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A Safer And More Civilized Country:
Gun Control, Public Health, And The State Monopoly On Force

Kevin Dahlke

A Thesis

In

The Department

Of

Sociology And Anthropology

Presented in Partial Fulfillment of the Requirements
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ABSTRACT

A Safer And More Civilized Country: Gun Control, Public Health, And The State Monopoly On Force

Kevin Dahlke

The study looks at some cultural, political, and historical aspects of the idea that gun ownership is a "public health problem". The strategy is to reinterpret modern public health in terms of its relationship to the modern State. Public health is located in a milieu of beliefs and values associated with discourses on "civilization" and the "social contract". The latter generated beliefs that individuals are dangerous, in order to legitimate the State monopoly on force; this idea is the basis of public health, which seeks to direct unlimited State power to control danger. The contemporary public health discourse on gun control is examined; beneath ultra-technocratic pretensions lie myths of "the natural state". "Injury prevention" casts all citizens as driven by "impulses", which can only be contained by strict gun control; this view is shaped by the discourse of the "social contract". Gun control proposals reflect cultural beliefs about the need to "civilize" individuals by subordinating them to the State. This shows the ideological roots of technocratic efforts at improving "safety"; gun control is a priority because of the importance attached to State monopolized force in the ideology of "civilization".

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INTRODUCTION

In North America, the issue of gun control has been an enduring feature of political life. In the United States, these battles are effectively institutionalized, turning up in every election campaign. Canada seems to be going down the same path, judging by the role of this issue in the recent election campaign as well as a recent court challenge. This followed Law C-68, passed in 1995, which not only sharply restricted the availability of guns, but suspended other individual rights. For example, the law allows police "inspectors" to enter the home of any citizen without a search warrant.

Debates over gun control are often thought to reflect much wider cultural and ideological schisms in our societies, although this idea has yet to be systematically explored. Bruce-Biggs (1990) has produced the best, albeit brief, characterization of the ideology underlying the "anti-gun" movement, which consists of a particular concept of civilization:

a society just, equitable, and democratic; but well-ordered, with the lines of responsibility and authority clearly drawn, and with decisions made rationally and correctly by intelligent men for the entire nation. To such people, hunting is atavistic, personal violence is shameful, and uncontrolled gun ownership is a blot on civilization. (84)

Analysis of discourse associated with this movement supports this view.¹ Guns and gun owners are associated with barbarism and a dissolution of order; State control over civilian access to guns is seen, in and of itself, as distinguishing civilization from savagery.

A prominent feature of the contemporary scene has been an intense involvement of public health in the political movement to restrict civilian ownership of firearms. While we ordinarily associate "public health" with the restaurant inspector and disease surveillance, now health authorities emerge out of nowhere as experts on the internal security of the State. Disease surveillance today includes not just the measurement of physiological disorders of the human body, but social disorders in the body politic;² and in Canada, the State is now to inspect the homes of private citizens, as well as the salubrity of restaurant kitchens, in the name of "health".

The role of public health in the gun issue lies in the production of scientific research, which is to serve as the basis for technocratic policy formation by the State. This research, which has all the prestige and authority accorded to both medicine and science, claims that civilians (but not the

¹The best analysis so far in this respect comes from Kopel (1992).

²The Atlanta Center For Disease Control (CDC) has since 1977 maintained a violence epidemiology program (Foege 1991), meaning that violence is statistically monitored in the same way as influenza, food poisoning, etc.

State) must be restricted from owning weapons. This position is based on the claim that "the typical perpetrator of violence is not the mentally-ill killer but the so-called "normal" person acting under an uncontrolled aggressive impulse" (Kimberely et al. 1991: 1212).

The State is to base gun laws (and other social-control policies) on the assumption that everyone is about to kill everyone else. This is the science of "injury prevention". What seems striking, given the role that medicine has played (and still plays) in the social construction of "deviance", is that here the citizen is deemed dangerous to the extent that he is considered "normal".³ Some scholars have noted a tendency towards a general "lifting of traditional boundaries between the normal and abnormal" (Poulantzas 1978: 187) in the practise of social control; on the face of it, medical statements on gun control seem to be part of this phenomenon.

The involvement of public health in the gun issue comes as part of a so-called "new public health". Strict gun control is one measure among others in an ultra-technocratic vision whose goal is no less than total control of the environment of human action. The self-avowed aim is to "make demands on institutions or organizations which have the power to control environments" (Wallack and Dorfman 1996: 295). This means restrictions on everything citizens can own, buy, sell, use,

³Regarding use of the male pronoun, the dangerous person described is almost universally understood to be a man, above all in Canada.

or do. Castel's (1991) comments on the "new preventive policy" deserve to be quoted at length:

In the name of [the] myth of absolute eradication of risk, they construct a mass of new risks which constitute so many targets for preventive intervention...Thus, a vast hygienist utopia plays on the alternate registers of fear and security, inducing a delirium of rationality, an absolute reign of calculative reason and a no less absolute prerogative of its agents, planners, and technocrats, administrators of happiness for a life to which nothing happens. (289)

All these observations suggest that to view normal citizens as dangerous coincides with attempts to control their "environment". But I do not see anything especially new in this, and nor does it necessarily involve lifting "traditional" boundaries between the normal and pathological. For one thing, the legitimacy of the modern State derives from the assumption of an innate dangerousness in every individual. This is most famously explicated in the thought of Hobbes. Another idea, which emerged about a century after Hobbes, was for a "medical police" to regulate every detail of life (including private arms) in the name of health.

We can see that public health definitely wants decisions to be made "rationally" by a few men on behalf of the whole nation, and favours a "well-ordered" State to say the least. It also regards uncontrolled gun ownership as a blot on civilization.

But the political discourse of public health does not cite Hobbes and does not use the term "civilization" very often. It claims the status of a science. Its proponents present it as no more than a form of applied physics, the

calculation of kinetic-energy transfers. Why, then, have I referred to it as a "political discourse"? Because it is understood as such by those who produce it, and openly so:

Through research...[epedemiologists] can bring to light the full impact of firearms on health and guide the evolution of public policy in that area. They can promote widespread awareness at the community level...[and] educate their state, national, and local leaders. (Wintemute et al. 1990: 250)

"High quality epedemiologic research" on gun violence is not to be understood as research done for its own sake, but as praxis, a political weapon, the "latest challenge to the gun lobby" (Kassirer 1993: 1118).

So the role of public health in gun control lies in the production, and political diffusion, of something which is at once considered "scientific research" and at the same time a political tract, developed solely to influence policy in the area of social control (and to increase it). One no longer seeks to accrue more power to the local health board, but to become an advisor to the State and public-opinion leader. The political content of science is at once affirmed and denied in all this. One effect has been a de-politicization of public discourse. Activists who only a few years back would have denounced gun ownership as immoral now talk about gun ownership as an "epidemic" and guns as "viruses". This is encouraged by public health, which is unlike other areas of medicine in that its discourse is not guarded by elaborate rituals of exclusion which define who gets to use it. Anyone who wants to can use it, so long as they do so

"correctly".⁴ Public-health literally emerges as a political avante-guard in a sort of Leninism of health and safety.

Objectives Of This Analysis

Public health research on the "prevention of firearms injuries" has increasingly become a subject of concern and critical scrutiny. It is often suspected that this research has something to do with ideology, with some sort of political agenda.⁵ Yet this is never really clarified. Critical attention has mostly been paid to the reliability of statistical calculations, sampling error, etc. These technical endeavours have yet to elucidate the assumptions behind the claim that all citizens are inherently dangerous, and why public health is concerned with the internal security of the State. It is also important to examine how it is possible for health authorities in "liberal democracies" to say that in matters of security, the State "must not exclude any potentially effective interventions on the basis of philosophy or politics" (Edelman and Satcher 1993: 124).

My goal is a social history of the phenomenon of gun control as a "public health" issue, which is a history of knowledge, and the interplay of knowledge, culture, and politics. I will try to account for the political actions and claims made by public health in the gun issue, leaving aside

⁴On the subject of the guarded privilege surrounding the use of medical discourse, see in general Foucault (1972).

⁵See for example Buckner (1995); Kates et al. (1995).

the attempt to verify the accuracy of those claims in order to analyse how they are socially constructed. This involves a focus on the political, historical, and cultural context in which public health is embedded. With respect to the issue of gun control, this context remains to be defined. Thus, part of the work involves an attempt to "get behind" the gun debate in general and to look at its underlying motive force. I will map out the cultural, political, and historical forces which give rise to concerns about gun ownership, and situate public health therein. I will try to chart the origins of the various themes that come up in the "prevention of firearms injuries", and above all the idea that gun ownership in and of itself unleashes supposedly universal killer instincts.

The sociocultural background of the gun debate, in which public health comes into play, takes us from the concrete and narrow issue of gun control to some very wide and abstract issues and concerns. The forces that shape the gun issue are of a very longstanding and broad nature; they lie at the very foundation of modern Western state societies. The contrast between gun control, as a specific issue, and the very wide horizon that shapes concerns about gun ownership, gives a multi-faceted character to the scope of the present Thesis. On the one hand, the main objective is to try to account for a body of statements, claims, and actions undertaken in recent attempts to restrict private gun ownership in the name of public health. At the same time, an adequate account needs recourse to the overall political and cultural basis

underlying the production of those claims and actions.

The inseparable relationship between gun control and some very wide political issues can be grasped in Canada's Law C-68, the new gun law defended by its proponents as a "public health" and "regulatory" measure. Questions raised by the scope of the law include not just the "right to bear arms" but also whether the State has the right to send armed men into private homes without a search warrant; whether it has the right to register, monitor, and/or confiscate legally acquired property; whether it has the right to ban, at any time, citizen ownership of what Law C-68 defines as "any device" or "any thing". In short, it raises the question of whether there are any limits to State "regulation". It also raises the question of what "health and safety" has to do with giving the State a monopoly on arms.

It is impossible to even accurately describe, let alone explain, the issue of gun control without saying something about all these things. In this respect, this Thesis is not entirely or even primarily devoted to gun control per se, but to what could best be called the theory and practise of "people control" in modern Western societies. What is ultimately at stake are conceptions of the nature of human nature, the nature of social order, and the nature of what is known as "civilization". There is also the whole culture of safety endemic to modern societies; the so-called "regulatory power" of the State which is supposed to meet the demand for health and safety; and the role of agencies such as public

health whose task is to formulate the details of "health and safety" interventions. Of utmost importance is the notion of the individual as inherently and innately dangerous, and the role of this concept in the notion of the "social contract" from which the modern State gains legitimacy.

By now the picture is quite complex. The simple issue of gun control is localized in, and shaped by, these broader and more complex underlying phenomena. All of these things converge upon the issue of gun control, and for the same reason. They all have some connection to the monopolization of violence by the modern State, and will be explored here in terms of that connection. I shall clarify this abstract statement presently.

General Framework Of The Analysis

Concerns and claims about gun control are shaped by, and embody, a complex of determinants which include cultural conceptions of "civilization"; the notion of a supposed dangerousness in each individual which must be subdued by the State as part of the "social contract"; and the rise of demands for safety, security, and regulation. Public health emerges as a vanguard force in the campaign to restrict private gun ownership, as part of a global project to regulate all spheres of life. This project presumes that the State can and must carry out "regulatory" interventions for the "public good". It also targets spheres of activity that are sometimes known as "individual rights".

Asking what it is about all these things that leads to their association with gun control led to the observation that they all had something to do with the State monopoly on the legitimate use of force. Of course, this is by definition true of gun control itself. I thought it would be a good idea to frame the Thesis as a whole in the analytical posture of a sort of political determinism. This means that the various facts important for my purposes are analysed in terms of their relationship to political power. This involves a working hypothesis that there is a link which connects all of these diverse elements together, and to the issue of gun control: their historical origin in, and relationship to, the monopolization of force by the State.

This hypothesis is very useful to help map out the cluster of sociohistorical forces which shapes the emergence of gun control as a "social problem", and above all what public health has to say on the matter. It helps to organize a somewhat messy set of antecedent influences on the claims, statements, and actions considered here. It also helps to make visible the connections between these antecedents.

Developing an informed analytic perspective on my object involves making some points about a number of things which bear on the gun issue. Thus, part of accounting for gun control in terms of its political and cultural antecedents involves outlining some subsidiary hypotheses about the relationship between those antecedents. A major theme of this analysis, because it is so important to understanding gun

control, is the relationship between the State monopoly on force, regulatory agencies such as public health, and notions of the individual as inherently dangerous.

A few notes on the central concept of "State power" are in order. Basically, it can be defined as follows. In our societies, there are a set of statements known as "laws". They consist of verbal commands which define what individuals may, may not, or must do. They have the status of law insofar as there exists some organisation which can force compliance to these commands (Kelsen 1966). The person who decides not to obey, if detected, will be punished and perhaps imprisoned. If he resists with force of his own, things will escalate to the point where he will be killed if he does not surrender.

This is usually known as the "sovereign" or "repressive" power of the State, the coercive power that comes with the State's monopoly on force and legitimized by the myths of the "social contract". A recent trend in the analysis of power is to move away from this type to forms of power which are more pervasive and generalized than manifest repression. This second type of power is not necessarily imposed or orchestrated "from above" by the State, but is often implemented as a result of demands "from below": from society itself and from agencies which are not necessarily direct branches of government. It is exercised on behalf of the "public good", to "help" and "improve" the citizens through invasive controls over their lives and activities. This type may be termed as "regulatory" or, after Foucault,

"disciplinary" power.

However, one thing that often remains unclear as a result of this shift in focus is the relationship between "sovereign-repressive" and "regulatory-disciplinary" forms of power. Often the two types are opposed to one another, and the impression sometimes derives that the study of the first type is irrelevant to understanding the second type. This controversy will be further discussed below.

Both types, however, came to bear on the gun issue. On the one hand, demands for gun control arose from civil society itself, from citizens who were demanding the right to be treated as dangerous and to be controlled accordingly. In a "liberal democracy" that is founded on popular sovereignty and individual rights, this is rather unexpected. Public health, of course, was instrumental in construing gun control as a health and safety intervention, a regulatory measure designed to "help and protect" those affected. However, to "regulate" gun ownership is to criminalize it, since gun control falls under the criminal law. Public health officials, who define gun control as an "injury prevention" measure distinct from punitive "criminal justice" approaches to violence, vigorously backed Law C-68 under which a citizen may be imprisoned for ten years for not registering a firearm!

More importantly, prohibiting or "regulating" firearms, whether out of concern for health or otherwise, bolsters the sovereign power of the State by strengthening its monopoly on violence. Political power, as Mao said, comes from the barrel

of a gun. In this respect, humanitarian concerns for "health and safety" coincide directly with the power politics of the State.

Part of my approach to gun control involves asserting an indissociable relationship between the monopolization of force by the State (repressive power) and the rise of concerns about health, safety, and welfare (regulatory power): the first is constitutive of the second, and there are no fixed boundaries between them. While this hypothesis is invoked to help understand gun control, gun control serves in turn as a case in point to support the hypothesis, because it forces the concepts of health and safety to demonstrate their connection to the old "Hobbesian problem of order". I shall say that the humanitarian concern for health and safety, manifested in the demand for totalizing regulations in the name of happiness, is an effect of the State's interest in maintaining order and sovereignty. This helps to explain how the question of control over the means of force becomes an issue for public health, which is ordinarily concerned with "regulatory" power.

The key to grasping this connection is to consider the types of values, attitudes, and cultural representations which accompany the rise of the modern State. An important resource here is the work of Norbert Elias (1978; 1982), which suggests that concerns over safety, and indeed the entire idea of "civilization", follow from the monopolization of force by the early modern State. This establishes an ongoing "internal pacification of society", which is self-perpetuating because

it is "internalized" by society at large and not merely imposed by the State. This is discussed in Chapter One, along with other analytical concepts such as "ideology" and "discourse" which helped to prepare this Thesis.

I will also show the role that the mythology of the "social contract" plays in all this. The entire structure of this myth seems to be geared up to legitimate the State monopoly on violence. Yet sometimes it is suggested (Foucault 1980a) that this myth is irrelevant to understanding the rise of totalizing "regulatory" interventions, or at most paves the way for them. This idea must be refuted in order to understand gun control. The social contract does much more than justify the sovereignty of the State, for in doing so it represents the individual as innately "wild" and dangerous and grants the State an absolute right to "tame" the danger. The myths of the social contract are thus constitutive of the urge to State regulation of every sphere of life. Ironically, this is accompanied by contradictory demands to limit the power of the State. The "right to bear arms" is at the centre of this whole question of "individual rights". These issues are discussed in Chapter Two.

In Chapter Three, I will trace some aspects of the history of public health concerns, and in particular the notion of "injury prevention", which defines the "public health" stance on gun control. To clarify why the right to bear arms is an object for public health, I will explore the notion that public health is part of the wider "internal

pacification of society" inaugurated by the State. Public health interventions are ultimately about regulating the potential for using force in individuals, the so-called "passions". Thus, public health is ultimately about the "sublimation" of the individual. While there is always a political dimension to health interventions, I shall suggest that this dimension ultimately refers back to the State monopoly on force, and that the State's concern for order is always present in the concepts of health and safety.

Public health is conceived, after Foucault (1980a; 1988), as an "apparatus of knowledge" or "political technology": an agency which functions through producing the knowledge that delimits target-areas and techniques of control. I will suggest that the working frame of reference of public health derives from the myths of the social contract, and above all the ideas of the "natural state" and wild "passions" in each individual. These concepts ultimately underlie all public health interventions.

Chapter Three will also give a history of the concept of "injury prevention" from its origin in a totalitarian "medical police". It will be suggested that the concept of technocratic "safety" engineering is inseparable from the project of controlling the "passions" of individuals, to render them harmless to the State. These themes return in the case of gun control, even though they are not always evident in the case of other "health" interventions. This is because the issue of gun control returns to the centre-point whence the modern

concept of individual dangerousness arose: the question of the monopoly of force.

Chapters Four, Five, and Six are devoted to dissecting what public health has to say about gun violence. I will show that the "injury prevention" account of gun violence is shaped by cultural myths of the "social contract". Public health seeks the explanation of violence and danger in areas of life that have not been regulated by the State. This means the "right to bear arms" and the "private sphere". I shall argue that this derives from the traditional notion of a pre-social "natural state", which explodes into mindless violence because the right to use force has not yet been monopolized by the State. On the unstated basis of this view, injury prevention efforts identify civil society with a "natural state" because citizens still enjoy a "right to bear arms".

The solution to gun violence, according to public health, is to extirpate that right. Chapter Six will examine some semiological aspects of gun control proposals. These proposals seem to be a symbolic re-enactment of the "social contract" and the submission of the individual to the State. I will suggest that the proposals are seen as effective because of what they communicate about social structure and the mythical "origin of civil society".

The impetus for this project derives from a general concern over the consequences of articulating science to politics. To what extent is an autonomous scientific rationality in social-policy formation possible? Can

science- understood as an open and independent process of conceptualization- maintain its boundaries vis-a-vis the closed system of myths, values, and ideologies which surround political action in any society, and whose own function has less to do with providing accurate knowledge than with sustaining a social structure (Althusser 1969)? For the seemingly simple notion of "policy", as we shall see, is formed in a dense historical matrix of power relations, moral norms, cultural representations, ideologies, and discourses. The "policy-oriented" sciences are themselves firmly embedded in this matrix; can their internal conceptual structures escape its influence? That is, can scientific research on policy matters avoid reflecting the ideologies which institute "policy" as a valued social goal and political imperative?

Myths and ideologies, by their very nature, vary independently of scientific rationality; their internal structure is a function of their role in adjusting the attitudes and perceptions of actors to their social relations, and not of conceptual adequacy to a scientific object (Ibid). But for this very reason, they saturate the entire social field, the sciences not excluded. This theme will be taken up again in the Conclusion. Yet insofar as it is possible to mitigate the impact of extra-scientific (political, ideological, historical) forces upon science in the policy field, the first step is to make explicit the taken-for-granted and even unconscious matrix of forces in which those knowledges which are brought to bear upon political decision-

making are enmeshed.

Overall, the analysis will provide a very thorough sociological account of the phenomenon of interest (the role of public health in gun control), which will be treated as a social product with a history. The analysis will take place in a general framework which will not only be of interest to students of gun control, but of social control in general. It will contribute to general theoretical debates about the relationship between power, knowledge, and social structure, with reference to a specific historical case. This history is being acted out now, so the analysis is a "history of the present" (Foucault 1977). While I intend to stay away from passing judgement on what is true or false in gun debates, the analysis will provide a very detailed exegesis of concept-formation in the study of violence, and will be of interest to researchers in that area. Finally, it should contribute to a better understanding of some of our culture's most profound values and representations, which are embedded in the modern experience of firearms.

