguments need to address the rationales of the opposition. As argued by Carvalho (2015) the referendum revealed that pro-ban campaigners did not adequately address the opposition's (the gun lobby) arguments.

Indeed, Soares' (2006a) quantitative study reveals the declining support for the ban once the televised electoral campaign began. Mota (2006) provides an analysis of this decline based on the narratives of pro-ban activists. However, none of these studies combined an analysis of first-hand narratives of activists on both sides of the campaigns. This article addresses this gap in the literature to argue that the discourses of contending sides involved in networks of activism elicit significant lessons about the politics of gun control. Moreover, this article provides an interpretation of the referendum's result, based on the frameworks of Garland (2001), Wacquant (2003, 2009) and Chevigny (2003).

The theoretical frameworks developed by Garland (2001), Wacquant (2003, 2009) and Chevigny (2003) facilitate the investigation of the role played by governance and fear of crime in the referendum's result. Garland's (2001) and Wacquant's (2003, 2009) key theses focus on the development of punitive states and societies. Garland (2001) argues that failing hope in the rehabilitation of offenders, coupled with growing anxiety about crime, leads citizens and governments to advocate the increasing use of criminal justice interventions. Comparably, Wacquant argues that the neoliberal era champions more state powers in the penal system as a remedy for the social consequences of its economic policies, which have caused widespread inequality.

Neoliberal discourse promotes the protection of individual and property rights over social and public interests. Thus private rather than public forms of security are prioritized. Its preoccupation is with individual and personal safety. Hence scholars have associated neoliberal governance and its social concomitants with trends in crime and repressive crime control (Garland, 2001; Wacquant, 2003, 2009; Reiner, 2007).

Drawing on neoliberal discourses of individualism, gun lobbyists in Brazil, as in the US, assiduously cultivate complaints regarding the control of firearms, through a rhetoric lauding individual liberties and freedoms. The notion that individual freedoms are guaranteed by freedom of the market and of trade (even the freedom to own and trade firearms with few or no regulations) is a chief feature of neoliberal thinking, and it has long directed the US position in relation to the rest of the world. The freedom it symbolizes and personifies echoes the interests of private property owners, corporations and financial capital.

Nonetheless, the neoliberal thesis is not fully appropriate for the Brazilian case, insofar as the country has seen (mild) reductions in inequality in the 2000s and expanded spending on education and health (Neri, 2009). The Brazilian case does not follow the simple US model of welfare withdrawal and penal state development. Violent, often militarised, repression existed long before the arrival of neoliberalism, which is the focus of Wacquant's critique (Chevigny, 1995; Huggins, 1997, 2000; Pinheiro, 2009; Cheliotis and Xenakis, 2010).

Nevertheless, Wacquant is right to note that growing prison populations and an emphasis on punitive approaches have become more visible during the neoliberal period. Chevigny (2003) emphasizes that these developments have been accompanied by the politics of clientelism in Latin America and the populist 'tough on crime' ideology, which seek to bargain for votes in a context often driven by fear of crime. These frameworks enable an understanding of how ideologies of crime, criminals and the criminal justice system as well as the role of the media and of global powers in the gun debate affected the referendum.

Background

Between 1980 and 2010, the number of firearm homicide victims in Brazil rose by 346.5 percent while the population grew by 60.3 percent (Waiselfisz, 2013). Over the same period, the Brazilian firearm industry developed into the second largest producer in the western hemisphere (IANSAs, 2005b). Brazilian small arms manufacturers produce approximately 250,000 firearms every year (ISP, 2006). Brazil is also a market for firearms manufactured in other countries, such as the US, China and Russia.

Such an influx of firearms has led to 'astronomic levels of armed violence' (Dreyfus, Lessing and Purcena, 2005: 64). This also coincides with growing levels of suicide and critical costs to public health (Waiselfisz, 2015). Just as Hemenway (2006) and Cook and Ludwig (2000) have argued in respect of the US, the production, distribution and purchase of firearms are issues driven largely by *private* decision-making (corporate and commercial decisions, and individual consumer choices) with costly *social* consequences.

The availability of firearms has increased the prevalence of trivial conflicts that result in lethal violence. Incidents that may previously have involved fists, knives or other weapons tend now to be played out with guns, leading almost inevitably to more deaths (Waiselfisz, 2013, 2015). Similarly in the US, it has been argued that from the 1970s, the pace of non-lethal violence has slowly increased, while the pace of lethal adolescent violence rocketed (Cook and Laub, 1998). The majority of this rise in violence involved the use of firearms (Zimring, 2000).

A significant proportion of violent and gun crime has been associated with organized crime and drug trafficking, including disputes between rival gangs and between gangs and the police (Arias, 2006; Fernandes, 2013; Denyer-Willis, 2015). Nevertheless, about half of all homicides in Brazil are the outcome of trivial incidents between people who know each other (ISP, 2006). This is similar to the experience of other countries, for instance the US (Zimring and Hawkins, 1987, 1997; Zimring, 1993; Squires, 2000; Bandeira and Bourgois, 2005). Thus, the problem of gun proliferation is not limited to gun crime between strangers, or between organised criminals and state authorities, but also has an impact inside the home, within communities and between friends.