CHAPTER ONE
THEORY AND METHODOLOGY

It was said above that this Thesis is concerned to answer why gun control is an issue for public health, and why it is claimed that all civilians are dangerous and must be disarmed in the name of "health". The aim is to get to the assumptions behind these claims and the social motives behind making them. I want to analyse these phenomena by situating them in political, cultural, and historical context.

Here I will elaborate on the ideas introduced in the previous section, making explicit the analytical concepts, methodological precepts, and steps taken in producing my text. The ideas of several scholars enable me to delimit an area for analysis. Their work serves as a tool-kit, from which only the "tools" of use will be drawn and the rest put aside. I accept full responsibility for the way these ideas will be used. Also, no highly formalized methodology will really be developed. This Thesis figures rather as a theoretically and historically informed interpretation of various types of texts.

The analysis deals with how actors represent their world, with "culture". The concept of "ideology" provides an analytic definition of culture and helps clarify the role of

culture relative to other facets of social structure, especially politics. The concept of "discourse" is adduced, to define the underlying mechanism and locus of cultural representations. The ideas of Foucault justify a political analysis of "knowledge". The question of relating "knowledge" to the general phenomenon of "ideology" is addressed. The notion of the "civilizing process" provides a blanket category to denote a set of historical phenomena associated with State monopolization of force. This provides a domain in which the genealogy of gun control as a "public health problem" can be traced. The basis of the "civilizing process", and consequently of health discourse, is located in the ideology of State sovereignty.

The Concept Of Ideology

Althusser (1971) provides a set of minimal analytic distinctions in social analysis. A "social formation" can be divided into three interrelated "instances": economic, political, and ideological. The economic instance refers to the various activities related to production. The other two are seen as determined "in the last analysis" by the economic,⁶ meaning that their function is defined by the contribution they make to securing the ongoing existence of ("reproducing") the existing social order. All three are

⁶I use the notion of "determination in the last instance" as a heuristic device which permits the formulation of conceptual definitions and distinctions between polity, economy, and ideology, as opposed to a hypothesis concerning causal primacy of the economic.

considered to be relatively autonomous in that there does not always exist a one-to-one correspondence between them at any given time, and each follows a distinct and independent course of historical development.

The political and ideological instances function to integrate individuals into economic activities and the social order. The political instance does this by way of obligations and regulations imposed on people, by force if need be. In modern societies, this assumes the form of the State, which has a monopoly on the use of violence. We will have more to say about this.

The concept of "ideology" is of greatest relevance to this Thesis. The best discussion of this concept came from Poulantzas (1973). Ideology is a "relatively coherent ensemble of representations, values, and beliefs" (206) which "concerns the world in which men live, their relations to nature, to society, to other men, and to their own...economic and political activity" (206). So "ideology" denotes what is also known as "culture". Ideology shapes the ideas, attitudes, and beliefs of members of a society in order to adapt and integrate the individual into the social order, so that they submit to its requirements on a voluntary basis. To this end, ideology involves a "discourse which serves as the horizon of the agent's experience" (207); this discourse shapes how individuals make sense out of reality, and above all, their perceptions and feelings about social reality. To say it serves as the "horizon of experience" means that ideological

beliefs and concepts are seen as self-evident or "obvious" by individuals, for the most part.

Two questions about "ideology" need to be dealt with. Is ideology necessarily a form of "false knowledge"? I shall say no. As Foucault (1972) pointed out, in any discourse "the role of ideology does not diminish as...error is dissipated (186). Ideology is defined by its internal structure and social function; the question of whether ideology is true or false is really irrelevant. The second question concerns the function of ideology. This analysis will be chiefly concerned with the function of ideology relative to political power and the legitimation of political structures.

The Concept Of Discourse

It was said, after Poulantzas, that ideology involves a "discourse". Ideological representations and beliefs are registered in what people say: narratives, myths, statements, etc. We have no access to "ideology" except through the analysis of discourse. The concept of discourse also enables us to take a critical focus on what a society accepts as "knowledge". The locus classicus of this approach is the work of Michel Foucault, who conceived "knowledge" as a production of statements under definite social conditions. Knowledge emerges as a form of social action, "one practise among others" (Foucault 1972: 186); namely, a political practise related to the exercise of power.

Precepts Of Discourse Analysis

It is assumed that the production of discourse does not vary at random and is not an idiosyncratic expression of individual creativity. In the discussion of ideology above, the concept of a "horizon of experience" was introduced. I understand this as a cultural mechanism which shapes the formation of concepts in such a way that individuals experience them as given truths, and as the basis of what they think or say about various things. Althusser (1969) put forth the concept of a "problematic" to denote the "typical systematic structure" (67) of a discourse which establishes its "field of visibility", determining how the objects of knowledge in that particular discourse are constituted.

A clearly related idea is Foucault's (1972) notion of "savoir", as "the conditions that are necessary for this or that type of object to be given to connaissance [science] and for this or that enunciation to be formulated" (15). This leads to the concept of "rules of formation", which, as summarized by Sheridan (1980) "determine the possibility of all that can be said within the particular discourse at any given time" (48). This is similar to a Kuhnian "paradigm", (Foucault 1980b: 113), but wider than and prior to any particular science. The object of discourse analysis is really to spell out what these preconditions are and how they give rise to what kind of claims social actors make about reality.

The task of discourse analysis, as I understand it, is to describe the operation of a mechanism which constrains how

actors perceive reality and what they have to say about it. An important formulation of the mechanism underlying the production of discourse came from Hayden White (1978). For White, individuals internalize sets of metaphors and "tropes" (notions such as "the wild", etc.) from their culture, in much the same way that they internalize language. This structures both how individuals perceive the world and what they say about it in discourses. Importantly, the trope of "the wild" underlies scientific discourses which attribute an inherent dangerousness to individuals (153-4), an insight of great influence on this Thesis.

My use of discourse analysis differs sharply from the Foucauldian conception in that it does not exclude a focus on the thoughts and feelings of actors. This is one of the main reasons for preserving the notion of "ideology". This will be addressed presently.

The Concept Of Ideology In Discourse Analysis

The most important analyses of discourse carried out by Foucault were concerned with knowledge, and especially the relationship between knowledge and power. Foucault tried to capture this relationship with a variety of notions such as "apparatuses of knowledge" or "political technologies". All of these concepts were designed to denote how certain forms of discourse which have the status of sciences (especially medicine, public health, and the social sciences) are not pure exercises in abstract thought. The formation of concepts in

these discourses, what they present as knowledge, is constrained by their role in the exercise of power. So "power...cannot but evolve, organise, and put into circulation a knowledge" (1980a: 102). This insight makes it possible to analyse public health science as a political practise concerned with delineating targets for social intervention.

However, Foucault insisted that these discourses "are not ideological constructs" (102). A chief reason for rejecting the notion of ideology⁷ was articulated in an influential polemic:

[W]e should direct our researches on the nature of power not towards the juridical edifice of sovereignty, the State apparatuses and the ideologies which accompany them, but towards...strategic apparatuses. We must eschew the model of Leviathan in the study of power. (102)

Hence the shift in focus from "sovereign" to regulatory or "disciplinary" power discussed above. Part of this involved rethinking the role of agencies such as public health relative to power. This role, of course, is "the formation and accumulation of knowledge" in the area of surveillance and control (102). The concept of "ideology" does not in itself capture this role, focusing more on how the State comes to be experienced as legitimate. So the function of "apparatuses of knowledge" or "political technologies" had to be distinguished from "ideology" (102; 1988: 162). But this analytical

⁷Another reason was the fear that the concept of ideology would lead to reductionism (Foucault 1972; 1973; 1980b). The fear is unfounded, since ideology is conceived as relatively autonomous of economy and polity, and determinant of individuals (not the other way around).

distinction turned into an absolute distinction, and the concept of ideology excluded entirely. The discourses studied by Foucault were seen as part of a self-contained type of power which could be analysed in isolation of the wider sphere of social action implied by concepts such as "ideology" and "State".

A serious result was that Foucault rejects a focus on the values and motives of individuals, leaving him unable to account for his own insight that the demand for "regulation" and control emerges from society itself, and not necessarily from the State.⁸ This in turn led to the infamous "teleological" conception of power, which mysteriously brought forms of knowledge and social control into being. This is a major reason for preserving the concept of ideology, with its emphasis on the formation of the subjective motives and attitudes of actors.

Moreover, the involvement of public health in gun control, as well as the underlying assumptions of its discourse, is demonstrably influenced by the same ideology of State sovereignty which Foucault rejected as irrelevant. To not mention this connection would lead to a distorted and incomplete picture. In particular, it would become impossible to relate the public-health discourse on gun control to the general political background surrounding the gun issue, and especially to explain why arguments for gun control involve

⁸ A useful discussion of these issues can be found in Garland (1990: 195-9). See also Burkitt (1993).

the claim that all citizens are dangerous.

General Orientation Of The Analysis

An analytical distinction is drawn between two types of discourse. One is a general horizon of ideological discourse, which can be seen as functioning chiefly to mould the attitudes, feelings, and experience of individuals, so as to legitimate the State. Public health, on the other hand, is conceived as an "apparatus of knowledge" or "political technology": an institution concerned with devising and expanding control practises, chiefly by means of producing knowledge. This defines a basic orientation to public health texts, which are analysed from the point of view of social control. At the same time, public health discourse is not self-contained. The formation of concepts and strategies in public health discourse is held to be shaped by the more general universe of ideological discourse.⁹ The concept of ideology draws attention to a wider cultural, and political, context in which public health is embedded. This is important for the issue of gun control, whose political parameters extend far outside the idea of public health itself.

Another step is to define the plural historical and social forces behind the association of public health with gun control, and to map the origin of the themes that come up in gun discourse. The idea is to write a genealogy or "history of

⁹This formulation is adapted from Lecourt's (1975) critical appraisal of Foucault.

the present" with respect to the emergence of gun ownership as a "public health problem". This will enable an exhaustive account of why gun control becomes an issue for "health" authorities and to thoroughly deconstruct the public-health discourse on gun violence. Of special interest is the notion of an inherent dangerousness in "normal" citizens. An understanding of these issues is the chief goal of this Thesis. My framework will allow not only a description of the issues, but some degree of general historical and theoretical explanation as well.

Important antecedents to explore include the roots of the gun issue itself, the rise of cultures of safety and demands for regulation, the motives behind public health as well as the conceptual basis of its discourse, and the origin of the State's right to "regulate" society. Also important are concepts of individual dangerousness, and the question of the common ground linking the issue of gun control to the urge towards political regulation of life. The concept of "ideology" makes it possible to conceive these diverse elements as part of a general cultural and political framework related to the State. The working hypothesis is that this relationship has to do with the monopolization of force by the modern State. The basic analytical concept that made this possible is Elias' notion of "the civilizing process".

The State And The "Civilizing Process"

Weber (1946) defined the State as a "human community

that...claims the monopoly of the legitimate use of physical force within a given territory" (78). He also pointed out that individuals must be made to experience State domination as legitimate. It is not enough for the State to simply seize control: "the dominated must obey the authority claimed by the powers that be" (78). Yet, as Durkheim (1985) observed, "the individual does not feel it any more than we feel the atmosphere which weighs on our shoulders" (152). Indeed, not only is State domination accepted, but we also see the unexpected phenomenon of citizens demanding more State control over their lives as their "right". This points to the "internalization" of control, installed in the individual by a mechanism which produces voluntary obedience and a positive attitude to the weight of State power which the individual must bear.

This phenomenon was analysed in Norbert Elias' (1978; 1982) work on the "civilizing process". This starts around the end of the Renaissance and the beginning of the early Modern period,¹⁰ with the "internal pacification of society" imposed by the nascent State. Elias argues that at this point individuals have to be adapted to accept State domination as legitimate and to participate in the form of peaceful economic

¹⁰"Early Modern Period" usually denotes something like the sixteenth and seventeenth centuries. See Oestreich (1982). A high degree of chronological precision and detail is impossible in a general Thesis. The idea is to map out, in the abstract, general relationships between constituent elements of modern society.

activities which have been forced on them (feudal warfare for private gain having been abolished by the State). Thus, their values and attitudes are moulded accordingly. This clearly fits into the definition of "ideology" given above. Elias, however, emphasizes the effects of the "civilizing process" on individuals and downplays the level of broad cultural belief systems, above all those dealing with the politics of "civilization". Only the concept of "ideology" can fill this gap. We will address this below.

In any case, what happens in the civilizing process is that "the whole apparatus which shapes the individual" (1978: xvi) is reorganized, and "the kinds of fear that play a role in his life are decisively changed" (xvi). Above all, this means an internalized fear and loathing of violence and a generalized fear of danger. This helps the "civilian" to renounce violence and accept the fact that only the State has the right to use force. Of greatest importance for our purposes is that, as the private use of force is restricted, "civilization" places "a barrier around the symbols as well, the gestures and instruments of danger" (124). This means weapons above all: "the general memory of and association with death and danger" (124) and the "symbolic meaning of the instrument" come to evoke anxiety and displeasure, since they symbolize the use of force.

Of great relevance is Elias' notion that these forms of internalized fear did more than make individuals acquiesce to the State. They generated demands for global regulation of

conduct, expressed in norms of "polite" and "civilized" etiquette. To be "polite" and "civilized" meant adopting global standards of inhibition, self-effacement and restraint in one's conduct. Any aspect of conduct even symbolically associated with aggression is loathed as "animalic". This extends to any behavior associated with bodily release, so that discharge of bodily fluid, excretion, sexual activity, etc. are prohibited from display by standards of cleanliness. This eventually becomes known "health and hygiene". As Pinell (1996) points out, it is not hard to see the origin of public health in these norms, which emerge as a result of State monopolization of force.

What is most useful about Elias' work is that it points out a cultural framework, associated with the idea of "civilization", which mediates between State monopolization of force and its acceptance as legitimate by individuals. This helps to tie together various phenomena relevant to this Thesis. It enables us to draw the basic outline of a set of cultural processes in which we can situate the gun issue and related phenomena: the rise of cultures of health and safety, and the general demand for "regulation" of life. What ties all these things together is their relationship to the rise of the sovereign State.

The Civilizing Process And "Regulation"

Of special interest is the general question of the relationship between regulatory-disciplinary and repressive-

sovereign forms of power, which was raised above. This is essential to understanding why gun ownership is a "health problem". Foucault noted that the rise of "political technologies" had something to do with the State monopoly on force (1988; 1991), but never developed the insight. It is not trivial that the first detailed plans for regulatory intervention (including public health) were produced in what was known as "police science", as Foucault himself (1980c; 1988) pointed out. A seminal work on "police" repeatedly asserted that "Armes sont au Souverain" (Turquet 1611: 106) in the course of proposing a system of regulatory apparatuses, public health among them.

Today, gun control emerges as the clearest example of where concerns for public health overlap with the State's interest in political supremacy. Political power comes from the barrel of a gun. Yet public health is not a "conspiracy" directed by government: it is health workers who petition the State to support gun control, not the other way around.

The problem of linking the two types of power together can be solved with Elias' notion of the "civilizing process". While Elias did not discuss State regulation per se, his ideas enable us to conceive of cultural-level processes which bridge between the State monopoly on force (sovereign power) and the demand for a global regulation of life. Like Foucault, Elias sees power as penetrating the entire social body. Elias, however, has a better sense of this phenomenon as a direct correlate of State monopolization of force. The demand for

regulation arises because society has internalized the State's demand for order. I will say, after Pinell (1996), that public health should best be viewed as a product of the "civilizing process" which intervenes in the historical course of State formation. I will add that public health ultimately works towards the same end as the behavioral codes of "civility", which is to regulate the individual's potential for using force (a danger to the State). This is shown in the enormous involvement of public health in the issue of violence and gun control.

Attempts to "civilize" the dangerous individual are not about violence or guns per se, but about power. I shall say, with Nietzsche (1964), that civility "taught men to hate and despise most profoundly...their will to power" (36-7). As Freud (1969) saw so well, the decisive element of the concept of "civilization" is that "the power of [the] community is set up as "right" in opposition to the power of the individual, which is condemned as "brute force" (32). The concept of individual dangerousness, which Elias and even Freud took as a given reality, is itself an effect of the politics of sovereignty, a constructed artifice.

Ideological Basis Of The Civilizing Process

Now we have the outline of a field of phenomena associated with State monopolization of force. This includes a disdain of weapons, the fear of danger and the demand for "regulation", the rise of regulatory apparatuses such as

public health, and conceptions of individual dangerousness. In this field, we can situate the involvement of public health in the gun issue.

The final step is to identify the collective representations underlying the "civilizing process". Where do the norms, motives, and fears associated with "civility" come from? Elias, for all his emphasis on the State, ignored what actors had to say about the State itself. This left a gap at the cultural level between the rise of the State and the appearance of norms and values associated with "civility". Only the concept of "ideology" has a strong sense of the importance of definite belief systems, localized in cultural discourses, which comprise the horizon underlying the experience of actors. The discourse which serves as the horizon of the modern experience of "civilization" is the discourse which legitimates the State. As Bauman (1987) notes, the concept of civilization involved more than polite etiquette. There was also:

a theory of society, articulating the opposition between the 'natural', and also individual, roots of anti-social phenomena, and the social, organized, hierarchized mechanism of social order. It spelled out the indispensability of the supra-individual power...and the morbid and disastrous effects of any loosening of the power grip. (55)

This "theory of society", the theory of State sovereignty in modernity,¹¹ is the basis of everything else

¹¹Of course, the constituent elements of this "theory" are much older. They stretch back into antiquity. What is new is how these themes are reorganized and the role they come to play in Modernity, as the basis for a dominant political

discussed in this Thesis. It underwrites the whole notion of "civilization", the culture of safety, and the rise of State regulation in the name of "health"; it also shapes the dilemmas over the "right to bear arms". It provides the basic cultural conditions for guns to emerge as "health hazards". An analysis of this discourse is thus the starting point for the investigation, the focus of the next Chapter.

ideology which is thoroughly "modern".

CHAPTER TWO
GENEALOGY OF C-68

In the last section, the goal was set of writing a "history of the present" with respect to gun control and public health. To this end the concept of the "civilizing process", as a cultural and political framework which accompanies State-formation, was introduced. This was defined to include the culture of safety and the rise of pervasive State "regulation" of life, analysed by Elias and Foucault. It also includes the disdain of private weapons as "uncivilized", and conceptions of individual dangerousness. Two phenomena of central import to the "civilizing process" and the rise of the disciplined society can be added to the picture: the concepts of "civil society" and "civil liberty".

It was then said that the basis underlying the "civilizing process" lay in the modern ideology of State sovereignty, which provides the framework whereby "the State can be experienced as representing society's 'general interest' and as the guardian of universal interests vis-a-vis 'private' individuals" (Poulantzas 1973: 214). All of the themes that come up in gun control originate in the discourse on sovereignty. Thus, developing an informed analytic perspective on the gun issue today involves discussing, at

some length, the modern tradition of discourse on the State. Above all, the latter must be analysed in terms how it legitimates the State monopoly on force.

I will begin with an analysis of this classic discourse as it emerged in the seventeenth to eighteenth centuries,¹² and then jump ahead some two centuries to the present gun crisis. The idea is to write a "history of the present" with respect to gun control. The keynote of this chapter is to outline the ideological wellspring behind diverse issues and themes that come up in shaping the modern experience of guns. This is the general context in which public health comes into play, a role which will be analysed in the remaining chapters.

The discourse on sovereignty should not be understood simply as political theory, but as our culture's horizon of collective representations of the political. This is captured by the notion of "the imagination of civil society" (Tester 1992). We should understand this discourse as myth, the "etiological myth" of the origin of civil society (Bauman, in Tester 1992: 71). The chief structural features of this myth include the concepts of the "natural state", the "passions",

¹²Texts selected for analysis came from Hobbes, Pufendorf, Locke, Beccaria, Rousseau, Burke, and Blackstone. It should be noted that these authors are seen as carriers of discourse and not as its inventors. Such notions as the "social contract" are analysed as collective representations. The unit of analysis, strictly speaking, is the internal structure of the discourse itself, conceived as a societal-level phenomenon, and not the "thought" of an author. The distinction is central to discourse analysis. See in general Foucault (1972).

the "social contract", and the distinction between "natural" and "civil" liberty.

It is fitting to begin with Nietzsche's (1964) remark that it is "now believed to be true, that the very essence of all civilization is to train out of man, the beast of prey, a tame and civilized animal" (42). The notion of the "wild" figures prominently in this discourse, which White (1978) associates with the rise of the belief that "the wild man is lurking within every man" (153). I will analyse this wild/tame dichotomy in terms of its role in legitimating the State monopoly on force. State power is justified by casting the power of "private" individuals as "wild" and dangerous. The process of "civilization" is represented as the transformation of dangerous and wild "natural liberty" into safe and tame "civil liberty". The transformation is seen as effectuated firstly by the State's monopoly on force, and secondly by the State's right to discipline and "regulate" individuals.

The Natural State

According to Pufendorf (1990), "a consideration of the natural state of individuals and its misery is very useful for making citizens love and devote themselves completely to the civil state's preservation" (134); it helps the citizen to "bear more patiently the unreasonable inconveniences that he sometimes experiences at the hands of rulers" (134). We can see that one of the foremost narrators of the story of the origin of civilization recognized its ideological utility.

In that story, the dividing line between Nature and Culture, danger and safety, wild and tame, is marked exclusively by State monopolization of (legitimate) violence. It follows that the "natural state" is defined as absolute liberty from political authority: "the chief right attending the natural state is that those living in it are subject to no-one on earth" (Pufendorf 1990: 119).¹³ This is "natural liberty", which is above all defined in terms of the individual's right to use force in self-preservation, "the first law of Nature" (Burke 1976: 325). Each man is "judge and executioner of the Law of Nature" (Locke 1970: 369), in a state of total self-reliance.

The Passions

In order to justify the ascendancy of the sovereign State, the absolute liberty of the "natural state" must be equated with absolute danger. The individual cannot be trusted with the right to use force to be "judge in his own case": "men being partial to themselves, Passion and Revenge is very apt to carry them too far, and with too much heat, in their own Cases" (Locke 1970: 369). The inherent dangerousness of the individual has to be established, so that the State can be brought in to neutralize the threat. Hence the concept of the

¹³We must distinguish this from a second meaning of "nature" in the Modern tradition, ultimately of Biblical origin, where Nature refers to an apex of creation which is then corrupted by the "wild" passions. Both meanings are present in the thought of Burke and Rousseau, making their work impossible to decode unless this is understood. See also Seidler (1990).

"passions". "There is in humans an innate wickedness that enjoys harming others as much as possible, and that can never be extirpated or corrected" (Pufendorf 1990: 129); "a perpetuelle and restlesse desire of Power after Power that ceaseth only in death" (Hobbes 1985: 161); a "despotic spirit" (Beccaria 1963: 11). Since everyone must be made to submit to the State, this is a theory of human nature: the despotic spirit is "in every man" (11-2).

The classical tradition was divided into two schools regarding what kind of apocalypse would follow from leaving individuals in natural liberty. One school (Hobbes, Beccaria) held that the natural state was, by definition, a state of total war between completely asocial individuals: "outside of Civil States, there is always Warre of every one against every one" (Hobbes 1985: 185). Others said that the natural state would only be marked by constant fear and danger of sudden death. This view seems to be accompanied by conceiving the natural state as not purely asocial, but also as including a pre-civil "natural society" (Locke, Pufendorf, Rousseau).¹⁴ This concept, which best corresponds to what we would call "barbarism", held that family relations and social ties existed prior to the State. But only the State can overcome the passions: on this everyone was clear, especially the

¹⁴See in general Seidler (1990). Note that Rousseau often uses the term "civil society" to denote what others called "natural society": a state of barbarism which precedes the social contract. The underlying concept is identical, but with the effect that the "civil" is held to despoil "nature"! This is because of the dual sense of "nature" in our tradition.

"liberal" John Locke. It is to avoid the "State of War", wherein "every the least difference is apt to end, where there is no Authority to decide between the Contenders" (1970: 300) that we submit to the civil State.

Natural And Civil Liberty: The Social Contract

The monopolization of force by the State is represented in terms of a wild/tame dichotomy. Natural man, in his natural liberty, bears destructive forces inscribed in his nature. These must be "civil"-ized by the civil State. We saw above that the general model of civilization was the taming and domestication of Nature; Bauman (1987) noted the importance of the "garden" metaphor in early Modernity, while Oestreich (1982) has noted how the "artistically clipped trees and hedges of seventeenth century parks and gardens" symbolized the disciplining of the masses by the early police State (270). By clipping, trimming, and limiting the wild, one brings it into the tame and civil, trains the danger out of it, and signifies domination over it.

So the civil State is founded when individuals voluntarily submit their natural liberty to the State, which domesticates it, so to speak, by imposing "an artificial, positive limitation on those rights" (Burke 1976: 326). This is the "social contract". Of course, the paramount "natural" right is the right to use force on one's own behalf, which must be forfeited. But it seems that civilization requires a total submission of the individual to the State. Burke: "That

he may secure some liberty, he makes a surrender in trust of the whole of it" (325-6). Locke: "Men give up all their natural Power to the Society which they enter into" (1970: 377). Rousseau: "Each of us puts his person and all his power...under the supreme control of the general will" (Rousseau 1974: 17). Then we receive in turn the "civil liberty", which is held to be true freedom inasmuch as that freedom has been limited and diminished by the State. "[C]ivil liberty...is no other than natural liberty so far restrained...as is necessary and expedient for the general advantage of the public" (Blackstone 1898: 111).

In this way, civil society comes to experience State domination as the very essence of Freedom. Ideology both affirms and denies its censure of liberty, in a movement of "denegation" typical of ideological discourse:¹⁵ Rousseau said that "a man who renounces his freedom renounces his humanity" (1974: 13), but defined true freedom as glad submission to the "general will"!

The Social Contract And "Regulation"

We can see that civil society understands its founding moment (State monopolization of force) as the "regulation" of the natural by the State and the transformation of "natural" into "civil" liberty. This concept above all justified the

¹⁵Althusser (1970) coined this term, based on the Freudian notion of "denial", to account for how ideological discourse typically denies to be saying what it is saying (40).

State's privilege over the use of force, its repressive power. But at the same time it produced an identity between "regulation", in a general sense, and the good. Poulantzas (1973) has noted that one effect of the myth of the "social contract" is that:

for bourgeois political ideology there can be no limit based on law or principle to the activity and encroachment of the State in the so-called sphere of the individual/private. In the last analysis, this sphere appears to have no other function but that of providing a reference point, which is also a vanishing point, for the omnipresence and omniscience of the political instance. (219, emphasis in original)

This picture is perhaps extreme, but accurate. The "public good" is the only limiting principle on State power, and for civil ideology there is never a single fixed definition of the boundaries of the "public good". Moreover, intervention for the "public good" is not just an excuse that the State uses to advance its own agenda. The demand for "regulation" comes from civil society itself.

The demand for constant State intervention in all areas of life derives from that notion which legitimates its monopoly on force, namely the "passions" or "desire for power" attributed to the individual. Since this was conceived in terms of a permanent attribute of human nature which could never be extirpated, only contained or "sublimated", the passions therefore need to be endlessly policed and beaten back by the State. "Civilization", as Tester (1992) has noted, was "established as the process of the regulation by civil society of the wild within man" (78): The fear and loathing of the

wild and dangerous "passions" calls on the State to help restrain them. As Burke (1976) put it:

Among these wants [of men] is to be reckoned, out of civil society, of a sufficient restraint upon their passions. Society requires not only that the passions of individuals should be subjected, but that...the inclinations of men should frequently be thwarted, their will controlled, and their passions brought into subjection....In this sense, the restraints imposed on men, as well as their liberties, are to be reckoned among their rights. (326)

The citizen has a right to be controlled, disciplined, regulated. This is the basis of both the "internalized" control which for Elias is central to the "civilizing process", and the spread of "discipline" through society as described by Foucault. It arises since State monopolization of force was represented in ideology as the taming by the State of the "wild" danger in the individual (the "passions"). This notion started as a device to legitimate the State, but as a result the individual emerges as a permanent object of fear. Now citizens themselves demand the "right" for more intervention to tame the "threat" without these projects even being initiated by the State. The various agencies which Foucault described as "apparatuses of knowledge" (public health, etc.) also appear, in order to think up ways of giving the masses the control, surveillance, and discipline they have coming to them as their "right".

All this has two major implications for our analysis. The first is that pervasive forms of "regulatory" or "disciplinary" emerge as a direct correlate of State monopolization of force (sovereignty). The urge to State

intervention associated with the rise of cultures of safety (whose vanguard is public health) stems from the discourse of State sovereignty. All projects of "regulation" on behalf of "public safety" are set into motion by the more fundamental project of establishing the State's dominance of its territory. It is not surprising that the idea of injury prevention was produced by theorists of the police State (chapter 3 below). Thus it is inevitable that gun control should emerge as an issue for "health experts" at various points in history (since it comes down to the issue of the monopoly on force crucial to sovereignty). We will return to this.

The second implication is that the notion of "civil liberty" does not always stand in the way of "totalitarian" regulations, since its concept appears to be predicated on the notion that liberty must in principle be violated by the State on behalf of the "public good". All of these issues come up, in a very striking manner, in the case of gun control. But first we need to look at why "private" gun ownership ever existed to begin with.

The Right To Bear Arms: The State's Opposite

For Pufendorf, writing in 1678, "leaders must take care to ban from the confines of civil states those things that belong to the natural state considered as the civil state's opposite" (1990: 135). This means above all that "Citizens should therefore not be granted a right to bear arms...as if

assigning themselves rights", for "the civil bond is necessarily ruptured if they do behave in this way" (135). Life would regress to the natural state.

At this point, we need to spell out how it ever became possible to enunciate a defense of individual liberty, of any kind, in modern societies. This occurs due to a contradiction in ideology itself, and not the replacement of "absolutism" by "liberalism". Both positions arise in the same universe of discourse and are transformations of one another. Insofar as Locke and others could voice a challenge to "absolutism", they had to do so using the latter's own language. One result was the "right to bear arms".

What happens is that political discourse begins to subvert itself. Political power derives its legitimacy from the "need" to civilize (restrain, limit, domesticate) the dangerous "arbitrary" power of the individual, which is an object of fear. As such, there are no a priori limits on State power. But the very concept of individual dangerousness was defined in terms of an absence of limits on power under "natural liberty". The "passions" of the individual had been defined in terms of a will to power which would try to dominate and destroy everyone if not restrained.

This sets up an identity between anarchy and tyranny, as the notion of "despotic spirit" itself implies. It did not take long for the view to arise that the natural state could just as easily involve dictatorship as well as anarchy. Pufendorf (1990: 120), as an absolutist, admitted that

"sovereigns are thought to enjoy natural liberty" (they have absolute power), but had also defined "natural liberty" as the very essence of danger. Thus, according to Rousseau (1974), since the ruler "has no rule other than his passions... everything reverts entirely to the law of the strongest and consequently to a new state of nature" (198).

It is at this point where it becomes possible to talk about "individual rights", as a means of limiting the ruler's power. This aporia itself is well-known.¹⁶ Let's stop and consider what it really implies. Notions of individual right and popular sovereignty seem to indicate less of an affirmation of liberty than the fear of the dangerous individual, whose will to power must be limited for the "public good".¹⁷ Liberalism never rejects the basic theme of absolutism (that individuals are dangerous), but rather expands on this theme. That is, now the rulers as well as the ruled are dangerous and must be "regulated". Liberalism is but a small, and inherently reversible, variation or "inversion" of totalitarian themes.

What happens in this "inversion" of discourse is that

¹⁶See Hirschman (1977). A further contradiction is that "absolute" State power becomes an object of fear only insofar as it is considered "arbitrary". Rousseau is typical in that he condemns the absolute power of "arbitrary" monarchs while happily according the same prerogatives to the "legitimate" State.

¹⁷Of course, we owe this insight to Nietzsche's (1967) work on the "will to power". What I am describing here is probably the same thing that he referred to as "herd morality".

natural rights make something of a comeback, serving as the measure whereby the State itself will be disciplined (Melossi 1990: 27). Even Hobbes and Pufendorf had held that the natural right to self-defense could never really be given up, but could only be used in case of regression to the natural state. For Locke, absolute State power was a state of Nature (there are no restraints on the ruler's "passions"), so it follows that the citizens have the right to resist the "arbitrary" power. Hence the same fear of the passions, which was supposed to legitimate the State's monopoly on force, now legitimates the right of the citizen to use force against the "arbitrary" State!

This, of course, is the genesis of the "right to bear arms", which appears in an inescapable contradiction: a prerogative of the "natural state" carried over into the "civil state". This right, like all individual rights, emerges in the same discourse that also gives the State an open-ended mandate to "regulate" citizens for the public good. Blackstone (1898) is an ideal-typal case. On the one hand, "legal obedience and conformity is infinitely more desirable than that wild and savage liberty which is sacrificed to obtain it" (111). On the other hand, unlimited power is threatening, and thus Englishmen have the right to a "residuum of natural liberty which is not required...to be sacrificed to public convenience" (117, emphasis in original). Part of this is a mechanism to defend their "primary" rights (personal security, personal liberty, private property) against the threat of

arbitrary power: the right of "having arms for their defense... such as are allowed by law" (132). This is:

indeed a public allowance, under due restrictions, of the natural right of resistance and self-preservation, when the sanctions of society and laws are found insufficient to restrain the violence of oppression. (132)

This text indicates the ambiguity and uncertainty of the "right to bear arms" It is a space of the natural (considered as the civil state's opposite) nonetheless tolerated in the civil state. It is inalienable, yet subject to infinite restriction (consider the fate of this right of Englishmen in England). It grants the civilian, who by definition does not use force, the right to do so, but only in a de jure state of Nature (when the laws of society can no longer contain the passions).

Of course, none of this solves the contradiction. The basic dilemma (which is the same for all individual rights) spins about in a sort of self-defeating feedback loop. The power of both the citizen and the State are seen as potentially dangerous if not "regulated". So there arises a zero-sum situation in which any increase in restraint on one side (which increases safety) decreases restraint on the other side (which increases danger). On the one hand, the State must increase constraints on the individual (or else there will be anarchy). Now the State has too much power, and that will lead to tyranny (which is the same as anarchy). Now the individual has too much liberty...and so on ad infinitum.

The point is the imagination of civil society undergoes

constant and endless reversals concerning the individual's "rights". This will depend on the perceived locus of threat at any given moment. Civil society is unable to decide which type of individual is more dangerous: rulers or citizens. Thus what civil society gives to any individual, it can also take away, depending on who appears most threatening at the moment. The individual right is always open to re-examination, and there is a permanent possibility that the natural state held to reside therein can become an object of threat and anxiety. Most importantly, these spaces of the natural and "wild" emerge as "public health problems" from time to time. But first it is necessary to look at how the "right to bear arms" can emerge as a threat to civil society today. The public health stance on guns appears in a definite context, which will be detailed presently.

The Right To Bear Arms Re-examined

For the most part, gun ownership was not until fairly recently a "big deal" for the imagination of civil society. The citizen had access to the means of force, but the State had a monopoly on its use, except under regression to the natural state (which in practise meant shooting criminals in self-defense as a last resort). Even Hobbes seemed to be unconcerned about private ownership of arms, which came to be taken for granted as the citizen's "right".

Yet this right above all is permanently suspect. In recent decades, the gun and the right to own it come to be re-

defined once more as the civil State's opposite.¹⁸ This right was always "liminal", between Nature and Culture as something in the body politic that did not really belong there. Like any liminal phenomenon, it causes anxiety.¹⁹ In the discourse of the social contract, it was always linked to the "natural state". So this natural right is potentially associated with other aspects of the natural state: barbarism, bloodshed, and anarchy. Today, these and other themes of the "social contract" ideology come to light in the case of gun control, shaping the modern experience of guns. Paramount themes which reappear include the idea of the anti-social nature of individuals (always identified firstly with the right to use force), and the duty of the State to tame the threat. The State must civilize civil society, by tightening its monopoly on force and by thoroughly "regulating" the dangerous citizens, who demand such control as their civil right.

Somehere along the line, the concept emerged that even in case of criminal attack, it would be better to die than to exercise one's natural right and sink back to the natural state. Owning guns for defense emerges as immoral and anti-social; it signifies the dreaded hour when the citizen himself will, in principle, be no less savage than the attacker (since

¹⁸Excluded from consideration is the "pro-gun" position, for two reasons: it has no bearing on the public health position; and it is marginalized in contemporary political discourse. What is described in this section should be seen as a dominant or hegemonic position. This does not necessarily mean it represents the majority point of view, however.

¹⁹For more precision on liminality, see Douglas (1990).

the "private" use of force is by definition a natural state). When the individual is judge and executioner of the Law of Nature, there are no more restraints on the passions (cf. Locke). Hence, "you just feed into a violent situation if you start carrying knives and guns" (MacGee 1992: 3). To advocate doing so evokes anxiety: "It scares me to think that this type of mindset still exists" (O'Farell 1990: 7). With today's effective State security apparatus, there is no more excuse for the residuum of the state of Nature to be tolerated anyways; the right becomes an anachronism, a throwback, "futile, meaningless and dangerous" (Levin 1971, in Cramer 1994: 1).

Now one reads in gun ownership something that rejects civil society and says: I submit to the State, but reserve the right to leave it; I surrender to the general will, but keep one hand behind in the natural state, just in case. This is "fear", which is opposed to the love and trust of civility, an asocial force which refuses and corrupts the civil bond. "Increasingly barricaded, mistrustful of their neighbours, they've sacrificed virtue to fear" (Kaminer 1996: 45). Gun owners emerge as "traitors" (Wills 1980, in Kopel 1992: 306), enemies of civil society in the isolation of their own natural state. Partisans of the right to bear arms become "refugees from society...withdrawing from the body politic, asserting their right to alienation and anomie" (Kaminer 1996: 43).

The concept of the despotic spirit or "passions", and

all its metaphors, are read off of firearms: "sending a bullet into a target is an act of aggression and acquisition, similar in essence to other violent acts like rape, murder, and the waging of war". (McCracken 1986: 2). The anti-social will to power recognizes itself in weapons that are associated with the use of force: "many of the values attached to weapons designed solely to kill humans are...power, dominance, and control" (Rathjen 1994: 3). Kopel (1992) has analysed how guns are associated with the lawlessness of the "frontier" (another border-zone between Nature and Culture); with the rural poor (despised as barbaric and uncivilized "rednecks" by the urban middle classes), and with "feuds" and "vigilantes" (who use force without State consent, the ultimate danger).

But most importantly of all, guns (especially those associated with the use of force) cause something called a "crime of passion". "A person armed with a pistol often commits a murder in a moment of passion" (Bernan 1969: 250); this is because "armament always causes strife", and "it is with individuals just as it is with nations" (250). The comparison with international arms-races arises because, in the discourse of the social contract, nations were considered to be in a "natural state" with respect to each other (there is no third State to restrict them)²⁰. So arms unleash the passions. We will have much more to say about this.

Gun Control In Canada

²⁰ See Pufendorf (1990: 119-20). The idea is repeated verbatim by Locke and Rousseau.

Elias (1978) noted that weapons tend to cause anxiety in "civilized" individuals, as a result of the conditioning that helps them accept State domination as legitimate. Since Pufendorf it has been self-evident to civil society that "the presence of small groups of uncontrolled and unauthorized men in unregulated possession of arms is...dangerous" (Hofstadter 1990: 34). The case of Bill C-68 is a very vivid instance of how these civilized beliefs and fears, in a "liberal" nation, cause civil society to demand massive "regulation" directed at itself.

The two individuals who founded the Coalition For Gun Control (CFGC) (whose efforts were largely responsible for C-68) wrote of the outrage that drove them: "When we learned that in fact military assault weapons were legally available to private citizens and that police did not know who owned guns, we were shaken out of our complacency" (Rathjen and Cukier 1995: 2). A popular journalist wrote of going to a gun shop for the first time, shocked to learn it existed:

I thought, naively, that...such intimidating arsenals were fine for...backwater redneck towns in Oklahoma, but that Canadians were too civilized to tolerate such horrors. (Todd 1989: 3)

In the darkness of the private sphere, unseen by the light of the State, citizens who "advocate arming for self-protection" were said to "shoot at targets shaped like humans in para-police and paramilitary scenarios" (CFGC 1994: 9). It is not just the private use of force that is intolerable, but the idea of civilians participating in sports analogous to

military activities is threatening.²¹ Civilian ownership of guns that look like "military" weapons "has no place in a civilized society" (Cukier 1991: 21).