The Disarmament Statute

We sometimes think that the way to affect the world of social policy is to get access to legislators and then persuade them to do the right thing ... [This is] largely limited unless you have engaged the broader public as well. (Currie, 2007: 178)

Concerned about the magnitude of firearms-related violence in Brazil, law students from the University of São Paulo launched a disarmament campaign in 1997, Brazil's first civilian-originated initiative against gun proliferation. The movement gained media support, which spread the message for arms control nationally with images of the public destruction of 1721 voluntarily surrendered guns in São Paulo. The campaign reached the attention of Congress and over 60 legislative bills on gun control were introduced, despite many being defeated by gun lobbyists (ISP, 2006).

The Disarmament Statute raised the minimum age for purchasing firearms from 21 to 25, established mandatory psychological and shooting tests, and prohibited civilians

from carrying a gun in public. It also established an extensive number of gun control provisions, such as the prohibition of production, sale and use of replicated firearms and determined that any weapons produced in Brazil must have a safety and identification system engraved on the gun by the producer.

By 2005, 443,719 firearms had been voluntarily surrendered from civilians for destruction (Crespo, 2006). The population had rejected nearly half a million firearms in an attempt to say no to the associated deaths and violence. By 2004 the country experienced the first drop in gun deaths, reducing 13 percent (Hearn, 2005b; Cerqueira and de Mello, 2013, 2015; Waiselfisz, 2015). Ultimately, the Statute established that a national referendum would be held for a public vote on a complete ban on firearms and ammunition sales to civilians (ISP, 2006).

A number of activists and lobbies organized campaigns throughout the country and various NGOs were involved in the pro-ban cause. Simultaneously, the US National Rifle Association (NRA) announced it would invest US\$1 million in the pro-gun campaign (IANSA, 2005a). Rebecca Peters, IANSA's director, stated 'if the ban is passed, then I definitely expect other countries to try the same thing' (Reel, 2005). Given that half the world's small arms manufacturers are in the US (Batchelor, 2001), this may explain why the NRA believed it had reason to become involved. The NRA perceived the fight against gun control in terms of 'domino theory', whereby other countries would follow suit. Gun control was a political slippery slope and had to be resisted everywhere it arose, because gun bans in one country might lead to similar bans in the next. The following sections examine the factors that may have contributed to the apparent U-turn in popular voting intentions after the referendum's campaign.

Campaign Strategy and Funding

According to pro-ban activists interviewed, various celebrities became involved in the disarmament movement and wanted to volunteer for the cause. At the time, this was thought to be a great idea as an attempt to influence the public and raise awareness about disarmament. However, they perceived their campaign to have had no real strategy or single focus. On the other hand, the anti-ban campaign focused on the theme of self-defence and used 'fear propaganda' to promote guns. These tactics drew heavily upon the kind of pro-self-defence propaganda utilised by the NRA in the US. For example, they played on the fear of crime on the streets, employing discourses such as: 'responsibility equals protecting your family with guns', 'don't trust politicians who will take your ability to self-defend away', 'protecting the vulnerable – women and children with guns'.

This hegemonic discourse about security relies on the privatization of responsibility for crime. While conservatives support individual freedom, leftists advocate gun control and bestow powers upon the state to rule over individual choice (Kleck, 1991). These new themes of security, rights and self-defence were successfully imported from America to Brazilian discourse on gun control. These barriers to the pro-ban campaign were clearly illustrated in interviews:

We were not in tune with the theme of 'security'. We used celebrities, but actors were the last thing we needed. We needed people who were suffering, people who knew what they were saying. People know that celebrities are out of threat; they belong to a non-reachable elite, they are out of the reach

of firearms and it is not their children who die. Around that time, I went to a funeral of a 22 year-old boy. He was not the son of a celebrity. He was a builder's son. (interview, priest and pro-ban activist, 2009)

According to pro-ban activists the disparity in funds for the campaign was also a major factor for its outcome. One activist argued:

The changes reflected the well-elaborated marketing campaign executed by gun-lobbyists, funded by the industry they contracted three publicity companies and spent about R\$10 million, whilst the 'yes' campaign had about R\$1 million (£300,000) and a shy college-based campaign. (interview, marketing student and pro-ban activist, 2009)

Besides having more funds from the armaments industry, Brazil's gun lobby had help from the experienced NRA. In 2003, Charles Cunningham, an NRA lobbyist visited São Paulo on the invitation of the Brazilian Society for the Defence of Tradition, Family and Property, a pro-gun group and met privately with gun supporters to discuss strategies (Hearn, 2005b).

Activists argued that the Brazilian gun-lobby directly translated and used NRA propaganda materials. They used the statistics and the same narrative as the NRA's television adverts in the US. This is especially noticeable as the NRA's conservative theme of security and the 'right to own a gun' were embedded in campaign discourses (Hearn, 2005b; Goldstein, 2007; Morton, 2009) at the time of the referendum. Even gun-lobbyists claimed their success was a result of the media campaign:

We turned the game around from the moment we gained space in the media to convince the public. (interview, Brazilian gun-lobbyist, congressman and chief of police, 2010)