For this movement, there is no right to bear arms; rather, the public has the right to be "protected from the danger of guns" (CFGF undated: unpaginated). Gun ownership must be made to pass from the natural to the civil, as a "privilege and not a right" (Cukier 1995: 17) defined through "strict controls". There must be strict "restrictions on individual liberty in the interests of the common good" (Cukier 1991: 41).

By 1995, this goal had been achieved, to the surprise of some people who learned the hard way of the a priori violability of their inviolable individual rights. Under Law C-68,²² the Minister of Justice gave himself the power to ban any firearm deemed not reasonable for hunting or sporting purposes (and banned most handguns in Canada). The police were given "inspection" powers to enter any place in Canada, including homes, to make sure storage and other regulations are being followed for private guns or to search for illegal

²¹It is instructive to note what one of the earliest modern works on State policy, then known as "police" (as in "police state") had to say: "Armes sont au souverain...Tous estans egaux en ce point, que aucun ne s'ingereroit de soy-meme a prendre n'y exercer les Armes, considere comme homme prive" (De Mayenne Turquet 1611: 106-8, emphasis mine).

²²This discussion is adapted from Parker (1995) and from the text of C-68. See Statutes Of Canada, 1995, c. 39; especially sections 101-5, 112-3, 117, 119.

weapons. The police may enter businesses and even homes without a search warrant, at any time, and force those inside to help the police carry out the search (who are thus forced to incriminate themselves if they have done something illegal).

Several new offences have a so-called "reverse-onus" clause, meaning those charged are presumed guilty and must prove their innocence. Any device or thing may be seized during an inspection, and need not be returned even if it isn't illegal. During an inspection, the police may use any database in the place being inspected. Failure to register one's gun with the State can be punished by a ten-year jail sentence.

Justice Minister Allan Rock was indignant when this law caused him to be compared to Oliver Cromwell. He pointed out (accurately) that the State always had the right to intervene in this manner and had already done so with dozens of "regulatory" statutes. "Any time a government at any level proposes a regime of regulation, it's common that the government will also provide for inspection" (1995: 14), for example the Electricity and Gas Inspection Act. Therefore:

We're not talking about a totalitarian regime...In Calgary, they're required to register cats. We're talking about a society in which the registration of property or the regulation of enterprise is the rule, not the exception. (32)

Again, he is correct. Here we can see what Elias was getting at about "internalized" control. In our everyday lives we hardly even notice that the State demands the right know

how many pets we have or to inspect our use of gas meters in the inviolable "private" sphere. C-68 is no regression into totalitarianism; as Poulantzas (1973) notes, the characteristics of totalitarian ideologies were always constituent elements of "democratic" ideologies (295). As we saw above, liberalism always upheld the duty of the State to discipline the individual even as it sought "limits" on State power.

Allan Rock claims to embody the general will and to be upholding nothing less than the Canadian national soul with his law. In what does this soul consist? It is in a

deep sense of civility because, while other countries were founded on themes of revolution and defiance, while patriots elsewhere shouted "Give Me Liberty Or Give Me Death", Canada was created by...peace, order and good government. (1995: 2)

At the same time, however, "We don't enjoy these assets of a peaceful country because we're somehow more virtuous than others, but because of the development of an infrastructure of policy" (11). It is important to point out that for civil ideology there can be no virtue outside the State control apparatus; a nation's "civility" is an effect of how well "policed" the citizens are. There is a profound connection between the words "policy", "police", and "civilization".²³

²³ The words "policy" and "police" derive from the German Policeywissenschaft (police science). For the relationship between the terms "civilization" and "police", see the discussion in Bauman (1987: 91). Pasquino (1991: 108) provides an illuminating quote from Fregier in the nineteenth century: "It can be affirmed without fear of contradiction that police is the most solid basis of civilization".

That is why the "civility" of the supposed Canadian soul is defined in terms of "policy". A group aptly known as the Canada Safety Council says that "most Canadians believe that freedom is maximized through order, not the right to possess firearms" (Therien 1995: 16). Elsewhere it is defined in terms of even more policy, especially public health and safety policy. "You can look at seatbelt legislation...motorcycle helmets...anti-smoking by-laws. I cannot keep chickens in my backyard" (Cukier 1991: 41); "this country, in its preventive legislation with regards to health care...has always taken the total good of us all before the individual" (Brown 1991: 15).

Public health in Canada played a very big and public role in lobbying for C-68 over a five-year period. The language of "injury prevention" began to replace political language. When Allan Rock claimed that the State had to prevent family and friends from suddenly killing each other, he cited not Pufendorf's theory of natural society, but studies by "physicians" which had proven it scientifically (1995: 33). Brochures published by the CFGC resembled scholarly literature reviews more than the traditional tract of the social reform movement, and copies of abstracts from medical journals were appended to these brochures.²⁴ This was not the first time that public health was aligned with

²⁴ See the Coalition For Gun Control Background Paper (1994). A subsection of the text was also titled "Public Health" (3). The single-page Myths And Facts On Gun Control (undated) managed to footnote nine articles from medical and public-health journals and personnel.

moral/symbolic crusades²⁵, as Turner has shown in a very interesting review (1984: 80). We now turn to the question of what policing the passions has to do with the health of the body politic, and what this has to do with gun control.

²⁵As of June 1994 (when C-68 was being planned), the CFGC list of endorsers contained over thirty medical and public health boards, centres, and associations (CFGC 1994). The Canadian Public Health Association (CPHA) joined up in November that year (CPHA 1995: 5).

CHAPTER THREE

GENEALOGY OF THE CONCEPT OF MEDICAL POLICE

Law C-68, the subject of such bitter controversy, was regarded by public health as simply a workaday matter, one health regulation among others. As the Canadian Public Health Association (CPHA) explained:

Why is gun control an issue for public health?...Public health has a long tradition of addressing issues which affect the population as a whole, and where the health and safety of the population is at risk. We have only to point to things such as improved sanitation, water treatment, immunization, and food regulations to show the areas where public health has taken a stand. (Pim 1995: 24)

Public health today recognizes no limits to State intervention in "health" matters. "The practise of public health is...the process of redesigning society" (Wallack and Dorfman 1996: 294), and the areas for intervention are understood as "physical, social, mental, emotional, spiritual, and environmental factors" (CPHA 1995: 4). The patient of public health is "the entire community or even the world" (Hanlon and Pickett 1990: 6) and its object "the total ecological relationship between people and their environment" (8).

We can see, therefore, that attempts to restrict weapons are inseparable from a wider endeavour to regulate every other sphere of life.

What does gun control have to do with "public health"? Where does the idea of endless "health and safety" regulation fit in with the monopolization of force by the State? Here I will address these issues, with two objectives. One is to trace the history of the notion of "injury prevention". Central to the public health stance on guns today, injury prevention was linked to "arms control" from the beginning. The second is to relate public health, as a "political technology", to the "civilizing process" and associated ideological discourses. Doing so defines a strategic orientation to the texts that will be analysed in the following chapters; it helps get a grasp on the logic behind what is said about guns today and especially on why individuals emerge as innately dangerous.

The key is to remember that the modern concept of State "regulation" on behalf of the "public good" emerges as an effect of the myths which legitimate the State's sovereignty. The discourse on the "natural state", in order to justify the State's monopoly on force, presented the individual as a "wild" and dangerous entity which must necessarily be regulated. Thus State monopolization of force is the parent and paradigm of all other State interventions. Underlying all State "regulations" in the "public interest" lies the project of regulating the "passions". This primary function of regulatory power came out in full clarity with Law C-68. Here the State claimed to invoke its "regulatory" power to prevent ordinary citizens from suddenly murdering each other, granting itself a monopoly over arms in the process.

We can begin to grasp the connection between the history of public health concerns and the "internal pacification of society" through some of Elias' remarks on the "civilizing process". A hallmark of the civilizing process, according to Elias, is a generalized fear of danger. Another was an intense emphasis on cleanliness and the removal from society of all bodily processes, discharges, and filth. This had nothing to do with "rational understanding of the origin of certain diseases...[which] is neither the cause of fear and repugnance nor the motor of civilization" (Elias 1978: 158). It had to do with norms grounded in cultural metaphors of the political submission of citizens to the State. The release of matter from the body is a metaphor of the violence of the natural state, the escape of "animal" passions, and in all cultures dirt is associated with potency and power.²⁶ An official of the Atlanta Centre For Disease Control says that the public must be made to perceive guns as "dirty, deadly, and banned" (Rosenberg 1994, in Kates et al. 1995: 515).

The latter observation shows that the concern for health and safety coincides, in the long run, with the State's interest in maintaining order.²⁷ The concept of public health emerges within a horizon of concerns associated with State

²⁶See, in general, Leach (1976)

²⁷This must not be taken as a "conspiracy theory". The humanitarian concern for health is sincere: political power is always mediated by cultural values. Such concerns, however, inevitably end up in attempts to increase the power of the State, and thus coincide with the State's interests.

monopolization of force: the problem of "civilizing" the "passions". This is the root problem from which the existence of public health derives and the one to which it inevitably returns in the case of gun control.

"Good Police And Order": The Police Sciences

The rise of the State was accompanied by the norms associated with the "civilizing process", and also the political discourses of civil society, which established the "need" for the State to civilize wild instincts for the "public good". In this context we can situate the "political technologies" described by Foucault, which also emerge with the State monopoly on force. There appears a "coexistence in political structures of large destructive mechanisms" at the same time that "the care of individual life is becoming a duty for the State" (Foucault 1988: 147). To this end, specific forms of knowledge come into being, whose purpose is to formulate the details of a "specific, a permanent, and a positive intervention in the lives of individuals" (160). Public health science was one example.

Foucault cites something which Elias was often accused of ignoring in his account of the "civilizing process": the practises of the "well-ordered police state" (Raeff 1983). This peaked in France and especially Germany where an academic discipline was codified by the eighteenth century under the term "police science" (Polizeiwissenschaft).

The object of police science was to devise social control

and welfare policy for the police state.²⁸ The concept of the "police State" had nothing to do with today's image of "arbitrary" military rule. The "police state" was by contrast a progressive, humanitarian, and "civilized" idea. All interventions were to be carried out for the public good, and "happiness" was a keyword: as one text had it, "The police see to everything pertaining to men's happiness" (Delamare 1705, in Foucault 1988: 157) Danger and misery are to be eliminated, by having the State monitor and regulate everything and everyone in its territory.

What needs to be explored is the link at the cultural level between the State monopoly on force and the constitution of political technologies which steer the global "policing" of society. Clarifying this link helps understand the historical association between arms control and public health. This link is in notions of the "wild", whose reference-point is the social contract ideology. The latter was the basis and justification of police science (Rosen 1963: 24).

The "well-policed State" marks the emergence of modernity as what Bauman (1987: 51-93) has termed a "garden culture"; the idea of "civilization" takes the form of a project, animated by a sweeping metaphor whereby the whole of the State's domain is so much wild nature to be domesticated, controlled, and dominated. The natural state is located in

²⁸ Useful discussions of police science can be found in Burchell et al. (1991); Raeff (1983); Knermeyer (1980); and Oestreich (1982). With specific reference to public health, see Rosen (1963); Foucault (1980c; 1988).

real life as all those areas of life which have yet to come under State regulation.

This in turn gives rise to the "ecological" conception so essential to modern public health: Foucault notes how for police science "the population and the environment are in a perpetual living interrelationship, and the State has to manage those living interrelationships" (1988: 160). The basis for epidemiology and "injury prevention", which also seek total regulation of total environments, emerges right here.

Of course, the cultural metaphor of taming wildness refers back to the mythical social contract, which had represented the monopolization of force as the regulation and excision of "wild and savage" natural liberty by the State.

Underlying the dreams of police science, then, is the project of what Freud will later call "sublimation": how to contain the passions. Police science hopes to achieve this through State regulation and plenty of it. Because the internal security of the State was represented in terms of generalized threats from the wild, everything must be controlled in addition to the "private" use of force. The "wild", as an object of fear, emerges as that which is unregulated.²⁹

Genealogy Of Injury Prevention: Medical Police

One of the most important legacies of police science was J.P. Frank's System Of Complete Medical Police. Published in

²⁹See also Tester (1992), especially 76-7.

the eighteenth century, this text is "the first great systematic program of public health for the modern State" (Foucault 1988: 147). It contains the first systematic exposition of the concept of "injury prevention", which today is used to prove the a priori dangerousness of the ordinary citizen and the "need" for strict gun control.

Frank defines the object of "medical police" as the "internal security of the State" (1976: 12) and his thought has more to do with social-contract theory (Lesky 1976) than with bacteriology, which had not been invented yet. His object is above all the incessant need for civil society to be civilized. The basic justification for health intervention is the "need" for the State to tame the innate dangerousness in each individual by limiting their "natural liberty". This concept derives directly from the social contract, which represented the State's monopoly on force as the only thing that prevents universal anarchy:

I must not rob, must not take revenge, must not abuse, beat, murder anybody...My natural freedom suffers from that, but is it not better for me, for all members of the State, to know that in those matters and a thousand others, our hands are bound because of the care of the authorities. (Frank 1976: 11, emphasis mine)

As we have seen, this mythical notion, which legitimates the State, also gives rise to the demand for permanent regulation of the "passions". Furthermore, the "civilizing process" has rendered danger of any kind intolerable, and generated humanitarian concerns over suffering and misery.

So Frank sees the social contract as an incomplete

project, to the extent that he sees the State's duty to regulate the citizen as going far beyond merely monopolizing the use of force. Frank asserts that the social contract is meant to overcome danger and that the State must go as far as possible in doing so. "It is really irresponsible how greatly most authorities sin against the article on general security with respect to life and health of the citizenry" (202). Thus, the citizens have the right to "claim from the regent the fulfillment of certain paternal duties" (202) in addition to military protection. They have the right to be disciplined in the name of health.

To remedy the problem, Frank produces some 6262 pages of proposed regulations, covering every sphere of life. Most were aimed at controlling sexual and aggressive "passions", and "preventing wild instincts from causing people to attain their own pleasure at the expense of society and health" (170). This is because danger is always firstly identified with the dangerous nature of human nature. In fact, Frank claims that most diseases are caused by the "passions and their attacks" (153).³⁰ In his pioneer volume on injury prevention, he deems violence an area for public health; gun control is one of the many "preventive" measures he discusses.

Frank was indignant at "those who complain of

³⁰The connection between the "passions" and illness is typical of early health discourse, as Turner (1984, 1991) has shown. It would seem that illness, which attacks and harms the body, is above all a metaphor of violence and thus loathesome to "civilized" people.

interference with the rights of mankind, when a prince wants to protect the thoughtless people" (206). The medical police pose no threat to the citizen: "they only take care of him, and, so to say, take away... the knife with which they could injure themselves greatly" (11).

The logic in all this simply takes the reasoning of social contract ideology (which had identified liberty with danger) to its logical conclusion. Thus, the working project of public health emerges as the attempt to restrict all liberty, and not just some of it, in the name of the "public good": to complete the unfinished social contract, as it were.

Behind attempts to protect health is the attempt to render individuals harmless to the State,³¹ motivated by fears of danger and the "passions" which accompany the "civilizing process". This is why violence and access to weapons were "public health" matters from the start. Also noteworthy is that among Frank's plans for dealing with the effects of the "passions" (disease and morbidity) were very advanced schemes for sanitation, disease control, and safety engineering. These appear alongside such proposals as outlawing the carrying of arms, and for the same reason. That is, disease and injury control is not an end in itself; the ultimate end is the internal pacification of society required

³¹Foucault (1988) says that, as a "political technology", public health seeks to make individuals useful to the State. This is clearly part of it, but the priority for the State is to secure order. Rebellious citizens are not useful. Likewise, civilization is motivated first by fear and second by calculating utility.

by State monopolization of force. Disease and danger are problems because they are seen as the effect of uncontrolled "wild instincts".

Public Health And Political Power

If we situate "political technologies" within the general framework of the "civilizing process", we can define the role of modern public health: it is the "job" of public health to devise uses of State power to control danger, so that the State can civilize civil society.³² This is done chiefly by means of a discourse, considered to be "scientific", which demands the use of State power in social intervention. Of course, it would not even make sense to propose a "regulation" related to health or safety or anything else if the regulation could not be backed up with armed force. As Hanlon and Pickett correctly point out, "public health law owes its true origin and only real effectiveness to this inherent right of the State" (Hanlon and Pickett 1990: 168), its "police power":

that inherent sovereignty which the government exercises whenever regulations are demanded by public policy for the benefit of the society at large in order to guard its morals, safety, health, order and the like in accordance with the needs of civilization. (Miami County v. Dayton, in Hanlon and Pickett: 169)

We can note that the word "policy" came from "police science". Yet the excerpt above came not from a theorist of

³²Keane (1988) notes that for Hegel, the doyen of arch-Statist theorists, the police apparatus (Polizei) had the task of "monitoring, regulating, and...civilizing civil society" (69). Public health was to be part of this apparatus.

"absolutism", but from a court ruling in that most "liberal" of nations, the United States, and was cited in a standard American public-health textbook. The right of the State to discipline society for its own good is a generic feature of "civilized" societies predicated on State monopolized violence, as we have already shown at length. The dream of "good police and order" is always found in such societies, no matter how "liberal" they are.

The reason that "regulations" arise to guard "morals, safety, health and order" is because of the "need" of the State to regulate the inherent dangerousness of the citizen, as outlined in the discourse on the natural state. This "problem" is permanently inscribed in the discourse of health and safety, because it lies at the origin of concerns about health and safety. This is to take up, as a working hypothesis, Pinell's (1996) suggestion that public health is constituted as a result of the "civilizing process" which accompanies State monopolization of violence. Specifically, the discourse of public health is shaped by the ideological discourse of the civil State.

The task of public health, as a "political technology", is to produce knowledge of remnants of the "wild" in the body politic, so that the might of the State can be brought in to stamp out the danger. The basic concept and strategy of public health is informed by the "imagination of civil society". Civil society represented its founding moment (State monopolization of force) as a transformation of dangerous

"natural liberty" into safe and limited "civil" liberty. Thus, dangers from the "wild" erupt in an excess of liberty. Public health helps to identify, and limit, this excess liberty.³³ Hence the explanation of danger in that which is unregulated. The social contract, however, may well have stopped at the mere limitation on the use of force as a remedy for the "natural state". Public health, in turn, takes the premise of "civil liberty" all the way and sees a "natural state" in whatever is unregulated. But the monopoly on force is the ground point, so public health inevitably returns there.

As was the case for J.P. Frank, it is under the rubric of injury prevention that violence and civilian access to arms are framed as health matters today. So a few words about the revival of this idea need to be said before exploring its role in modern gun debates.

Injury Prevention: The New Medical Police

While the "medical police" scheme died out, the basic idea was kept alive in various notions of "social hygiene" and "social medicine" (Rosen 1963; Pinell 1996). The goal always existed, as an American public health pioneer wrote in 1860, that one day "sanitarians" would "not so much attend to the health of the human body as to the condition of the body

³³ Yet we have seen that for civil society there is a permanently ambiguous view of State power, while no such ambiguity exists from the point of view of public health. This is because of the dependence of public health intervention ("health law") on coercive State power. Hence public health tends to the "authoritarian" side of the civil imaginary.

politic" (Bigelow, in Hanlon and Pickett 1990: 85). But it was not until about four decades back that there was an effective movement to re-expand health intervention to include every sphere of life and activity. The vanguard of this movement was the revival of the old medical-police concept of "injury prevention".

One reason for the revival of injury prevention was that a reliance on non-coercive "health education" had placed a great strain on a field whose very concept rested on the use of coercive regulation. One author complained that his colleagues had "downgraded the use of legal sanctions" and "forgotten that their basic responsibility is to protect and to improve the health of the masses of people, and to use all effective public means in order to achieve it" (Curran 1970: 2016). This had been especially true in the field of "safety" and became intolerable. On the other hand, no government was going to give the health boards more power than they already had.

Thus public health shifts tactic and becomes a sort of social movement; it hopes to shape State policy as opposed to overseeing local matters. Plans for intervention become abstract and grandiose, less worried about administrative exigencies.