The Formulation of the Referendum Question

The referendum's question was perceived as confusing in Portuguese and misleading: 'Should the sale of firearms be banned to civilians?' Because during the disarmament campaign, there was a lot of talk about 'saying no to guns', the key word was 'no', however, for the purposes of the referendum, the wording had to change from 'no' to 'yes'. In order to vote against guns, civilians would need to select 'yes' on the ballot. Activists argued that there was a need to deconstruct the meanings of voting 'no' or 'yes', but there was not emphasis on this or enough time to do so (Crespo, 2006). As expressed in the following extract:

If a gun ban had been achieved, surely various countries and manufacturers, as well as distributors and merchandisers of guns and ammunition would have been negatively affected, so a scheme was designed to confuse society starting from the way the question was formulated. They moved the focus from the theme of disarmament: 'yes!' to the theme of security. They treated the question as a 'right' and option for the right of self-defence, to be armed. It seemed that 'yes' would be yes to gun sales and not to disarmament when in fact, it was voting 'no' that ended up legitimating gun sales. See how confusing the ideas get? (interview, teacher and pro-ban activist, 2010)

Indecision and Confusion among Voters

Many pro-ban activists argued that people did not feel prepared to decide on the referendum question. Some thought this decision should have been made by congress, partly because there was not enough debate time to improve the electorate's understanding of their voting options and the implications of their vote:

People did not feel capable of deciding. I often heard people say 'well, if I voted in this politician, why can't he solve this issue?' [...] When we finally achieved the enforcement of the Disarmament Statute, for the referendum to take place, there were only three months left till the vote and just one month of campaigning. People did not understand the subject matter. (interview, sociologist and pro-ban activist, 2009)

A different interviewee also expressed disappointment in the kind of debate around the time of the referendum: 'There was no debate. It was all marketing' (interview, pro-ban chief of police, 2010).

The confusion in the understanding of the electorate is not surprising. The gun-lobby had successfully deployed a binary opposition separating 'citizens' from 'bandits'. This criminalising rhetoric worked as a process of othering. This has serious implications: first, it constructs criminals as simply bad, in an essentialist fashion, and ignores their humanity and potential to change; second, it promotes fear, distrust and loss of hope in public security. This is one example of Foucault's notion of 'dividing practices' also referred to as the construction of the 'criminalised other' via a process of essentializing the other (Young, 1999). The rhetoric deployed by gun-lobbyists dichotomised and separated the 'good' from the 'bad', by maintaining that bandits (the bad) were in favour of a disarmed citizenry (as it allowed them to victimise with impunity) and that good citizens could not rely on public security. The gun lobby's discourse, which supposed the existence of the human right to armed self-defence, drew heavily upon a wide range of pro-gun scholarship in the US that emerged in the last two decades (Waters, 1998; Kleck and Kates, 2001; Lund, 2006; Stell, 2006).

The pro-ban campaign was backed up by years of research by well-prepared researchers in NGOs and advocated the promotion of public safety, whereas the pro-gun campaign had as its ambition the establishment of individual freedom and personal security. This distinction is critical to an understanding of these competing dimensions of safety (Squires, 2006, 2008). This issue was illustrated during an interview with a pro-gun activist:

People started to think in terms of *personal freedom* and embodied *distrust for the government*. I think people started to think about it properly. I don't think that prohibiting gun ownership would reduce violence. (interview, NRA gun lobbyist and UN executive, 2009)

Gun-lobbyists insisted that banning gun sales to civilians would simply leave all the guns in criminal hands and the police could not protect all citizens at all times. Consequently, they argued that there was a need for 'good citizens' to protect themselves, and that they could do this more effectively with a firearm. The comment below exemplifies this argument:

In my 35 years of police experience, I must say that it is impossible for the police to protect all good citizens, in all areas, at all times. It is then that I advocate the right to self-defence. (interview, Brazilian gun-lobbyist, congressman and chief of police, 2010)

Paradoxically, it is precisely the availability of firearms, whether for armed defence or otherwise, that has accompanied the increase in violence (Bandeira and Bourgois, 2005). The gun lobby perceived the solution to crime to be robust policing, investing in guns and enforcing punitive measures. This perspective does not acknowledge methods of crime control beyond punishment and the criminal justice system, such as socio-economic measures and programmes of inclusion. As argued by Chevigny (2003: 79), populist political campaigners run a successful campaign against policy experts by ‘championing a vengeful, punitive approach to crime, as contrasted with the more nuanced approach of many criminologists.’

Corruption Scandals and the Politicization of the Referendum

The infamous *Mensalão* political scandal emerged in June 2005, where monthly bribes of R\$30,000 (about \$12,000) were allegedly paid to parliamentarians to vote in favour of the president’s projects. The scandal received continuing media attention between June and October 2005, the same period between the referendum’s approval and the actual voting date. Critics argued that this resulted in an association of public opinion between the federal government that supported the ban campaign and the systematic bribery and corruption issue (Infante, 2005). The referendum began to be seen as a form of resistance to and demonstration of dislike for parliament and distrust of the political executive (Crespo, 2006; Goldstein, 2007). Many interviewees from the pro-ban side argued that the pro-gun campaigners took advantage of this opportunity:

The ‘No’ campaign was a thousand times better than the ‘Yes’. The deciding factor was that they were very savvy in ‘gluing with super-glue’ the referendum to the government. (interview, volunteer PR and pro-ban activist, 2009)

The referendum was not about guns, but about being against the government. People thought it was a way the government had found to mask their corruption and ‘theft’. I saw many students saying this. (interview, sociologist and pro-ban activist, 2009)

Corruption and ‘talk’ about corruption have been normalized in Brazil, not only political corruption but also police corruption (Goldstein, 2007). The rhetoric used by the NRA and the gun-lobby campaign simply reinforced a common belief in Brazil that ‘criminals have access to guns and will continue to have them, and that the police are unable to protect ordinary citizens’ (Goldstein, 2007: 38). This is precisely the type of discourse that gun-lobbyists drew on:

Criminals use illegal guns, not the guns owned by good citizens. Bandits do not buy guns in shops, they don’t register guns, and neither do they volunteer their guns away. The governmental propaganda aimed to convince via brain-washing that homicides are committed by ordinary people that know

and live with the victims. This is false. Criminals kill other criminals in trafficking disputes, they kill police at work and defenceless victims. (interview, Brazilian gun-lobbyist, congressman and chief of police, 2010)

The gun lobby argued that only criminals would have access to guns and would benefit from the ban as they would know that victims were unarmed, another familiar American theme. Consequently, gun-lobbyists claimed that a gun ban would lead to increases in burglary and crime altogether. This type of circular argument bears no relationship to the available research. As critics argued, the implementation of stricter gun laws in 2003 led to subsequent drops in firearm mortality (Hearn, 2005a; Cerqueira and de Mello, 2013). The gun-lobby's conspiracy theories of corrupt intentions to disarm the population (Harcourt, 2004) demonstrate the ways in which the original purpose of the referendum was diluted and misinterpreted. It is, therefore, important to remember the civilian origins of the social movement that led to such a radical referendum (CONIC, 2005; ISP, 2006).

The Role of the Electoral Justice System

In Brazil, *Justiça Eleitoral* or the Electoral Justice system is responsible for all processes related to elections and voting in the country. It is in charge of monitoring electoral campaigns and enforcing the law over electoral crime. During the disarmament campaign, the Electoral Justice system prohibited donations to entities or organisations which received international funding or which benefited from the outcomes of legislation (Crespo, 2006). The pro-ban campaign, which relied on NGOs, was limited by these regulations, whereas the American NRA was able to play a pivotal role. Activists argued that this had a significant impact in the 'yes' (pro-ban) campaign:

It is not possible to consult the public about an important theme in their lives such as public security and at the same time disqualify the social movements [NGOs, pressure groups] working on these issues, while, on the other hand, allowing commercial establishments and private companies to do whatever they liked, donate, campaign, publish news articles. (interview, lawyer specialist in electoral law, 2009)

Legislation was against us ... They [referring to the gun-lobby] contracted an entire office of solicitors to stop us ... We had no way to defend ourselves. (interview, volunteer public relations officer and pro-ban activist, 2009)

The electoral justice system treated the referendum as an election campaign even though it was a public consultation and it is at least arguable that NGOs representing social movements should not be ruled out of a public debate. It is not likely that they would have derived profits from the referendum's result.

The Context for Decision Making

The complexity of the issue of civilian disarmament is exemplified by the different gun control regimes adopted around the world. The decision to allow the population to be

armed requires careful consideration in light of the social, political, cultural and economic circumstances of the country in question. However, this was never the way that the issue was going to be resolved in Brazil in 2005: the topic was controversial, the two sides were passionate about their views and politics and political influence played their part, as did fear.

Given the deep rooted social inequality, the reality and intensity of urban violence in Brazil, few social problems are capable of mobilizing the population as much as criminality (Chevigny, 1995; Tavares, 2007). According to Soares (2006b) fear of crime is part of a constant sentiment that is naturalized at all levels of society; criminality and fear of crime have, therefore, become embedded in the culture of Brazil. Be it due to media influence or to soaring violent crime rates, fear of crime affects the behaviour of individuals and institutions in Brazil. A study by IANSA sets the picture: in Brazil, 94 percent of participants were worried about becoming victims of firearm violence and 51 percent had friends or family who had been victims of gun crime in the previous five years (Tavares, 2007). In this context, it is perhaps difficult for the population to make a clear and rational decision between having a country with fewer illegal guns and potentially less gun-related violence as opposed to giving up the alleged right to self-defence (with a firearm), as argued by gun-lobby activists.

A significant percentage of the population relied on the media to inform their voting decision. While not minimizing the power and weight of the media, it is important to note that spectators are active interpretative agents rather than simply a compliant sponge (Kitzinger, 2004). Spectators interpret media messages in different ways, depending on their social position in a variety of sense-making communities and on their contact with alternative discourses. Participants (both pro-gun and the pro-ban) explicitly argued that the media campaigns were responsible for the shift in voting intentions in the referendum. During the first 12 days of the 20-day media campaign, the pro-ban side gradually lost overall support while the pro-gun campaign started influencing public opinion (Soares, 2006a).