At the same time, the scientific discourse of epidemiology becomes understood as a political weapon, designed for use in the political arena and courtroom litigation. To this end, the concept of injury prevention is

reinvented, this time as a form of applied physics.³⁴

By the twentieth century, the old police-science notion of the State managing a total ecological system had been codified in the "epedemiological triangle", with its concept of agents (viruses that cause the disease), vectors (things that carry the virus) and hosts (the infected patients), which interact in an environment. Danger emerges as failure to regulate this environment. But this infectious-disease model is too concrete for a general policing of society; it looks only for infectious microorganisms and the like. One needs to upgrade this limited ecological conception in such a way that the concept of "environment" subsumes every imaginable process that takes place in the State's territory (and not just bacterial growth). What is needed is a model that can read an "epidemic" in anything; an abstract analytic framework that can make visible an infinity of danger.

If one conceives the causal "agent" of an injury situation in terms of the physical concept of an "energy transfer", the potential for intervention is infinite. Energy is omnipresent throughout the universe. Now, something need only exist as a physical object to qualify as a "virus", since any physical entity can hypothetically be involved in an injury. One need simply compile some statistics on "injuries": here is an epidemic. One can never presume to be safe; danger

³⁴Definitive formulations were in Haddon (1968, 1972, 1973); Baker (1973); and Robertson (1983). The work of Frank appears to have had no direct influence.

is everywhere. This is the new injury prevention, which takes the culture of safety to unprecedented heights.³⁵

The public-health official emerges as a social physicist in grand technocratic fashion, expert advisor to the State which polices all the energy transfers on its territory. "The government must act to set standards for the distribution and use of potentially injurious energy" (Robertson 1986: 357). Underlying this claim are the old dreams of police science, inspired in turn by the project of "civilizing" wild (and violent) barbarism.

Danger emerges as the failure of the State to police what the citizens own, buy, and sell: "Virtually all of human injury...is the result of modification of the elements of the environment by human organisations" (347). The view is Rousseauian; the unregulated barbarism and avarice of individuals despoils nature and creates danger. "The choice is how much freedom now for each relative to how long before the destruction of all" (1975: 173). Unrestricted pursuit of "private" ends and interests (a most dangerous "passion") is bound to end in disaster. The ideological basis is the opposition between wild and savage liberty and regulated civil liberty. Freedom does not, we learn, mean that "we have the right to be wholly free of restraint" (Baker 1980: 174). To wit:

Freedom not to wear a helmet. Freedom to have a handgun.
Freedom to choose unsafe products. Each of these

³⁵See Castel's remarks on p. 1 above.

"freedoms" is extolled by special interest groups in pursuit of their own objectives. (174)

Private interests emerge as opposed to the public good, which public health protects. Now public health emerges as an ethical avant-garde, "a way of doing justice" against the "dubious stretching of the principle of personal freedom to protect every corner of social life" (Beauchamp 1976: 9). Rather, the citizen has a right to be protected from "energy hazards".³⁶ At its extreme, this reaches a religio-technocratic fervor where the precepts of injury control are a "new ethical model or paradigm" (9), the ten commandments of an ethical (and totally administered) society:

Another principle of the public health ethic is that the control of hazards cannot be achieved through voluntary mechanisms but must be undertaken...through planned, organized, and collective action that is obligatory or non-voluntary in nature (8).

This is opposed to "market justice", which permits "commodities, services, products, activities or practises to pose a direct threat or hazard to the health and safety of the public" (8).

This discourse derives from the old concept that market activity would destroy society unless "policed". Behind this Hegelian notion is the mythical concept of an anarchic "natural society", which had to be forcibly civilized by the State. This idea, and its concept of human nature, will come

³⁶Here, as for Frank two centuries earlier, public health is seen as completing the unfinished social contract. See Beauchamp (1980); Koop (1991); and with reference to gun control, Weiss (1996).

out very clearly in the case of gun control. As a prologue, let us examine some precepts of injury prevention. In the next few chapters, we will see how they serve as the springboard for what public health today says about guns and violence.

The first step was to reject the idea that the individual, by himself, could avoid the dangers rampant in the environment. Hence, the State must impose prohibitions on "dangerous" products (anything) as well as endless product codes, seat belt laws, air bags, speed limits, motorcycle and even bicycle helmets, and gun control. Any product that could conceivably be involved in an "injury" qualifies for prohibition. One official who testified on behalf of C-68 boasted of being responsible for having lawn darts banned (Stanwick 1995: 29)!

A paramount task is to reject the idea that people can learn to use "hazardous products" safely through non-coercive "safety education", which obviates the need for coercive regulation. Interventions "must be based on their effectiveness in reducing the end-results in damage, not necessarily on preventing the initiation of the events themselves". (Haddon 1972: 194). What this means is that dangerous behavior is presumed as given and inevitable.³⁷ The possibility of educating people to act safely on a voluntary basis is excluded as unscientific: it emerges as superstition to "regard harmful interactions between man and his

³⁷See Gusfield (1981).

environment as requiring reforming imperfect man instead of suitably modifying his environment" (Haddon 1973: 323).

"Imperfect" means inherently dangerous; "modifying his environment" means State control over everything the citizens do, in the grand tradition of police science.

Injury analysis ends up excluding the entire question of what causes people to behave in a "dangerous" manner, and to study the role of human agency in injury is dismissed as pre-science. Injury prevention claims the status of "hard" science, a form of applied physics. This makes it very easy to "slip" a certain concept of human nature back into the picture; a concept which comes not from physics but from the theory of the social contract.

Conclusion

The ideological reference-point of controlling danger is the "wild within man". Foucault suggested that public health is about "people control". We have said that the primary role of "people control" is control of their potential to use force, which threatens the State. It is easy to lose sight of this primary role: the project of "people control" was mediated by broad metaphors of taming the wild, yielding an infinity of "regulations" which are not always directly connected to the internal pacification of society. As long as the primary role of regulation is borne in mind, the significance of gun control for "health" is no surprise. The issues involved are in fact more fundamental to public health

than disease or injury. Protecting the individual from danger is inseparable from protecting the State from the dangerousness of the individual. While the latter theme is not always manifest, public health necessarily returns to this theme in the case of gun control, since for civil ideology the dangerousness of the individual was initially identified with the right to use force, which defined the "natural state". We can now explore this in depth.

CHAPTER FOUR

THE INTERNAL SECURITY OF THE STATE REVISITED

The historical background of the association between public health and gun control behind us, we will now explore today's public health texts on gun violence. The previous chapters gave a genealogy of the major themes of gun control and an account of the motives underlying "injury prevention". It boils down to the project of civilizing the "wild", which originates with the State and is mediated by the myths of civil society. The rest of this analysis deals with the discourse on "preventing firearms injuries". The keynote is the interplay of knowledge-production and the historical constraints of a culture's dominant ideology. "Knowledge" is conceived as a "political technology": a practice which informs the exercise of power. The working hypothesis is that the basic frame of reference³⁹ of the scientific discourse of public health (which delimits targets for "regulation") is shaped by the ideology which legitimates the State monopoly on force. Over the next three chapters, this hypothesis will

³⁹To reiterate, the frame of reference underlying discourse is conceived after the Althusserian "problematic" and the Foucauldian "rule of formation". Both concepts denote a definite internal structure underlying the formation of claims to knowledge in any discourse. I have minimized use of these terms in the text in order to avoid weighting it down with jargon.

enable a very complete explanation of what public health has to say about guns.

As long as injury prevention was concerned with accidents, it claimed to be no more than a form of applied physics, a common-sense approach to dealing with environmental hazards, which had nothing to do with attempts to "reform man" and the like. Indeed, in spite of its own grandiose scope, initially it had dealt with fairly arcane matters such as space-heater burns and automobile roll-cage design.

As soon as the "prevention of firearms injuries" comes within purview, this all changes. Injury prevention shows itself to be concerned with the very nature of social order, the nature of human nature, and the relationship between human nature and the social order: a general science of social control, which moves beyond "safety engineering" to address the "Hobbesian problem of order": how might the anti-social passions of men be contained? Injury prevention takes up the problem of "sublimating" individuals: controlling their potential for harm.

The first step, of course, consists in asserting the duty of the State to limit, proscribe, and control citizen access to the means of force. This shows the deep interpenetration of the concept of public health, the project of controlling the passions, and the monopolization of force by the State. These connections come out more clearly in the project of "preventing firearms injuries" than anywhere else. It shows how the humanitarian concern for health and welfare

ultimately coincides with the State's concern for order. At the bottom of the technocratic attempt to exercise total control over "environments" in order to protect individuals from harm, lies the more fundamental project of rendering individuals harmless to the State.

At this point, injury control rejoins the classic discourse on the "wild within man": the story of the inherent dangerousness of individuals, whose only hope for a safe and human existence lies in submission to the State. As long as injury prevention was concerned only with "accidents", the concept of the "passions" was largely absent or only implicit. As soon as gun ownership comes under scrutiny, this "missing" element comes back into play. Public health has gone from the concept of medical police, to the area of infectious disease and sanitation⁴⁰, and now back to the internal security of the State and the concept of medical police. The task of policing the "passions", so that the State could secure order on its territory, is once again a medical problem.

At the same time injury prevention, which presents itself as no more than a form of applied physics, emerges as a form of applied ideology. The discourse of the social

⁴⁰Of course, there was always a political dimension to these efforts, but the exact nature and origin of this political dimension is often very difficult to perceive, even in the "social hygiene" movements of the 19th century which sought to control the "dangerous classes" and the like (Pinell 1996). In the case of gun control, we can clearly see that the ultimate ground-point for the politics of public health is the sovereign power of the State and all the mythical themes which establish the State's monopoly on force.

contract, which serves as the horizon or basis of modernity's experience of "civilization", also serves as the horizon of knowledge-production in the area of "preventive" policy. The conceptual tools which are used to construct knowledge of "firearms deaths and injuries" are handed down from the classic theories of State sovereignty. They serve mainly as a set of self-evident givens, used to make homicide statistics tell a story whose principle themes come from the story of the origin of civil society. The latter stays "backstage" for the most part, as the basis that shapes the construction of various statistical calculations, working hypotheses, research projects, and policy proposals. For the rest of this Thesis, we will trace this process from the basic strategy for identifying danger, to the measurement of the internal security of the State, to the reappearance of the "wild within man" in the concepts of "impulse" and "crime of passion".

The Social Contract And The Search For Danger

At the most general level is the basic logic underlying the formation of strategies in public health. We saw how the likes of J.P. Frank saw the social contract as an incomplete project, because danger had not yet been overcome and because there were areas of life unregulated by the State. The "social contract" posited the origin of social order in the regulation of wild and savage liberty by the State. For public health (as for the wider culture of safety) danger in general was, in turn, defined as that which is unregulated by the State.

Thus the specific relationship between the discourse of the social contract and the discourse of public health is that the basic concepts of the social contract serve as the starting point for identifying areas for intervention. The interventions, however, go further than existing political arrangements. Public health seeks to control danger (the "wild") by taking up the slack left to the individual by the existing control framework.

It is thus no surprise that the public-health discourse of "prevention", when applied to gun violence, locates the cause of social disorder in what had always been identified as remnants of the natural state: the "right to bear arms" and the individual-private sphere. It is also unsurprising that it is around the gun issue that the theme of the "wild" and dangerous individual reappears. In particular, the reason why the concept of the "passions" (and other ideas associated with the "natural state") come fully to light in the case of gun control is because the gun issue returns to the question of control over the right to use force. This question was at the centre of the "social contract" myth, which cast individuals as inherently dangerous in the course of legitimating the State's monopoly on force. Yet public health's idea of how much "regulation" is needed to overcome the danger goes much further than the social-contract ideology itself was often willing to go. Let's look at how this works.

In the social contract myth, the natural state was a metaphor for absolute liberty. Humans in the natural state, as

slaves of their passions, were driven into the most heinous depths of violence, war, and barbarity. This draws an equation between absolute liberty and absolute danger. "Civilization" (State monopolization of force) was represented in terms of the State liberating men from their own "wild" nature, by limiting their "natural" liberty. This process was supposed to leave some residue of the original natural liberty, which there is no need for the State to be bothered about controlling. This becomes the "individual right".

However, public health, as a political technology, is concerned to use and not to limit State power. The working logic of public health is to take seriously the ground premise of the "social contract" ideology, which is that individual dangerousness finds expression in the absence of political control. Thus, the individual right is represented as a private state of Nature in which an uncontrolled danger is seen to thrive, sticking out its tongue at civilization. It is as such that the right to bear arms is represented in the discourse of prevention.

Constructing Danger

Thus the first step is to conceive of gun violence as erupting in the absence of positive State control over the individual: "The whole perspective of public health is on accessibility. When you have access to a very lethal means of homicide...you have more deaths" (Chapdelaine 1995: 27).

So danger and death arises where the State has failed to

regulate, prohibit, and control. For public health, this general notion comprises the most basic "rule of formation" which underlies all its other concepts and policy statements. Applied to gun violence, it articulates the classic "problem of order" anew. To conceive of violent death as arising in the absence of control is to conceive of it as arising in a space of anarchy, a pocket of the original state of nature whose borders begin where the presence of the civil State ends. Now public health can read, into official crime statistics, all the themes of the myth of the origin of civil society: the choice between surrender of the "first law of Nature" to the State, or slavery to one's own passions in a state of Nature where they can be counted on to lead to bloodshed.

But the discourse of injury prevention is not concerned with a fictional state of nature: it is applied to an existing social order. Here lies the manner in which public health, as a "political technology", goes about identifying areas for "regulation". The underlying assumption is that the extirpation of the state of Nature is incomplete. The task is to identify all the remnants of the natural state that might remain in the social body, those wild patches and dark corners that may have escaped illumination and domestication by the State. Par excellence, this space of wildness and danger is to be located in that unchecked liberty which has been left to the individual, perhaps in the form of the "individual right" or the "private sphere". The "residuum of natural liberty" (Blackstone 1898: 111), which was seen as too trivial for the

State to be bothered with, is the explanation of danger and the object of investigation. Injury prevention questions the notion that there are areas of life that the State need not regulate; it produces "scientific" knowledge of the need to redraw (and foreshorten) the borders of the individual-private, which is recast as a private state of Nature⁴¹ to which danger can be traced.

This explains the hostility of public health workers to individual liberty, and also why the key concept of "primary prevention" is opposed to the notion of the legal deterrent (tough sentences for violence). This "liberal" solution to the problem of order (classically expounded by Beccaria)⁴² sought merely to prohibit harmful acts. As long as the citizen commits no "crime", he is free to carry on without "regulation". This is intolerable to public health: it leaves behind an unregulated and "wild" zone, where all sorts of natural forces (including the "passions") can explode into danger. Thus, true "primary prevention" efforts must be "delivered proactively to entire populations" (Nietzel and Himelin 1986: 196). This means before any harmful act has

⁴¹The term "private state of nature" is borrowed from Melossi (1990: 24), who uses it in a related discussion of the rise of modern social control practises.

⁴²Ironically, Beccaria himself was one of the first to ever use the word "prevention", as he means to "prevent" the passions or "despotic spirit" (1963). He also rejected gun control as an affront to liberty. As usual, this liberal idea deconstructed itself: within a few years, J.P. Frank had used the concept of "prevention" in today's sense and recommended weapon laws on that basis in the System Of Complete Medical Police, also to prevent the passions.

actually been committed: "primary prevention efforts are by definition 'before the fact' in their application, i.e. before signs of the disorder are present" (Felner and Silverman 1989: 23).

Applying this to violence yields the concept that everyone is a killer, even (and especially) those who have never actually committed any act of violence. The individual, who is already guilty, emerges as a killer who hasn't pulled the trigger yet. Thus, even in a self-avowed absence of contrary evidence, "it is safe to assume that the safest home is one without a gun" (Chapdelaine et al. 1991: 1220). Of course, this is the same conception of individual dangerousness whose origin lay in the discourse on the "natural state".

But the social-contract ideology, for the most part, was concerned only to establish the sovereign power of the State. Even Hobbes was satisfied with a State monopoly on the use of force as an adequate remedy to the natural state.⁴³ Injury prevention, as a political technology, seeks to deploy State power to the greatest extent possible. Thus it sees a state of Nature in the very residue of liberty that the "social contract" may have left untouched. While the right of the citizen to use force has been proscribed, access to the means of force has not: it may even be enshrined in a "right to bear

⁴³Pufendorf, who unlike Hobbes did recommend gun control, was somewhat atypical. It is worth noting on this point that Pufendorf is seen as a father of police science (Rosen 1963).

arms". Here, then, is a natural state, evidence that civil society is only half-civilized. This is based on a general hypothesis which posits a linear relationship between individual liberty and danger (the cause of danger being sought in "accessibility"). The "scientific" statement of the causal relationship between liberty and danger is posed as follows:

A more sound public health approach to firearms violence is to ask whether a causal relationship exists between the availability of guns and the incidence of firearms deaths and injuries. Would restricting the availability of firearms reduce injuries and deaths? (Cheng and Lowe 1993: 183)

The answer is known in advance, since "a principle of injury prevention states that it is often easier to modify the products or the environment" through coercive legislation than to educate people (183).⁴⁴

Thus, one seeks to make sense of gun violence in terms of a political cause: gaps in the State control framework. These emerge, as it were, as cracks in a giant pressure container which otherwise holds back the passions. Sometimes, the forces contained within escape, with deadly consequences. These cracks take the form of those areas of the citizen's life and conduct which have not yet come under adequate surveillance and control by the State, and natural rights

⁴⁴The author of Complete Medical Police himself stated in the world's first public-health treatise on injury prevention, written in 1790, that moral education in itself is insufficient and that "it is the duty of the police [state] to think of other means of controlling the evil", and then discussed gun control (1976:235-7).

which have not yet been surrendered. The corollary is to read, into homicide statistics, a resurgence of the original State of nature.

This has absolutely nothing to do with hunting down pathological "deviants" or the like. The antimony between civilization and savagery (the grounds of the State monopoly on force) saw a potential savage in every individual. The passions were always seen as a universal attribute of human nature. Thus, the object of public health is the policing of civil society itself. Indeed:

for public health sector workers, crime is not the primary problem. I want to be clear on this: We are not criminologists. The main reason why public-health sector workers have rallied around this issue is not to prevent crime". (Maurice 1995: 47)

"The majority of the people this legislation [C-68] is designed to help are otherwise law abiding. These are the people who are suffering" (Fisher 1995: 46). Moreover, "[t]hese are not criminals. These are the people with whom we live and work...It is the man in the street, the guy next door" (Drummond 1995: 46).

So the goal is not the detection and treatment of the pathological, but rather the sublimation of the normal: the civilization of civil society. For civil ideology, the State always had to "help" the normal person to restrain the passions which enslaved him. As Rousseau (1974) said, "only the power of the State makes its members free" (47), since under natural liberty one is pushed around by passions and impulses. We know that the concept of "natural liberty" had

been defined in terms of the right to use force. In the English-speaking world, a "residuum" of this right had been left over to the individual. It follows, for injury prevention, that this trace of natural liberty provides a vent for passions which reside in all, and is the cause of gun violence. It is as such that gun homicide is conceived as an object of "scientific" knowledge.

This has nothing to do with the notion of crime, but rather with the classical notion of anarchy. The object is to cast the right to bear arms as an Achille's heel in the body politic, a trace of the natural state, and an oversight of the civilizing process. This wild space opens up the possibility for the passions of the otherwise "civilized" individual to cut loose and end in death. So the statistical discourse of injury prevention is attempting to take scientific measurements of what has been conceived as the result of anarchy and a still-existing state of Nature, one which is no theoretical fiction (as it was for Hobbes) but rather a "real" natural state.

Measuring The Natural State: From "Crime" to "War"

So that decision-makers...are not bothered with too many facts to make up their minds, the injury control approach is suggested to prevent firearms injuries. The key to this approach is to view these injuries...as having one common factor: the discharge of a firearm. (Chapdelaine et al. 1991: 1221)

We supposedly arrive at this formulation through applied physics. "By viewing all injuries as the result of energy transfers to the body, we can analyse the causes of these

injuries and formulate strategies for prevention". (1221)

But what is being discussed here is neither a tautological definition of gun violence and nor is it just an analysis of the physical mechanisms of danger. It is a statement of a causal relationship between civilian access to firearms and the rate of violent death. So that the State is not bothered with too many facts, epidemiology must put forth the binomial proposition that a nation's homicide rate is a function of the degree of state monopolization of the instruments of force.

Something more than the concept of kinetic energy has to be invoked for this assertion to be made. This is the distinction between the natural state, where the passions end in death, and civilization, where they do not: here, as for the classic social contract ideology, the difference is made exclusively by the State monopoly on force.