Most of the pro-gun arguments ultimately implied the ineffectiveness of the police and the state; which were rooted in beliefs that the solution to Brazil's crime problems lay in more civilian armament and the use of force (see, e.g., Klintowitz, 2005). Wacquant has tried to account for the enthusiasm for US style law and order discourse in Brazil, but this is just one part of the picture:

Brazil is tempted to import the US-style discourse and policy of 'zero tolerance' because ... they are the indispensable order-maintenance counterpart to policies of economic deregulation and fiscal austerity adopted by Latin American countries under the press of international financial agencies. (Wacquant, 2003: 197)

In fact Brazil has moved beyond simply importing the measures of the US penal state described by Wacquant (2003, 2009); it is also taking up the 'gun culture' or ideology, which is strongly associated with minimalist government and inequality. As Wacquant notes, this 'neo-liberal penalty is all the more seductive as well as all the more nefarious when it is applied to countries traversed by deep inequalities of social condition and life chances' (Wacquant, 2003: 198).

The principles of neoliberal penalty, such as zero tolerance and deterrence, are seductive to authoritarian thinking precisely because, even though they are ineffective (and counter-productive) for tackling the underlying problems of urban crime and violence, 'they are ideally suited to *dramatizing* publicly their new-found commitment to slay

the monster of urban crime and because they readily fit the negative stereotypes of the poor who are everywhere portrayed as the main source of street deviance and violence' (Wacquant, 2003: 198, emphasis in original). Yet rather than 'slaying the monster of urban crime', firearm proliferation in Brazil seems far more likely to slay the poor themselves. Wacquant's point bears out Garland's argument that criminal Justice policies 'are not chosen because they are known to work' (2001: 26); rather, in Brazil's case, firearms for citizen self-defence reflect both the powerful political interests of the firearm lobby and an underlying attitude, infused with fear and contempt, which regards the gun violence epidemic as little more than collateral damage in a daily war against the criminalised poor.

The conservative agenda that dominated the pro-gun campaign with its focus on personal security and the individualism of self-defence had no scope to incorporate the more public agenda of collective security by means of disarmament and reduced gun availability. It relied on the construction of offenders as the 'bad apples', as the undeserving 'other'; that rhetoric only required law-enforcement to be more effective in managing and punishing 'bandits'. This misinterpretation of offenders serves the interests of a neoliberal system that causes social inequalities and maintains the poor controlled through the penal system (Wacquant, 2003).

Brazil's police force is infamous for corruption and inhumanity (Huggins, 1991; Penglase, 1996; Chevigny, 2003), as well as being unable to provide protection to communities in which gangs rule. With no safety and no social security, how could the public have relied on the government for protection? The pro-gun argument of self-defence was effective in persuading Brazilian society. A milieu riddled with social inequality, corruption, mistrust, frequent victimization and fear of crime was ideal for those that profit on the insecurities of the public. This penal chaos is captured by Wacquant's argument that:

The routine use of lethal violence by the military police and the habitual recourse of the civilian police to torture ... summary executions and unexplained 'disappearances', all maintain a climate of terror among the popular classes. (Wacquant, 2003: 199)

Firearm proliferation is sustained by a combination of fear and a neoliberal law and order discourse. Above all, even in a now supposedly democratic society, the blatant inefficiency and distrust of the police and 'the patent incapacity of the courts to enforce the law encourages all those who can to seek private solutions to the problem of public insecurity – via fortification into "gated communities", armed guards, the tolerated and even encouraged vigilantism of the *justiceiros* and victims of crime' (Wacquant, 2003: 200) – and, not least, the carrying of firearms for personal protection. These factors spread and intensify the violence, which is fuelled by easy access to guns (Wacquant, 2003; Bandeira and Bourgois, 2005).

Conclusion: Lessons to Learn

This article contextualizes and seeks to understand why the gun ban in Brazil failed. The phrasing of the referendum's question on the ballot, fear of crime fuelled by the spread of firearms, highly ideologically driven campaigns, media influence and global powers such as the NRA were the main factors to influence the referendum's result. The article argues that the gun-lobby's discourses relied on ideological views, which were dependent on private methods of security. These views were perpetuated and proliferated in the

referendum's campaign with the use of fear propaganda and resulted in a vote against a gun ban.

This article suggests that there is a need for more gun control. This is problematic, as in most countries manufacturers and the gun lobby have a close relationship with the state (Spitzer, 2004). Currently, groups such as the NRA, funded by the gun industry and its members, effectively promote gun proliferation around the world (Morton, 2009). The NRA spreads conspiracy theories and has proven to be a successful international pressure group. So, there is a need to engage the public in the complex debate about firearms. The Brazilian disarmament campaign demonstrated that the public are capable of influencing legislators, but it also revealed the powerful influence of the media, which can misinform spectators.

If Brazil's population is to trust and rely on methods of public security, police reform is another pressing issue, requiring a shift from violent dehumanizing policing to intelligent problem-solving policing. Finally, policies of tolerance and peace are paramount in changing Brazil's context. What is needed is 'both intolerance of violence and tolerance of informal, non-violent economic activity ... more negotiation and less suppression' (Hagedorn, 2005: 164). There is no simple solution to these problems.

Despite the relative success of the Disarmament Statute gun control laws (Cerqueira and de Mello, 2013), the overall status quo remains unchanged. Firearms were not banned in the country, they remain accessible and the country still suffers from high levels of firearm violence, while small but powerful sections of society continue to profit from the ideologies of a gun culture, leaving behind a trail of blood and injustice. In this context, learning lessons from the referendum's experience is timely, as the Brazilian gun lobby has become more organised and influential, having submitted legal appeals (law 3722/2012) to reform the disarmament statute legislation and reduce gun control (Fernandes, Vicente and Silva, 2015; Waiselfisz, 2015).

It has not been my purpose to engage in a detailed exercise of campaigning reform, institution-building or re-design. Instead, in this article I have set out some of the specific problems of institutional corruption, fear propaganda, fear of crime and populist punitive agendas and sketched the outlines of a discussion about the politics of gun control. Such politics, I have argued, should be geared towards less firearm availability, more control of manufacturers and traders, more humane policing, effective campaign regulation, critical engagement of the public, something I interpret as requiring a range of mechanisms, operating at different levels, each differently oriented to questions of reducing mortality rates, equitable resource distribution, and genuinely maximizing citizen involvement. By such means it might become possible to generate legitimately democratic and effective gun control and reduce mortality.

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References

- Anastasia, F., Inacio, M. and Novais, R. (2006) 'Referendo e democracia: perdas e ganhos' in M. Inacio, R. Novais and F. Anastasia (eds.) *Democracia e referendo no Brasil*. UFMG: Belo Horizonte, 15–33.

Armed Violence and the Politics of Gun Control in Brazil

- Araújo, P. and Santana, L. (2006) 'O referendo sobre o comércio de armas: processo decisório, representação política e participação popular na democracia Brasileira' in M. Inacio, R. Novais and F. Anastasia (eds.) *Democracia e referendo no Brasil*. UFMG: Belo Horizonte, 74–120.
- Arias, E. D. (2006) *Drugs and Democracy in Rio de Janeiro: Trafficking, Social Networks, and Public Security*. University of North Carolina Press: Chapel Hill.
- Bailey, J. and Dammert, L. (2006) 'Public Security and Police Reform in the Americas' in J. Bailey and L. Dammert (eds.) *Public Security and Police Reform in the Americas*. University of Pittsburgh Press: Pittsburgh, 1–23.
- Bandeira, A. and Bourgois, J. (2005) *Armas de fogo: protecao ou risco? Guia pratico – 100 perguntas e respostas*. Viva Rio: Rio de Janeiro.
- Batchelor, P. (2001) *Small Arms Survey 2001: Profiling the Problem*. Oxford University Press: Oxford.
- Borba, F. (2012) 'O impacto da propaganda negativa na decisão do voto'. *Paper presented at 8º Encontro da Associação Brasileira de Ciência Política ABCP*, Gramado.
- Carvalho, I. S. de (2015) *4 Lessons I Learned from Taking a Stand against Drugs and Gun Violence*. Ted Talks. [WWW document]. URL https://www.ted.com/talks/ilona_szabo_de_carvalho_4_lessons_i_learned_from_taking_a_stand_against_drugs_and_gun_violence/citations [accessed 16 October 2015].
- Cerqueira, D. and de Mello, J. M. P. (2013) *Evaluating a National Anti-Firearm Law and Estimating the Causal Effect of Guns on Crime*. Textos para discussão 607. Department of Economics PUC-Rio: Brazil.
- Cerqueira, D. and de Mello, J. M. P. (2015) *Menos armas, menos crimes*. IPEA: Brasília.
- Cheliotis, L. K. and Xenakis, S. (2010) 'What's Neoliberalism Got to Do with It? Towards a Political Economy of Punishment in Greece'. *Criminology and Criminal Justice: An International Journal* 10(4): 353–373.
- Chevigny, P. (1995) *Edge of the Knife: Police Violence in the Americas*. New York Press: New York.
- Chevigny, P. (2003) 'The Populism of Fear: Politics of Crime in the Americas'. *Punishment & Society* 5(1): 77–96.
- Conselho Nacional de Igrejas Cristas no Brasil (CONIC) (2005) *Igrejas vão reforçar campanha pelo desarmamento e defender referendo*. [WWW document]. URL http://www.conic.org.br/index.php?system=news&news_id=266&action=read [accessed 10 April 2010].
- Cook, P. and Laub, J. (1998) 'The Unprecedented Epidemic in Youth Violence'. *Crime and Justice* 24: 27–64.
- Cook, P. and Ludwig, J. (2000) *Gun Violence: The Real Costs*. Oxford University Press: Oxford.
- Crespo, S. (2006) 'Apresentação' in M. Mota and S. Crespo (eds.) *Referendo do sim ao não: uma experiencia da democracia brasileira*, Comunicações do Iser, Vol. 62. ISER/Viva Rio: Rio de Janeiro, 3–5.
- Currie, E. (2007) 'Against Marginality: Arguments for a Public Criminology'. *Theoretical Criminology* 11(2): 175–190.
- Datafolha (2005) *80% acham que o comércio de armas de fogo e munição deve ser proibido*. 27 July 2005. [WWW document]. URL http://datafolha.folha.uol.com.br/opinio_publica/2005/07/1226824-80-acham-que-o-comercio-de-armas-de-fogo-e-municao-deve-ser-proibido.shtml [accessed 9 June 2013].
- Denyer-Willis, G. (2015) *The Killing Consensus: Police, Organized Crime, and the Regulation of Life and Death in Urban Brazil*. University of California Press: Berkeley.
- Dreyfus, P., Lessing, B. and Purcena, J. C. (2005) *Indústria Brasileira de armas leves e de pequeno porte: produção legal e comércio*. [WWW document]. URL http://vivario.org.br/publique/media/A_industria_brasileira_%20de_armas_leves_e_de_pequeno%20porte_producao_legal_e_comercio.pdf [accessed 13 January 2016].