But again, injury prevention has no use for a mythical state of nature that serves merely to legitimate an existing order. It uses the notions of civil ideology as working tools to increase political intervention. That means finding the natural state in real life. So the (unstated) idea is to employ crime statistics in order to take scientific measurements of what is conceived as a remnant of the primitive state of war. The explanation is then sought in an inadequate excision of natural liberty by the State, which monopolized the use of force but forgot to pay attention to the means of force (as well as the right to self-defense).

To this end, one tabulates various statistics on assault and homicide rates from various countries and discovers that, while the rate for all "assaultive" (non-fatal violent) injuries is about the same in Denmark as it is in Ohio,

The Danish homicide rate, on the other hand, is only one fifth the rate for Ohio. This discrepancy is largely explained by two facts. First, firearms injuries have an extremely high case fatality rate (15 times the rate for knife assaults). Second, private ownership of guns is only permitted for hunting in Denmark. (Baker 1985: 587)

In Denmark, "access to firearms is restricted, and ownership is only granted for hunting, police, and military purposes" (Hebedoe 1985: 651). In America, the citizen is still be able to own guns for defense, has access to arms that are associated with the use of force, and the State may not make enough of an effort to discourage gun ownership. This explains why "the rate of homicide in the U.S. is ten times higher than that of Sweden, where firearms access is also restricted" (652).

We can see that the concept of "unrestricted" gun ownership corresponds exactly to what was described above as the "right to bear arms". Note that the "right to bear arms", as a vestige of the State of Nature which the individual was not required to forfeit, certainly did not escape being "regulated". In the United States, one may not use force except in self-defense, carry weapons for the purpose of terrorizing the public, etc. The State does have a monopoly on force. But public health can never stop there. Its frame of reference presumes that the civil liberty is never "civil"

enough. Whatever space of unregulated activity that it preserves is presented as the source of any danger that still exists.

So it is in this sense that the problem has been posed in terms of "access". In Scandinavia, access is "restricted", and the homicide rate is lower. In America, access is "unrestricted" and the homicide rate is higher. The difference is causally attributed to the degree of restriction.

Several assumptions underwrite this remarkable interpretation. To start, the propensity to homicide is a theoretical constant. Arm the citizens, and you can be sure those arms will be used. (N.B., we are talking about the "law abiding citizens" and not pathological "criminals" among them). The causal relationship imputed to the correlation between gun ownership and homicide rates is not being understood in terms of crude magical ideation. It is acknowledged that guns do not fire themselves. But to interpret the relationship between "access to guns" and rate of homicide as causal must involve the assumption that what causes them to be fired remains constant across space and time: it does not change as availability of guns changes. Injury prevention simply assumes, as a methodological given, that people are dangerous and works from there. This assumption is probably the key condition of emergence for the most important features of this discourse, as will be presently shown.

As a consequence, the difference in homicide rates

between nations is to be attributed to the success of the State in having thwarted, contained, or suppressed something which surely would have happened had the State not intervened. The logic is as if someone observed two shrubs, one shorter than the other, and concluded that the shorter shrub must have been cut down by the gardener. In other words, here one does not conceive the difference in homicide rates between Denmark and the United States in terms of some set of factors which cause a greater predisposition to lethal violence among Americans as opposed to Danes.

Indeed this possibility must be rejected, since the two forms of explanation are radically incompatible interpretations of the same set of facts, constructed in terms of radically different concepts. One sees violence and aggression as something exceptional, and as something which has been generated by social, economic and political factors. This interpretation (which has no need of the "passions") would emphasize the effects of racism, social class, ideology, etc. All of these are permanently pushed to the margins in the discourse of injury prevention.⁴⁵

⁴⁵This aspect of the "anti-gun" position is well-known. See Kates et al. (1995). I do not see it as a conscious attempt to legitimate class exploitation or racism. It is an effect of the conceptual structure of injury prevention. Some health authors try to juggle both frameworks ("structural" and "injury control"), resulting in open contradiction. An example: on the one hand, "firearms control cannot change poverty or racism...we must not delude our selves that we are in any way attacking the root problems in our society". (Kimberley et al. 1991: 1213). At the same time, gun control "is effective" (1213, emphasis mine).

Injury prevention posits instead an invariant and given predisposition to violence, which is the same in a Danish farming town as in an urban American slum, and claims that the difference in observed homicide rates is due to an ad-hoc constraint (the State control apparatus). Logically, the ultimate reference point is the original Hobbesian war of all against all, which to varying degrees is squashed by the State monopoly on force. Violence is everywhere, even where its measurable effects are absent; that is just proof of the effectiveness of the State's prohibitions and restraints. The high rate of violence in the United States is attributed to the fact that its citizens have too much liberty (and not to social inequality, exploitation, poverty, etc.). This state of anomie unleashes the passions, which end in death.

This has the effect of putting a whole new spin on what might otherwise be seen as a non-event. The logic of prevention, as we can see, is to read the ghost of a stillborn murder into a situation where nothing at all has happened. It is on this condition alone that it makes sense to claim that the ten-fold difference in homicide between the U.S. and Sweden is attributable to gun control. It is not just that there are ten murders in the U.S. for every one in Sweden; it is that in Sweden there were nine failed murders that were "prevented" by the State. Peace is never just peace, it is the negation of war by the State. People who are more peaceful are not less violent, but better policed and regulated. Homicide is not isolated "crime", an exception to be explained, but a

symptom of a latent (and universal) state of war.

This sets out the inherent dangerousness of the citizens and their total reliance upon the State, which alone stands between a universal killer instinct and a higher homicide rate. This rate is not an index of differences in the motivation to kill among populations. It is the index of the State's success in controlling a situation in which the desire to murderous aggression is a pan-human phenomenon.

Moreover, in those countries where gun ownership is "inadequately" restricted, it is not just that the homicide rate is higher than elsewhere. These countries are on their way to an impending dissolution of the social order. This is conceived in terms of an "epidemic" metaphor: "to be frank, we are facing an epidemic if we compare the situation in Canada to that in Denmark...I have concluded that we are facing an epidemic of the same kind as AIDS" (Maguire 1991: 40). The privately owned gun, which to the imagination of civil society was the civil State's opposite, logically emerges as a noxious contaminant to civil society, literally a virus, and will spread its infection throughout the body politic if not quarantined. "If we are unable to exercise some control over the vector spreading the infection, the object from which those bullets come, we will fail. There are 11 million of these viruses in Canada" (38). While it may still be safe to go out at night, "that won't last. That will not last. The disease from the United States will come here if you don't get control of the guns" (Brown 1991: 42).

In the U.S., the "epidemic" is at a far more advanced stage than in Canada, because in the United States the citizen may own handguns for self-defense (Sloan et al. 1990). This is to be understood as the only difference between the two nations.⁴⁶ In any case, the result is a:

vicious cycle of increased violence and increased arms. Violence in our society has encouraged acquisition of arms, acquisition has led to increased use, and increased use has further raised the level of violence. (Cheng and Lowe 1993:184)⁴⁷

One team of researchers found room for a comparison to the nuclear arms-race:

Increasing rates of self-destruction from increased arming seem to be paralleling increasing risks of mass self-destruction from increased international arming, particularly nuclear arming. One wonders whether the two levels of self-destructive arming may share some etiological factors...[including] unconscious fear, insensitivity to terror. (Markosh and Bartolucci 1984: 127, emphasis mine)

The comparison is illuminating: the discourse of the social contract had always held that nations were in a natural state with respect to each other, parallel to the natural state of individuals (there is no external authority to disarm them). So anti-social passions (fear, insensitivity to terror) spiral out into destruction. The comparison itself implies

⁴⁶See discussion of Alan Rock above, who says that the degree of "civility" in Canada is an epiphenomenon of gun control, and not cultural differences, except to the extent that these are defined in terms of "policy". In epidemiology, the same concept makes it possible to claim that Vancouver and Seattle are exactly alike except for handgun laws, which alone explain the higher homicide rate in Seattle (Sloan et al. 1990).

⁴⁷A very important statement of this idea can also be found in Rushforth et al. (1977), one of the first major public-health studies on gun control.

that private gun ownership is being conceived as a "natural state".

Conclusion

It is clear that the assumptions involved in seeking to explain violent death as a function of the "right to bear arms" go far beyond physics. The overarching question animating such a project is neither asked nor answered by classical mechanics. It has to be borrowed from the discourse of civil ideology: how is society possible, and how might the anti-social passions within each man be contained? The solution to this classical "Hobbesian problem of order" is sought in the external power which alone can contain the passions: the State and its monopoly on force. This provided the hypothesis under which it made sense to plot a "causal" bivariate correlation between gun ownership rates and homicide rates, with few or no statistical controls. This version of a very old (political) hypothesis sees no real need for any.

The claim to be concerned only with studying kinetic energy only makes it easier to import certain concepts from outside physics, to fill gaps which exhaust the explanatory power of physics. They can be surrepetitiously introduced as "obvious" or as givens; as Althusser (1970) said, "there can never be a given on the forestage of obviousness, except by means of a giving ideology which stays behind, with which we keep no accounts and which gives us what it wants" (163). This is evident in the case of the concepts of the "impulse" and

the "crime of passion", to which we now turn.

CHAPTER FIVE

REINVENTING THE WILD WITHIN MAN

In the last chapter, we saw what injury prevention said about guns in cross-national comparisons, which warned States of the danger of letting citizens run "wild" with guns. This was done at a rather impersonal level. Here we will look at how injury prevention produces an account of what happens in personal violence. At this individual-level focus the notions of the "wild within Man", and the identification of wildness with "natural liberty", come fully to fruition. The account of "firearms deaths and injuries" takes form in a reading of crime statistics which is shaped by several constraints. These include the theoretical precepts, natural science metaphors, and analytic methods of injury control. There is also the political agenda of redirecting State power at everyone and not just "criminals". Through all this, various themes of the "social contract" ideology make their appearance. We will see how presently.

An analogy used by the new injury prevention to illustrate "energy damage strategies" was preventing the escape of wild tigers from their cages (Haddon 1972). That is taken literally when "firearms deaths and injuries" are at stake; it serves as the model for completing the civilizing

process and sublimating the wild passions. It expands on the notion of sublimation associated with Freud, who was mainly concerned with how submission to external authority (the State) could inculcate a moral conscience in the individual, which would beat back the instinct to aggression.

Yet while the instinct can be repressed by a "superego", it never disappears; as Freud (1969) admitted, "in circumstances that are favorable to it, when the mental counter forces which ordinarily inhibit it are out of action, it also manifests itself spontaneously and reveals man as a savage beast" (49). He adds that, "In consequence of this primary mutual hostility of human beings, civilized society is perpetually threatened with disintegration ...Instinctual passions are stronger than reasonable interests" (49). This is a classic statement of the discourse on the "wild within man".⁴⁸ It asserts the inherent and permanent dangerousness of the individual to "civilization".

Here injury prevention finds a starting point. Moral training is not enough. It has to be supplemented by more substantial controls, in the form of permanent State surveillance and intervention. As the father of injury prevention wrote, over a century before Freud, "it is the duty of the [medical] police to think of other means to control the evil" (Frank 1976: 235).

Injury prevention today expands on the Freudian notion

⁴⁸See White (1978: 153-4).

of sublimation as a response to the problem of the wild in man. Freud had identified weaknesses in the superego, "circumstances" which destabilize it and allow the instincts to cut loose. Injury control now claims to positively identify these "circumstances" in the civil state's opposite and symbol of the violence which civil society had to renounce. This is of course the "unrestricted" weapon, which "provides a dangerous outlet for aggressive impulses" (Adelson 1992: 661).⁴⁹ Civil society had always identified the right to bear arms as a residue of the natural state. Today civil society experiences the right as an anachronism clung to by reactionaries, the place where the arbitrary will of individuals hides from civilization and the State, and an agent of social dissolution (Chapter Two above).

So for injury prevention, this seems like the best bet. While surrendering the right to the surveillance and control of the State "won't make people get along better with each other necessarily ...it will reduce the fatal outcomes" (Corber 1995: 12). Maybe the beast in man will be less fearsome without his fangs.

Theoretical Route To The "Impulse"

Through all this, one pretends to be talking about physics for the most part:

⁴⁹Here the social hygienist suspects the will to power: "There appears to be a deep psychological drive motivating those who keep guns...man has always wanted to control...the men around him" (Adelson 1992: 661). But so explicit a formulation is in fact atypical.

the type of weapon used substantially affects the probability that an assault will result in death... Because of the quantity of energy transferred by a firearm to the human body such a weapon can cause far more damage than any other. (Chapdelaine et al. 1991: 1219)

As we saw above, this is not intended merely to describe physical mechanisms in the injury situation, but as a causal statement: the presence of firearms explains the outcome in death. Where there are firearms, there are deaths, and vice versa. The idea is that this is a physical event akin to a tire blowout or viral infection, a sufficient cause of a given event, to which the humans involved only contribute by being in the wrong place at the wrong time. The "rule of formation" for this concept may be termed as the "analytical reification of the firearm".

This does not denote a lapse into outright magical thought. It means that the violent situation is conceived "as if" the gun was sufficient to set itself into motion. The person firing it becomes a support for the weapon, as it were, which becomes the true subject of the murder. This means that the difference between a punch in the face and a murder becomes a function of the situation in which these acts take place (the presence of unregulated firearms). One can then pretend to be "explaining" the action in purely physical terms, while all along one is employing a definite theory of human nature, which physics itself cannot provide.⁵⁰

⁵⁰For more precision on this inherent property of the internal conceptual structure of physics, see Parsons (1949:734-6).

Parsons (1949: 66-7) noted that to explain action as a function of the physical environment necessarily excludes the concept of voluntary action based on a conscious choice. This inevitably leads to the manifest or implicit concept of human nature found in "radical positivism". This position, primarily associated with Darwinism, conceives action as the result of automatic instinctual processes or conditioned reflexes beyond the actor's conscious awareness or ability to control.

It is exactly as such that the age-old threat of the passions enters the stage of injury control discourse, in the form of the concepts of "impulse" and the "crime of passion".

The Impulse/Crime of Passion And Intervention

The role of the "impulse" and "crime of passion" is to make statistics tell a story about the inherent dangerousness of the individual. The political strategy of injury control is to move away from a focus on "deviance", in order to redirect social control at the body politic as a whole. Thus, crime statistics must show that the homicides they register could have been committed by anybody. Civil society itself must emerge as a state of nature and the normal citizen as prone to the deadliest fits of rage. The danger takes the form of a terrifying, sudden, and unpredictable threat. No one is to be trusted, and everyone feared. The root of the problem is an excess of liberty (particularly in the "privacy" of the home, where the unsublimated instincts end in death). The only hope is for all citizens to delegate what remains of their right to

bear arms to the State (and in Canada, perhaps a few other rights too). This is how the discourse of injury control commands legal measures such as Law C-68.

Ideological Origins Of The Impulse Concept

The concepts of the impulse and crime of passion seem to be directly adapted from the "imagination of civil society" itself, rather than through such intermediaries as sociobiology or Darwinism. A central feature of the myth of the social contract was the opposition of Reason and the passions. This arises on the basis of the oppositions human/beast, tame/wild, civil/savage, which rest in turn on a political opposition: State monopoly on force/anarchy.

In the classic tradition of civil ideology, this opposition was often taken to its logical extreme: the pre-civil individual emerges as devoid of the capacity for deliberate conscious action altogether. The individual in his "natural liberty" is not just a vicious beast, but a "dumb beast" too. As Rousseau (1974) said, it is only under the social contract that the individual "changed from a stupid short-sighted animal into an intelligent being" (20). Only forfeiting natural liberty to the civil State results in:

substituting justice for instinct in his conduct and giving his acts the morality they lacked. Only then, when physical impulses have yielded to the voice of duty...does man...consult his reason before listening to his inclinations. (20)

Thus we can see that conscious thought, as well as civility, is really seen as something that the State imposes

on the individual. The individual, under unregulated liberty, is not only dangerous but rather stupid as well. The passions which push the individual around are literally of the order of "blind instinct". The State not only liberates the citizen from his impulses, but it gives him a mind too. Moreover, the individual gets a mind to the extent that his "natural liberty" has been limited by the State. At the same time, the "passions" are permanent. This sets up a dualism, well known under the term Homo Duplex, wherein conscious and deliberate action is a property of civilized life (as a member of the State), and the anti-social passions are wholly irrational. The "impulse" takes this to its logical extreme: it is something entirely automatic and prior to conscious reflection or deliberation.

Injury prevention takes up this notion in toto when attempting to make sense of homicide. It is the unregulated residue of natural liberty which gives the impulse the chance it needs to push the (normal and law-abiding) individual into something terrible. This is articulated on the classic Homo Duplex formulation:

Some may find this an objectionable or unpleasant thought, but it must be realized that everyone...is pulled by two opposing forces-strong social and self-satisfying motivations and strong anti-social motivations that may be equally or even more satisfying. (Hanlon and Pickett 1990: 493)

The latter is to be understood as pre-programmed into human biology, on the model of a "fight-or-flight response":

In our own special development...this was necessary for survival, but in supposedly co-operative and civilized

societies, this automatic physiological response...is likely to flood the mind with unwise and unwarranted feelings of fear and hostility and result in destructive reactions (493).

This of course is exacerbated by the right to bear arms: "The choice between fight or flight has special implications for modern survival. There now exist awesome weapons with which to fight" (493). These passages may be profitably compared with what the author of the System of Complete Medical Police had to say some 200 years earlier:

In nature, every living creature takes care, according to laws hidden in its mechanism, to provide for its own preservation...[but] In human beings, these otherwise inevitable passions have become more dangerous for the race since the epoch of civilization. (Frank 1976: 228)

This came from the first public-health treatise on injury prevention, and demonstrates what all the myriad proposals for safety engineering and the like were trying to protect all along. If it is the State's duty to protect its citizens from danger and harm in the environment, then the first order of business is to protect the State monopoly on force from the citizen's innate passions. Again this has nothing to do with "crime", since the concept of the passions was produced to create the need for everyone to submit to the social contract.

The "impulse" is not always elaborately theorized.⁵¹ It figures as a given and obvious truth, which need not be critically questioned. It can be experienced as "obvious",

⁵¹The passages cited from Hanlon and Pickett (1990) above should be regarded as highly atypical.

since the discourse of injury prevention itself is situated within a field of visibility established by the imagination of civil society. As a result, injury prevention "sees", as self-evident and given objects, the notions installed on this socially-constructed plane by the discourse on the the natural state. These notions can be assimilated into "scientific" discourse as required, to fill gaps that can't be filled by physics.

Is Homicide An Accident?

Injury prevention conceived the "accident" in physical terms, as the hazards and dangers of an unpoliced external environment. This eminently "wild" situation would manifest itself in an eruption of natural forces which could not itself be predicted. The danger would arise independently of the control and awareness of the citizen, whose propensity for risk was presumed as given. In the case of violence, this natural-science conception of "accidents" serves as the basic metaphor for re-introducing another classically "natural" concept: the "physical" impulses in each man. This concept, however, comes not from physics but the discourse on the natural state. Let's look at how this works.

Injury prevention purports to analyse gun violence as if it were a physical event, whose outcomes are independent of deliberate human intention. The model is the automobile accident, caused by tire blowouts and the like, or loss of control by the driver. The concept of intent is not germane in

the "accident", since what actually happened was totally at cross purposes with what one had intended to do (one hoped to get to Grandma's, and hit a bus instead). The driver's role is either of being in the wrong place at the wrong time, or of otherwise losing control, because of insurmountable external forces beyond one's volition. So all this can be treated as a physical event, whose outcome is entirely determined by the play of physical forces in the situation.

In the case of gun violence, one can claim that guns cause homicide to the extent that the notion of deliberate intent has been written out of the picture. So injury prevention posits, as the target for intervention, "firearms deaths and injuries". This concept excludes "criminal" shootings, which are understood to be deliberate and intentional, and thereby beyond the purview of "prevention." But the concept of "firearms deaths and injuries" is avowedly not limited to "accidental" shootings, but is understood to include suicide and homicide too. So there is a class of homicidal shootings which are deliberate and yet not intentional!