- Esteves, E. (2007) *O Brasil diz sim às armas de fogo: Uma análise sobre o referendo do desarmamento*. MA Thesis, Fundação Getúlio Vargas – FGV, Rio de Janeiro.
- Fernandes, F. L. (2013) ‘Youth Gang Members in Rio de Janeiro: The Face of a “Lost Generation” in an Age of Fear and Mistrust’. *Bulletin of Latin American Research* 32(2): 210–223.
- Fernandes, E., Vicente, J. and Silva, O. (2015) *Mais armas, menos crimes?* O Vale. 31 May 2015.
- Garland, D. (2001) *The Culture of Crime Control: Crime and Social Order in Contemporary Society*. Oxford University Press: Oxford.
- Goldstein, D. (2007) ‘Gun Politics: Reflections on Brazil’s Failed Gun Ban Referendum in the Rio de Janeiro Context’ in F. Springwood (ed.) *Open Fire: Understanding Global Gun Cultures*. Berg: New York, Oxford, 28–41.
- Hagedorn, J. (2005) ‘The Global Impact of Gangs’. *Journal of Contemporary Criminal Justice* 21(2): 153–169.
- Harcourt, B. E. (2004) ‘On Gun Registration, the NRA, Adolf Hitler, and Nazi Gun Laws: Exploring the Gun Culture Wars (A Call to all Historians)’. *Fordham Law Review* 73(2): 653–680.
- Hearn, K. (2005a) *As Brazil Votes to Ban Guns, NRA Joins the Fight*. 21 October 2005. [WWW document]. URL <http://live.thenation.com/doc/20051107/hearn> [accessed 15 February 2010].
- Hearn, K. (2005b) *The NRA Takes in Gun Control in Brazil*. 25 October 2005. [WWW document]. URL <http://www.alternet.org/story/27279> [accessed 15 February 2010].
- Hemenway, D. (2006) *Private Guns, Public Health*. University of Michigan Press: Michigan.
- Huggins, M. K. (1991) *Vigilantism and the State in Modern Latin America: Essays on Extra-Legal Violence*. Praeger: New York.
- Huggins, M. K. (1997) ‘From Bureaucratic Consolidation to Structural Devolution: Police Death Squads in Brazil’. *Policing and Society* 7: 207–234.
- Huggins, M. K. (2000) ‘Urban Violence and Police Privatization in Brazil: Blended Invisibility’. *Social Justice* 27(2): 113–134.
- IANSA (International Action Network on Small Arms) (2005a) *Brazil Gun Referendum Defeated: A Lost Opportunity for Victims of Gun Violence*. [WWW document]. URL <http://www.iansa.org/regions/samerica/brazil-pr241005.htm> [accessed 20 June 2009].
- IANSA (International Action Network on Small Arms) (2005b) *Brazilian Gun Referendum Approaches: A Historic Opportunity to Make People Safer from Gun Violence*. [WWW document]. URL <http://www.iansa.org/regions/samerica/brazil-referendum.htm> [accessed 20 June 2009].
- Inacio, M. (2006) ‘Implementando a agenda presidencial? A participação do Poder Executivo no referendo sobre as armas’ in M. Inacio, R. Novais and F. Anastasia (eds.) *Democracia e referendo no Brasil*. UFMG: Belo Horizonte, 34–73.
- Infante, A. (2005) *Desarmamento: referendo deve ser este ano*. [WWW document]. URL <http://www.pnud.org.br/seguranca/entrevistas/index.php?id01=1293&lay=jse> [accessed 20 June 2009].
- Instituto Sou da Paz (ISP) (2006) *Brazil: Changing a History of Violence*. [WWW document]. URL <http://www.iansa.org/regions/samerica/documents/Brazil-gun-referendum-analysis-SoudaPaz-2006.pdf> [accessed 20 June 2009].
- Kitzinger, J. (2004) *Framing Abuse: Media Influence and Public Understanding of Sexual Violence against Children*. Pluto Press: London.
- Kleck, G. (1991) *Point Blank: Guns and Violence in America*. Aldine de Gruyter: Hawthorne.
- Kleck, G. and Kates, D. (2001) *Armed: New Perspectives on Gun Control*. Prometheus Books: New York.
- Klintonowitz, J. (2005) ‘O referendo da fumaça’. *Revista Veja* 38(40): 77–88.
- Lisovsky, M. (2006) ‘A campanha na tevê a desventura do sim que era Não’ in M. Mota and S. Crespo (eds.) *Referendo do sim ao não: uma experiência da democracia brasileira*, Comunicações do Iser, Vol. 62. Iser: Rio de Janeiro, 27–42.