The first step is to erase the difference in intent that otherwise distinguishes arguments, assaults, and murder. One posits a single behavior underlying all of them, as a theoretical constant, and attributes the outcome entirely to the effectiveness of available weapons. A single invariant urge underlies the aggressive situation. From there the difference between an argument and a murder is recast in terms

of the probability that this urge will end in death (which is determined entirely by weaponry). That way, the cause of death can be attributed to a self-acting energy transfer:

We often hear that "Guns don't kill people, people kill people." Especially relevant to this statement is the observation...that injuries were inflicted by whatever was most available--most commonly fists or feet, followed by other objects likely to be close at hand. Sometimes, no doubt, a person who is intent on killing someone seeks out a lethal weapon. Far more often, gun-inflicted deaths ensue from impromptu arguments and fights...Thus a far more appropriate generality would be that "People without guns injure people; guns kill them". (Baker 1985: 587-88, emphasis in original)

The "proof" of this is obtained simply by adding up recorded instances of assault and homicide, lumping them together, and subdividing them by "mechanism of death". It turns out that where firearms were involved, death was more likely than a blow with an armchair leg. We are to understand that the gun has killed them, by virtue of being there. Thus, "Such findings support preventive measures directed against firearms themselves...By analogy, control of many infectious diseases has depended upon control of an associated vector" (Wintemute et al. 1990: 249). Avowedly, in all but a small minority of "criminal" shootings, these findings claim to reveal that violence does not involve a selection of means to ends on a conscious basis. That means it is not the case that those who wish to kill seek out a gun, those who wish to injure use a fist, etc.

Eliminating the concept of conscious intent in this manner yields the concept that all aggression involves a generic instinct (what in biology would be called a "fixed

action pattern"). This instinct is set off by what is described as a "sudden burst of anger" (Corber 1995: 11), "blind rage or illogical violent passion" (Hanlon and Pickett 1990: 496), and of course, "impulse". It seems to consist of a primitive reflex which grasps about for objects "close at hand". Whether the reflex manages to grasp a firearm or table-leg makes the difference between a bruise and a funeral. If you are mad at somebody and a firearm is present, the reflex will grasp the firearm.

Since the reflex itself is the same in all cases, one can now hold that variations in the energy-potential of different weapons explain the outcome. "It is the lethality of the agent that kills, not the intention of the persons involved...The 'guns don't kill people' slogan of the gun lobby reflects a profound ignorance of physics" (Robertson 1986: 344). But one is now talking about much more than physics.

I Didn't Mean To Do It

Of course, this instinct is involuntary, since it is not a response to a conscious end (to kill in one case, to merely hit or shout in another). As such it operates behind the conscious subject of action, the "I" which plans, calculates, and intends. In fact, the impulse emerges as an independent entity within the actor, distinct from the conscious self. The impulse appears to be independent of and even at cross purposes with the ends that the conscious subject thinks he's

pursuing. Homicide thus emerges as an involuntary phenomenon, an accident of sorts: "Guns that are legally obtainable can be used for unexpected purposes" (Belanger 1991: 31). To wit:

How does it happen for homicides? Let us talk about family disputes. The chap sees his wife, who wants to leave him. He wants to convince her to stay, and brings a gun with him. It goes, and that is it. That is the way it usually happens. (Chapdelaine 1991: 36)

The "chap" consciously planned only to convince his wife to stay, and, seemingly by coincidence, happened to bring a gun along. Then "it" goes, and she gets killed instead. The whole concept of the individual as author of his own acts, for which he could be held responsible⁵², is dissolved and recast as the manifestation of a separate being within him, with a will of its own.

Moreover, any small agitation can trigger it off: "You are angry at your spouse, the gun is handy and the result is a tragedy" (Stanwick 1995: 29). We need to restrict guns in order to reduce "the use of firearms to settle debates and arguments" (Corber 1995: 11). Freud was right; civilization really does hang by a thread; whoever has been in an argument and not killed is just lucky that a gun wasn't handy.

Here, then, is the virus which the unaware citizen, its carrier, must be immunized against. This is nothing less than

⁵²It is essential to note that this position goes hand in hand with opposition to the death penalty on the part of public health (see for example Weiss 1996: 206). This was already evident in the "medical police" era. This supports Foucault's (1977) contention that the "apparatuses of control" function by spreading power out across the social body instead of concentrating it in "brutal" punishment, which emerges as eminently "uncivilized" in modernity (Garland 1990).

the old notion of the repressed beast within man, taken to its logical extreme. The impulse is a self-acting and wholly blind entity which is set to kill at all times and for no reason. All that is needed is for the object it grasps to be adequate to the task. Injury prevention posits a radical automatism with no sense and which tends to death to the utmost extent that the weapon "at hand" permits. This takes the notion of being enslaved by the passions to the utmost extreme: here the passions materialize in the form of a parasite which literally seizes control of the body, by-passing the conscious faculties of the actor.

One interesting feature of the impulse is that it seems to abruptly disappear as soon as it appears:

In a moment of anger, a person can do something catastrophic since it is easy to wound or kill with such weapons. On the other hand, it requires a deliberate and sustained effort to inflict serious injury with hands, feet, or even a knife (Belanger 1991: 31).

The deliberate and sustained effort is the conscious act of the criminal, which is an expression of Evil and not the passions (see discussion below). The impulse is rather the problem of the under-policed and under-civilized citizen. The brief duration of the impulse does not point to a "weak motivation"; by contrast, when it does escape, its dominance of the body is total. The concept is part of an underlying drama: the two sides of Homo Duplex struggling for control over the actor's body. The impulse lies in wait, looking for a chance to escape; now and then it does, but gets beaten back. If a gun is present, it gets a chance to wreak havoc in

this brief interval.

Moreover, it is not just that homicide is a chance correlation between an unregulated gun and an unleashed impulse, where the impulse grasped a gun instead of a shoe. "Guns instigate violence, triggering by their very presence an assault that otherwise might not occur" (Cheng and Lowe 1993: 183-4). Here the impulse is seen as being elicited by the weapon: "if a gun is readily available, the temptation to use it will obviously be greater." (Belanger 1991: 31).

One official, after explaining that the mere sight of an improperly stored gun could cause suicide, told a Parliamentary committee that "the weapons are dangerous enough to justify a public health intervention in the area of firearms that focuses primarily on controlling the aggressor, and less on the victim" (Bujold 1991: 13). "Aggressor" meant an unlocked firearm. An unregulated gun bears forces which corrupt the otherwise civilized individual, and people who carry guns for defense "are not the same persons they would have been were they not "toting" those items" (Adelson 1992: 662). This reflects the cultural notion that such individuals have abandoned civil society for the anarchic state of self-reliance, leaving civilized constraints behind. The unregulated gun belongs to the natural state (cf. Pufendorf); it hails or summons the passions, being a conduit or interstice between the civil and natural states.

All of these formulations turn on the same concept: a generic impulse in every individual which, together with the

weapon, is the true "subject" of the violent act, distinct from the conscious individual and his intentions. Homicide can emerge as either the result of this impulse being controlled by the gun, or as a chance meeting of the impulse and a gun. The two possibilities comprise the formal structure of any conception of a "causal" relationship between guns and violence.

Everyone Is Dangerous

Injury-prevention has posited an identity between arguments, assaults, and homicide. A homicide is an argument that had a fatal outcome because a gun was present; by implication, an argument with no injurious outcome becomes a sort of failed murder. This is the inescapable result of saying that all aggressive situations are exactly alike save for the weapon, which alone determines the outcome. Any argument may be fatal: thus the pool of potential murderers includes anyone who has ever been in an argument. A potentially deadly force radiates from every individual, which may interact with dangerous objects in the "environment" unless controlled by the State.

The "environment", of course, is the sphere of the citizen's everyday activity. The impulse neither knows nor fears the law of homicide. So a classically "liberal" solution to the problem, where the individual is left to his own devices until he actually commits a crime, is out. There is no room for English liberty where the individual is already

guilty.⁵³ Sublimating the passions for good involves bringing the dangerous and "wild" private sphere under State control and cultivation.

The remaining task is to decisively "prove" that homicide is indeed "normal", against the critics of injury control. Public health wants to help and protect those who are seen as "law abiding", at least while guns are at issue. Two objections must be answered. One is that the "typical" murderer is a "criminal", outside of civil society and beyond the reach of State regulation. Another is that the hypothetical "chap" above who killed his wife was a life-long drug addict who had abused his wife for years or displayed other "pathological" traits. Both objections tend to undermine the credibility of gun control (as a universal intervention) among policymakers. In this conflict of interpretations, public health makes its most direct case for seeing all individuals as dangerous. The case is deduced from crime statistics, with some unacknowledged help from the social-contract myth.

Civil Society Does Not Exist

Much analysis of "moral panics", the "normalizing sciences" analysed by Foucault, and the "medicalization of deviance", seems to suggest that the threat to society from the "wild within man" or the uncontrolled "passions" tended to

⁵³In this respect, the "reverse-onus" clauses of Law C-68, which presume the individual is guilty, take the concept of "prevention" to its logical conclusion.

be attributed to some class of pathological or "defective" individuals, who were then cast as enemies of society (Foucault 1977). The logic of injury prevention is very different. The cause of uncontrolled impulses is located in an excess of political liberty, and not an individual defect. The interpretation is that civil society as a whole has not yet left the natural state, which shifts the locus of danger from "outside" to "inside" civil society itself.

This means the strategy is to deny that civil society exists. The threat does not arise from the "deviant", but from each citizen to every citizen. We can now grasp the meaning of "impulsive killing" and "crime of passion" in injury discourse. They signal a civilization which is not fully civilized, between Nature and Culture. At this point the concept of "natural society" from the theory of the social contract is reinvented. In Locke and Pufendorf, this concept denoted the "unstable peace" of a mythical pre-civil society where there was no State monopoly on force. Injury control expands on this: as long as the means of force have not been monopolized, civil society is between civility and savagery.

Now injury prevention homes in on domestic homicide, which is construed not as pathological, but normal. The model for the "crime of passion" is ultimately derived from the account of sudden danger in the barbaric "natural society" prior to the social contract. As Pufendorf wrote in 1678, in the "natural society":

Kinship ties...usually dispose men's minds toward mutual

benevolence, but we do not think that they alone abolish the natural state without the addition of a special bond creating some authority. (1990: 118)

"Special bond" means the State. Although developing family ties "precludes or abates many symptoms of the natural state", without a State monopoly on force these "symptoms" (sudden violence) "tend to obtrude themselves more frequently and forcibly" (118). This anticipates by some 300 years what public health diagnoses in domestic violence: a symptom of the natural state, caused by the presence of the civil state's opposite: the right to bear arms. The "crime of passion" emerges as a symptom of the natural state which civil society is still in, because of private access to firearms.

Normal And Criminal Homicide

We have seen that injury prevention takes a remarkable stance in conceiving citizens who commit murder as both normal and law-abiding. This is the result of conceiving danger as an eruption of "natural" forces in a space of freedom which has not been "regulated" by the State. A homicide statistic is made to register the effect of physical forces: "external" energy hazards and "internal" impulses, which act the body of the killer. The "impulse" is involuntary; it was not really the subject's fault. The problem arose merely because of insufficient regulation of the citizen's "natural liberty", and can be corrected. The State can sublimate the passions. In barbarous countries like the U.S. or Canada, the impulse results in death. In civilized countries like Denmark,

however, the impulse results only in a bruise or chipped tooth.

To complete the civilizing process through gun control presumes that gun laws will be obeyed, by citizens grateful that the State has freed them from their impulses. Such a conception can have nothing to say about deliberate acts of spite or defiance to the State itself. The object of injury prevention is anomie (absence of restraint), which is very different from the concept of "crime" or "criminality". It is admitted that when violence is "purposive behavior", "many measures intended to prevent violent injuries or deaths may be deliberately circumvented" (Kellerman et al. 1991: 36) Injury prevention does not dispute the criticism that "when guns are outlawed, only outlaws will have guns". "There is no gainsaying the fact that the professional criminal is always able to get a gun" (Adelson 1992: 662).

But public health is not concerned with the "outlaw", but rather with what could be called the "pre-law". Again, "For public health sector workers, crime is not the primary problem...We are not criminologists". (Maurice 1995: 47). From a "public health standpoint, the firearms problem as defined in epidemiological terms is much broader than the simple debate which is wrongly focused on organized crime" (St-Onge 1995: 37). Public fear is to be redirected away from the "criminal" and redirected towards the public itself. The goal is to civilize civil society.

So the explosive heat of passion that defines the normal

person emerges against the "coldly calculated, premeditated intent to kill" (Rushforth 1977: 537) of the "criminal".⁵⁴ The latter concept seems to be based on the traditional Christian idea of Evil, a conscious choice made by the actor in the exercise of free will. This has nothing to do with the "passions" or the "wild". The criminal emerges as a level-headed chap who kills to maximize his returns: literally, a form of rational economic action like any other. The criminal is an outlaw, beyond "help". His actions are in deliberate spite of law, not something his passions push him into where there is no law. He will get a gun and kill regardless. He is beyond redemption from savagery, because he is conceived as a free agent, not a savage. He is not waiting for the State to save him from his own passions. In any case, the State need not be concerned: "[m]ost homicides are not due to criminal activity" (Pim 1995: 26).

The "crime of passion", by contrast, is the true heir of the natural state. It is not an act of cold evil, but merely what the innate wildness of individuals leads to in the absence of State guidance. It is eminently natural and "normal". For civil ideology, the violence of the natural state comes about because wild and savage "natural liberty" has not yet fully been transformed into regulated "civil liberty". It is not that the individual is evil, but that his passions have not been sublimated. This is the individual

⁵⁴See also Foucault (1977: 100).

which gun control is "designed to help" (Fisher 1995: 46). He can be civilized, if only the State would regulate the anarchic condition of natural liberty in which he exists.

This Could Be You

The strategy is to conceive of two types of homicide: "criminal" (an act of Evil) and "impulsive". The second type is, ipso facto, the act of a normal but underpoliced citizen. Assuredly, the latter poses the biggest threat to the internal security of the State:

Only about 20% of homicides in Canada in 1988 occurred during another criminal act. The typical perpetrator of violence is not the mentally-ill killer but the so-called "normal" person acting under an uncontrolled aggressive impulse. (Kimberly et al. 1991: 1212)

Homicides which did not occur during an armed robbery, contract killing, or other "felony circumstances" are presented as what could have been committed by anyone, without warning, at any time. The strategy diverges sharply from such related phenomena as the "medicalization of deviance" or psycho-criminological diagnosis described by Foucault. The latter involved very detailed attempts to gain intricate knowledge of the life history of offenders, producing elaborate diagnostic categories.⁵⁵Such efforts presume that

⁵⁵This by no means replaces the attempt to define, exclude, and "treat" the "deviant", as the traditional strategy associated with "apparatuses of knowledge" (Foucault 1977). Public health today is not limited to any single tactic, but can "change channels" at will to produce whatever intervention is deemed necessary at the moment. The tactics described here as mutually exclusive (singling out "deviants" versus "regulating" everyone) are variations on a single theme, controlling the "wild".

violence is not normal, and stop at nothing to find the hidden pathology in the offender.

This is forbidden in principle for injury prevention, which deals instead in sweeping generalities made possible by the a priori formula of the social contract: the proclivity to violence is a property of human nature, which finds expression because the right to use force has not been excised. Today, this means the "right to bear arms". In the tradition of "social medicine" and medical police, injury control seeks knowledge not of personal, but political "pathology": excess liberty. Detailed knowledge of offender history, etc. is really irrelevant in such an effort.

Homicide statistics register that most killings do not take place in the course of another crime, take place in a dwelling, follow an "argument or altercation", and involve people known to one another. Onto the open book provided by these coding categories, one projects the "crime of passion". This means that the "majority" occur "in the privacy of the home" (Hanlon and Pickett 1990: 496) by "law-abiding people who know and frequently "love" each other" (Adelson 1992: 662). They are "acts of passion that are committed using a handgun that is owned for home protection" (Christoffel 1991: 300), and "cannot be anticipated" (Hanlon and Pickett 1990: 496). This is a "fundamental truth, one which does not, obviously, please the gun lobby who would would have us believe that the real problem is street crime" (St-Onge 1995: 37). So the target for intervention is now the most private of

all private spheres, the home and the primary relationship.

Who were these people, what was their relationship to one another, what were they arguing about, what if anything in their life history might have predisposed them to do what they did? Here such questions are kept to a minimum, if even asked at all. The answer is that this could be you, at a time and place which can never in principle be known, which will appear as suddenly and unexpectedly as the "accident". If and when it happens, it will be a "response that was not planned and that usually entails remorse after the fact" (Hanlon and Pickett 1990: 496). "The victims and perpetrators are ourselves-ordinary citizens, students, professionals, and even public health workers" (Rosenberg 1984, in Kates et al 1995:581).

Above all, that the majority of victims "knew the killer" is understood to mean intimate relationships: friends, relatives, and especially spouses. Any debate or argument, or the sight of an unregulated gun, can set off the impulse. So it is by no means understood that these events always represent a culmination of life-long hatreds or the like. The impulse comes and goes in a flash; when the smoke clears, and the civilized side of the individual regains dominance over his body, there is remorse. Since we are assured that "impulsive" homicide is not planned or even consciously carried out as such (the actor thought he was settling a debate and killed his wife instead), anyone who has an unregulated gun might be about to kill those he thinks he "loves".

Often critics of injury control accuse it of ignoring various types of "preindicators" to violence: "Those abusers who eventually murder...are highly aberrant individuals with life histories of substance abuse and brutalizing family members, often in irrational outbursts of violence" (Kates et al. 1995: 583). This statement locates the threat of the wild passions in the Other or "aberrant". It presumes a civilized society threatened by deviants who have not left the natural state like everyone else. The strategy is to carefully sift out the hidden "aberrant" individual and to construct as many elaborate statistical predictors of danger as necessary to do so. This is how traditional criminology sought to detect and control the passions (Foucault 1977; Melossi 1990).

Injury control, on the other hand, aims not just to isolate a few "aberrants", but seeks universal control. Thus it throws the existence of civil society into question. The idea is that domestic homicide and the like is the result of civil society, as a whole, not having left the natural state. The pathological disappears into the normal, since violent death is to be expected as "normal" in anarchy. Injury prevention does not see signs of pathology in murder, because it is not looking for any. Any pathological trait that might be held to predict dangerousness, outside of a simple criminal record, is simply dissolved into the blanket category of "normal". The assumption is that violence is distributed at random in the "normal" population. Hence the claim that the "crime of passion" cannot be predicted.

Even admitting various "risk factors" into the picture does not establish the non-dangerousness of those who do not display such traits. We must "screen out as many unsuitable [gun permit] applicants as is feasible",⁵⁶ but at the same time:

Not only people who have exhibited mental illness or socio-behavioral problems are at risk. So-called normal or quiet people may misuse firearms under conditions of suicidal ideation or impulsive anger, both of which are associated with loss of control. (Kimberly et al. 1991: 1213)

The normal and quiet person is to be feared as much as the "maniac". The impulse is universal, and everyone is infected. If one is not in constant fear of friends and family, one ought to be, and the home is the most dangerous place of all. One can never know when or where the impulse will strike, only that if a gun is around, the result will be fatal. The private sphere has been scientifically proven to be a private state of Nature, and the civil bond shown to be illusory. Each citizen stands in the isolation of the natural state marked by, as Hobbes said, "continuall fear, and danger of violent death" (1985: 186).

Conclusion

The crime of passion points to ashes of the pre-civil condition which smoulder beneath the heel of the State. The

⁵⁶But see Christoffel (1991), who opposes screening measures on the basis that "background checks will have no effect" (300). This is the "pure" injury prevention stance, which asserts that dangerousness is entirely unpredictable and varies at random in a population.

stubborn refusal to give up the "first law of nature" embodied in the right to bear arms placed the citizen in a liminal position, with one foot still in the natural state. As a result, civil society is between civilization and savagery. The citizen both is and is not a member of the State. He does not fully embrace it, hides secrets from it in the private sphere, refuses its protection, and does not rule out turning his arms against it. In this "wild" zone, the wild within man and his civilized side struggle for control over his body. The repressed instinct to kill lies in wait until it meets its counterpart in the unregulated gun, in which it finds a gate out of its prison, a means to deal out death just before it is beaten back. Instead of the total war of the natural state and the peace of civilization, we have the "crime of passion" as a mid way point between both. Fatal, yet involving remorse; explosive, but brief.

We saw above (Chapter Three) that the basic analytic scheme of public health is the "epedemiological triangle", which locates danger in uncontrolled "agents, hosts...and vectors [which] interact in a given physical or social environment" (Kellerman et al. 1991: 19). We saw that the origins of the triangle scheme lay in "police science" and the taming of the wild for the State; and that it reflected the political myth of a barbaric "natural society", which had to be civilized. These ideological origins of the triangle came through in accounts of the "impulse" and "crime of passion". The virus is the impulse, and its "vector" is the gun. The

"environment" where the disease runs its fatal course is excess liberty: the right to bear arms, and the unpoliced private sphere. Thus State power is directed to tame the wild wolf within the citizen, by filing down its fangs. This means tightening the State monopoly on force, the subject of the various policy proposals which are examined in the next chapter.