Armed Violence and the Politics of Gun Control in Brazil

- Lund, N. (2006) 'A Constitutional Right to Self-Defense?'. *Journal of Law, Economics and Policy* 2(2): 213–220.
- Maia, R. C. M. (2009) 'Mediated Deliberation: The 2005 Referendum for Banning Firearm Sales in Brazil'. *The International Journal of Press/Politics* 14(3): 313–334.
- Mendonça, R. F. (2009) 'A cooperação na deliberação pública: um estudo de caso sobre o referendo da proibição da comercialização de armas de fogo no Brasil'. *Dados* 52(2): 507–542.
- Morton, D. (2009) *Gunning for the World*. *Foreign Policy*. 19 October 2009 [WWW document]. URL <http://foreignpolicy.com/2009/10/19/gunning-for-the-world/> [accessed 13 January 2016].
- Mota, M. (2006) 'O referendo de outubro/2005: das conquistas plurais à derrota singular' in M. Mota and S. Crespo (eds.) *Referendo do sim ao não: uma experiência da democracia brasileira*, Comunicações do Iser, Vol. 62. Iser: Rio de Janeiro, 6–18.
- Neri, M. (2009) 'Income Policies, Income Distribution, and the Distribution of Opportunities in Brazil' in L. Brainard and L. Martínez-Díaz (eds.) *Brazil as an Economic Superpower?* Brookings Institution Press: Washington, 221–269.
- Penglase, B. (1996) *Final Justice: Police and Death Squad Homicides of Adolescents in Brazil*. Human Rights Watch: New York, London.
- Pinheiro, P. S. (2009) 'Political Transition and the (Un)Rule of Law in the Republic' in I. Sachs, J. Wilhelm and P. S. Pinheiro (eds.) *Brazil: A Century of Change*. University of North Carolina Press: Chapel Hill, 174–215.
- Reel, M. (2005) 'Brazil Weighs a National Gun Ban'. *Washington Post*, 1 October, 1.
- Reiner, R. (2007) *Law and Order: An Honest Citizen's Guide to Crime and Control*. Polity Press: Cambridge.
- Soares, G. A. D. (2006a) 'From Yes to No: An Analysis of Tracking Surveys' in M. A. R. Mota and S. Crespo (eds.) *Referendum, from Yes to No: A Brazilian Democracy Experience*. ISER: Rio de Janeiro, 61–73.
- Soares, L. E. (2006b) 'Segurança pública: presente e futuro'. *Estudos Avançados* 20(56): 91–106.
- Spitzer, R. J. (2004) *The Politics of Gun Control*, 3rd edn. CQ Press: Washington.
- Squires, P. (2000) *Gun Culture or Gun Control*. Routledge: London.
- Squires, P. (2006) 'Beyond the 4th of July: Critical Reflections on the Self-Defence Debate from a British Perspective'. *Journal of Law, Economics and Policy* 2(2): 221–264.
- Squires, P. (2008) *Gun Crime: A Review of Evidence and Policy*. Centre for Crime & Justice Studies, Kings College: London.
- Stell, L. K. (2006) 'Self-Defense and Handgun Rights'. *Journal of Law, Economics and Policy* 2(2): 265–308.
- Tavares, M. X. (2007) 'Sim ou Não? O referendo do comércio de armas no discurso da revista *Veja*'. *Estudos em Jornalismo e Mídia* IV(1): 65–77.
- Veiga, L. F. and dos Santos, S. A. (2008) 'O referendo das armas no Brasil: estratégias de campanha e comportamento do eleitor'. *Revista Brasileira de Ciências Sociais* 23(66): 59–77.
- Wacquant, L. (2003) 'Toward a Dictatorship Over the Poor? Notes on the Penalization of Poverty in Brazil'. *Punishment & Society* 5(2): 197–205.
- Wacquant, L. (2009) *Punishing the Poor: The Neoliberal Government of Social Insecurity*. Duke University Press: London.
- Waiselfisz, J. J. (2013) *Mortes matadas por armas de fogo: mapa da violência*. FLACSO Brasil, CEBELA – Centro Brasileiro de estudos Latino-Americanos: Brasília.
- Waiselfisz, J. J. (2015) *Mortes matadas por armas de fogo: mapa da violência*. FLACSO-Brasil: Brasília.
- Waters, R. A. (1998) *The Best Defense*. Cumberland House Publishers: Nashville.
- Young, J. (1999) *The Exclusive Society: Social Exclusion, Crime and Difference in Late Modernity*. Sage: London.

- Zimring, F. (1993) 'Policy Research on Firearms and Violence'. *Health Affairs* 12(4): 109–122.
- Zimring, F. (2000) *American Youth Violence*. Oxford University Press: Oxford.
- Zimring, F. and Hawkins, G. (1987) *The Citizen's Guide to Gun Control*. Macmillan: New York.
- Zimring, F. and Hawkins, G. (1997) *Crime is Not the Problem: Lethal Violence in America*. Oxford University Press: New York.

Interviews

- Anon. (2009) Lawyer, specialist in electoral law, 11 November, telephone interview.
- Anon. (2009) Marketing student and pro-ban activist, 11 November, telephone interview.
- Anon. (2009) NRA gun lobbyist and UN executive, 17 November, telephone interview.
- Anon. (2009) Priest and pro-ban activist, 10 November, telephone interview.
- Anon. (2009) Sociologist and pro-ban activist, 10 November, telephone interview.
- Anon. (2009) Volunteer public relations officer and pro-ban activist, 11 November, telephone interview.
- Anon. (2010) Brazilian gun-lobbyist, congressman and chief of police, 24 January, email correspondence.
- Anon. (2010) Teacher and pro-ban activist, 21 January, email correspondence.