CHAPTER SIX

POLITICAL IMMUNIZATION AGAINST THE PASSIONS

State Medicine For The Gun Epidemic

In the last chapter, we saw how public health "proved" that civil society was a danger-zone in need of further civilizing: what would once have been called a "natural society". The home, as a "man's castle" inaccessible to the State, emerged as the most dangerous place of all. From police reports which stated that the majority of killings took place in a dwelling between people who knew one another, it was claimed that this must be the "normal" albeit unpoliced home and family, where the uncontrolled gun and the impulse met to produce the "crime of passion". There was no way that the citizen alone could control it (it happened in a flash prior to conscious thought) but with the firm guidance of the State, it can be avoided. This takes us to the final and most important aspect of public health discourse on guns: "policy" statements.

Public health has diagnosed the "epidemic of violence" in political terms, locating the breeding-ground of the infection in the uncontrolled natural rights of individuals. The cure, in the tradition of police science, is "good police and order". What is needed is for the State to move from

"individual rights to legislative solutions" (Cheng and Lowe 1992: 185). The crime of passion finds expression in traces of the wild which has escaped domestication by the State, areas of life that have not been submerged in the State, and natural rights which have not been forfeited.

The (unstated) starting point is Freud's classic formulation of "sublimation":

Civilization...obtains mastery over the individual's dangerous desire for aggression by weakening and disarming it and by setting up an agency within him to watch over it, like a garrison in a conquered city. (1969: 61)

Freud intended this as a metaphor of how "civilization" imposes an internal moral conscience ("superego") in the individual. Injury prevention turns the metaphor inside-out: the State must literally disarm the dangerous individual and set up an external agency to watch him. Freud's "conquest" metaphor of civilization is thus restored to its political origin. Establishing the State's monopoly on force was always the first order of business for "civilization"; the precondition for "moral" improvement of the citizen. Public health follows this order of priority in breeding a "tame animal out of Man". The first step is to de-claw the animal, so to speak.

This need not (for the time being) involve a total ban on all private gun ownership among civilians. This position appears as somewhat unexpected, given the precepts of injury prevention that we examined above. If the idea is to eliminate sources of mechanical energy, why not just ban all guns?

One reason is a tactical use of power.⁵⁷ If the State imposed a total ban, it loses any real control over the gun owner except the legal penalty in case of detection. Should he disobey, he disappears into an invisible zone of "unregulated" liberty unless he gets caught. But the goal all along was to bring him under permanent surveillance and control. The whole idea of "regulation" would be subverted.

Instead, health polic(e)y defines the limits of "legitimate" gun ownership, and "supports the legitimate use of firearms in law enforcement, the military, hunting for food, and sporting activites" (CPHA 1995: 6). Use of firearms by State police and military apparatuses does not pose a threat to health. It is the civilian who is of concern. The State must base its policy on the principle that "gun ownership is a privilege rather than a right" (Cheng and Lowe 1992: 185). Gun ownership must be transformed from natural right to civil privilege: the residuum of natural liberty must indeed be sacrificed, contra Blackstone. The epedemiologist becomes an expert on constitutional law: there is no right to bear arms, or the right is irrelevant because the State sees to the security of all. Anyways, "Putting all legalities aside, we must not overlook the right that supercedes and

⁵⁷As a matter of strategy, the political calculus which has emerged as a sub-field of injury prevention sees an incremental approach as the best bet (see Christoffel 1991; Wallack and Dorfman 1996; Mitchell 1996). The CPHA admitted that "if the government of Canada were to take a pure public-health approach, then the legislation [C-68] would likely be much stricter than it is now" (Pim 1995:34).

antedates all constitutional rights, and that is the right not to be killed" (Adelson 1992: 663). Hobbes himself could not have put it better.

Others are indignant that anyone could see a threat to liberty in their efforts: "Sometimes people confuse rights and responsibilities. They think that we want to restrict their rights. We do not want to restrict their rights" (Masse 1991: 31). Rather, "we do not want them to go beyond what the law says" (31). After all, "we're trying to help them live longer and have more productive and enjoyable times...so that those people with guns won't suffer as a result of having them" (Corber 1995: 23).

Gun Control And The Origin Of Civil Society

So public health puts forth a set of "regulatory" proposals regarding guns, which are to eliminate violent death in civil society, and ostensibly based on "energy damage countermeasure strategies". In the next several pages, I will dismantle the veneer of "technocratic" policy formation, and show how it is shaped by all the cultural baggage outlined earlier. Policy proposals in this area have little to do with physics. They are a type of discourse on civilization, structured by deeply embedded notions about State monopolization of force and the taming of the "wild". Paul Ricoeur (1981: 225-6) remarked that an important part of "ideology" is re-enacting the founding event of a society. I will suggest that civil society's representations of its

founding moment also shape the formation of policy statements on gun control. Moreover, the perceived efficacy of the proposals stems from their "semiological" aspect: what they communicate about social structure and the political order.

How to tame the wild natural right and transform it into a safe civil privilege? What defines "legitimate" gun ownership? For the imagination of civil society, "legitimate" was defined against the "arbitrary" power of the individual, the "passions" which had to be disciplined. The founding moment of civil society (State monopolization of force) was represented as the regulation of "wild and savage" natural liberty by "civilization" (the State). As a result, the "wild" passions were suppressed .

This cultural myth is the model for gun control. When the State limited natural liberty, it gave us civilization. Re-regulating the remnants and symbols of natural liberty, in turn, creates an even "safer and...more civilized country" (Stanwick 1995: 45). Gun control is a metaphor of the founding moment of civil society. "Private" arms were always seen, to varying degrees, as "those things that belong to the natural state...the civil state's opposite" (Pufendorf 1990: 135). State regulation of guns represents domestication of the "natural state": a victory of the civil over the wild. The symbolism of taming the wild causes civil society (and public health officials) to perceive gun control as having a "civilizing" effect on the passions, which were also identified with the "natural state".

Gun Control And The "Civilizing Process"

The first step is to define what arms the civilian may "legitimately" own. What emerges is a moral-symbolic classification system, one of the many normative codes for regulating conduct that appear with the "civilizing process".

In the normative codes of "polite" etiquette analysed by Elias, "politeness" meant a taboo on any behavior symbolically associated with aggression. A semiological reading of the "civilizing process" would suggest that "politeness" signified the submission of the citizen to the State. "Politeness" proved that the individual was "civilized" and harmless to the State. Today "legitimate" gun ownership emerges as an analogue of "polite" manners. Here the demand for the individual to display his "civility" is not at the eating table but in the gun cabinet. By "regulating" the contents of that cabinet, and proscribing anything therein that connotes the private use of force, the State can judge the citizen to be "civilized" and non-threatening.

Thus, the civilian must be prohibited from owning any gun that is associated with the use of force. This is defined by the intended purpose attributed to an arm. "Certain guns...are useless in practise for anything but killing and must be prohibited" (St-Onge et al. 1995: 34). Only the State may own such weapons. Above all, this means handguns: "A handgun is meant for police work and that's where it belongs...not in the pockets of frightened citizens" (Burka

1972, in Hanlon and Pickett 1984: 519).⁵⁸ Also, "we do not want them to have access to weapons that have nothing to do with hunting or other legitimate purposes" (Masse 1991: 31). This means rifles that look like military or "assault" weapons, which must be (and in Canada, were) prohibited.

Another step is to prohibit civilian arming for self-defense. This is of utmost importance public health, since it goes beyond symbolism and involves the actual "residuum" of natural liberty (right to use force) left to citizens by the "social contract". Even Pufendorf agreed that the right to self-defense could not be forfeited. Yet the use of this right was understood by all as a regression to the natural state. By arming for self-defense, the citizen appears to withdraw from the body politic into his own anti-social state of Nature (Chapter Three above). To public health, it is "an ideology which is growing in the United States and becoming increasingly dangerous" (Belanger 1991: 29).

This is proven by claiming that "it's 43 times more likely" that a gun kept for defense will be involved in the death of a resident than to be "used sucessfully against a criminal while defending themselves" (Corber 1995: 12). Often this is criticized for defining "sucessful use" as killing the criminal and not counting cases where the criminal was merely scared off and so forth. Such a view posits an emergent order:

⁵⁸In Canada, officials accepted a compromise whereby only handguns associated with the use of force were banned, leaving it possible to own handguns deemed fit for "legitimate sporting activities" as defined by the Justice Minister.

a spontaneous regulation of conflict which arises not only in spite of, but because of "private" use of armed force; a sort of invisible hand which emerges with no help from the State.

This concept has no place in public health, which sees only the cases which ended in death, and not any real or imagined emergent order. Public health sees the fulfillment of civil society's blood prophecies in self-defense, which was interpreted in advance by ideology as a dissolution of the social contract. The private use of force, however just, must be governed by the law of the jungle: kill or be killed. Even John Locke (1970) agreed that while individuals have the moral right to self-preservation, they can't be trusted with it: "Ill Nature, Passion, and Revenge will carry them too far" (293).

The final step is mandatory storage of "legitimate" firearms under lock and key in a safe, and universal registration of all private arms with the State:

If firearms are more safely stored [sic] with less easy access and more responsible gun owner usage, then the use of firearms to settle domestic quarrels, debates, and arguments will be much less. (Corber 1995: 11)

While Canadians use firearms to settle debates and arguments, they are also "law abiding citizens. People who are asked not to smoke in non-smoking areas abide by the request... most, if not all, gun owners will similarly follow the same sort of requirements" (Stanwick 1995: 30). The idea was never to present the citizen as a member of Lombroso's criminal race, an evolutionary throwback that could not be

civilized. The citizen has yet to be fully civilized. The problem is solved by bringing more areas of his life under permanent regulation.

The concept of "safe storage" seizes on the symbol of the right to use force, which was in turn identified with the wild passions or will to power. Civilization was established when the State tamed the passions through imposing the rule of law and the monopoly on force. The State encaged the "will to power" and banished the passions (Nietzsche 1964: 112). The gun locked away in its cabinet under rule of law symbolizes the mythical imposition of civilization on the individual. "Safely" stored, the gun is surrounded on all sides by walls which the State has imposed on it. It is encaged and regulated by the State. The anti-social forces within it are suppressed. The gun is severed from the grasp of the impulse; the State has imposed a barrier between the passions and their means of escape. The civil state has locked away its opposite. This liberates the individual from his passions.

Of course in Canada, Bill C-68 (championed by public health and introduced in part due to extensive lobbying by health officials) involved the creation of police "inspection powers" enabling the police could enter any gun owner's home, without a search warrant, to make sure storage rules were followed. As the father of public health wrote in the eighteenth century, where health is at issue "every citizen submits to the law of public security without excepting any area, no matter how privileged" (Frank 1976: 190).

Yet the police cannot inspect each home every day. A mechanism is needed to make sure that the citizen keeps the gun "safely" enclosed at all times. Thus, a permanent surveillance mechanism is required. The State must not tolerate the existence of blind spots on its territory. "If we want to see firearms safely stored, we have to know who owns them and where they are located" (Maguire 1995: 73). "There can be no protection without information...There can be no control without information" (St-Onge et al. 1995: 34). All guns and all gun owners must be registered in a State computer data-base. Registration will make gun owners more "accountable" and "responsible": "One would think intuitively that if your name were associated with a particular weapon registered in a computer registry, then you would take a little bit more responsibility" (Fisher 1995: 38) for the use of the weapon.⁵⁹

This resembles the concept of "panoptic" surveillance, which Foucault (1977) described as endemic to modern societies. "Panopticism" is predicated on the notion that under constant surveillance, individuals would eventually learn to govern their own conduct without being forced.

The virus that the citizen carries (the impulse) is probably incurable and certainly beyond his control once it

⁵⁹Another effect hoped for from registration is that it will "encourage firearms owners to reconsider their need for a gun in the home" (Leonard 1995: 24). That way civilians can be disarmed in an eminently voluntary manner, avoiding the unseemly and perhaps itself "uncivil" use of harsh repressive force by the State.

escapes. Thus, the law of homicide itself cannot deter the crime of passion: the citizen kills when he is out of himself and the impulse has taken over. However, he still has a conscious side ("Homo Duplex"), which can respond to legal deterrents against "unsafe" gun storage when not dominated by the impulse. Under pain of law and fear of detection, he can make sure that his guns are locked up when the impulse seizes control and that it has no opportunity to end in death. This reminds one of Ulysses, who had himself tied to the mast of his ship to avoid succumbing to the temptation of the sirens. The safe and the registration certificate emerge as an annex and supplement to the superego (moral sense), a safety net to fall back on when the impulse bursts through the superego.

Yet in the case of registration, there is no direct surveillance involved: a piece of paper does not enable the State to see anything. This points to the quasi-magical logic underlying high hopes for the effectiveness of registration.

The Message Of Registration

The explanation for the perceived efficacy of registration must be sought in its semiotics: the message it sends about the respective place of the citizen and the State in the social order. What registration does is to symbolically bring the individual and his activities into the State; it establishes an invisible and hierarchical connection between State and citizen. The registration certificate serves to remind the citizen "who's boss", and indicates the ascendancy

of the State over his "arbitrary will". Thus, the perceived efficacy of registration lies in its symbolic efficacy. Registering the gun is a ritual of submission to "legitimate" authority. More important than gaining practical information is that registration affirms the right of the State to know.⁶⁰ It is a triumph of the rule of law over the individual's state of Nature. The registration slip emerges as a print-out of the social contract and the individual's citizenship certificate.

Now that the gun is registered, everyone knows who is in charge, who has the monopoly on force, who makes the rules and who must follow them, whose power is "legitimate" and whose is "arbitrary". Now the alienation of the individual from civilization can end. The citizen has been symbolically conjoined to the State and hides no more secrets from it, baptized in full immersion under the bright light of civilization. The gaze that the State casts throughout its territory, in itself, brings the wild under control. The mere fact that the State knows where the guns are suddenly renders the "crime of passion" fully predictable: "if these people had their guns registered, the police could intervene while these people get some help so that you do not end up with a dead spouse" (Fisher 1995: 38).

Registration creates a symbolic channel between the

⁶⁰Indeed, for the Coalition For Gun Control, "The point...[is] about the right to own guns and not share that information. That is what is at the core of registration... That is the core of the issue" (Cukier 1995: 28).

individual and the State; a conduit for its civilizing effect to trickle down into the private sphere. The registration certificate is the civil bond itself; through this bond, the higher morality of the State can supplement the fragile superego of the individual, make up for its weaknessness, and serve as a support system for it. It is an eminently Hegelian vision: the State, which transcends the individual, is in fact the true moral conscience of society and of individuals. Whatever capacity the individual has for leading a civilized life derives entirely from the State.

The New And Improved Social Contract

But most importantly, gun control re-enacts the social contract. Public health has proven that behind the illusory appearance of civility, citizens really stand in the fear and isolation of the natural state. Now they must re-enter the social compact. The classic view always held that the first step to terminating this state of war and constant fear was for each citizen to transfer his right to self-reliance, his natural liberty, to the State. Here, this takes the form of surrendering the right to bear arms, as the symbol of the self-reliance of the natural state and its asocial isolation:

We must have the courage not to arm ourselves in fear, but rather encourage each other to adress the origins of violence...Gun control is not a total cure but appears to be a necessary first step (Cheng and Lowe 1993: 184-5).⁶¹

⁶¹The reference to the "origins" of violence should be understood to mean that gun control is the first step in a massive project which rivals anything dreamed up in "police science". See for example Reiss and Roth (1993).

The individual surrenders all his natural liberty to the General Will, and in turn receives a civil privilege. True, it is less than what one started with, but superior: as Rousseau said:

Another gain can be added to those that come with the civil state: moral freedom, which alone makes man truly his own master, for impulsion by appetite alone is slavery, and obedience to self-imposed law is freedom. (1974: 21).

Through liberating the individual from the effects of impulsion and appetite, by limiting his natural liberty through the general will, public health offers the citizen civil liberty, as classically defined. Bill C-68 is an ideal-typal case of civil freedom: it limits, restricts, diminishes, places under surveillance, presumes the dangerousness of liberty, reserves the right to re-draw and diminish it further. The registration certificate really does give the individual titleship over what he owns, as Rousseau said of the social contract. A title entirely granted by the State and defined by it.

Summary And Conclusions

To summarize what I did: The goal was to understand why public-health workers were intervening in the gun issue and why they were producing research encouraging civilian disarmament. These actions and claims were treated as an historical product to be explained. The approach was to situate public health, as a "political technology" which directs the practise of social control, in the framework of

the "civilizing process" which accompanies State formation. The "civilizing process" was viewed as an "ideological" phenomenon, underwritten by discourses which legitimate the State. Since the State monopoly on force was represented as the regulation of "wild" individuals by the State, the demand arose for life in general to be "regulated". Fear of the "will to power" causes civil society both to claim and then to renounce the "right to bear arms" and other individual rights. The resulting tendency of liberal societies to act in a "totalitarian" manner was seen in Canada's Law C-68, a "regulatory" and "public health" measure which resembled martial law.

Public health was seen as fundamentally interested in regulating the "wild" individual, who emerges as dangerous because his "will to power" threatens the State. Regulating the "wild within man" gave way to a project of regulating everything, seen in ideas of "medical police" and "injury prevention", whose take-off point was the mythical "social contract". Today public health returns to attempts at regulating the individual's potential to use force, showing the intimate link between concerns for health and safety and the State's concern for order. It was inevitable that the notion of the inherent dangerousness of individuals returned in the case of guns; the gun issue raised the issue of the right to use force, around which the notion of the "natural state" was first produced. Yet public health seeks a "natural state" in real life, which today means the "right to bear

arms".

In scrutinizing gun ownership, injury prevention claimed only to be concerned with physics. Homicide was seen as a physical event and not an intentional act. This type of "radical positivism" opened the gate for "the passions" to reappear, in the notions of "impulse" and "crime of passion". To increase the scope of control to encompass everyone, there arose an account of gun violence shaped by the old notion of "natural society", where "normal" citizens would kill each other. Civil society as a whole was considered to be in a natural state, because of inadequate State surveillance of the private sphere and the "right to bear arms". Policy proposals sought to re-regulate both the private sphere and the right to bear arms, in what seemed to be a ritualistic re-enactment of the "social contract".

Public Health and The Natural State

The frontispiece to one of Pufendorf's works depicted a ruler sitting on a throne, while a philosopher pointed to a naked man crawling in the grass (Seidler 1990: 25). This was meant as an allegory of the social-contract theorist drawing the State's attention to the need to overcome the "natural state".

Today, gun control has seen public health return to a role captured by that allegory: an apparatus that directs the State to civilize the natural state. Public health has produced the "scientific" basis and the urgent need for the

State to re-regulate natural liberty and control "impulses" and "passions". Where public health departs from seventeenth century political theory is that the latter was chiefly concerned with justifying the State monopoly on force. Public health seeks to direct power into areas of life not already covered by the "social contract" and the law of homicide and treason. In this respect, Foucault is correct that it is "regulatory" agencies which establish the exercise of power as unlimited. But the cultural basis of both "sovereignty" and "regulation" is the same: the ideology of the wild "natural state", which presented the citizen as "naturally" dangerous.

The State monopoly on force is the most elemental precondition of State societies, and of modern market economies, whose existence presumes the State (Elias 1978; Poulantzas 1973). From the State and its ideologies, the project of improving and "regulating" society both emanates and returns. In the attempt to control and domesticate feared threats from the "wild", the idea of active intervention to improve society arose (Bauman 1987). The root of wild threats was the "first law of nature", the right to use force; Hobbes and the others said so directly. Yet the organic link between the monopoly on force and the rise of the "practises which rigourously kept the wild at bay" (Tester 1992: 77) is often poorly understood.⁶²

Examining gun control helps remedy this: the issue

⁶²See for instance White (1978); Bauman (1987); Tester (1992), etc.

forced public health to show its hand and re-admit the "wild within man" into its discourse. The first step to controlling the "impulses" and "passions" was to excise the right to bear arms. Thus the "new public health" (new medical police) returned to its historical premises: danger is political; the power of the individual is dangerous; and this because the power of "private" individuals must give way to the State monopoly on force. Gun control is not about violence, but about power: the right to bear arms was cast as a sufficient cause of homicide. It cannot be overemphasized that social contract discourse also saw "natural liberty" as a sufficient cause of the violent natural state. For the modern tradition, individuals are dangerous insofar as they have power, which unleashes the "passions". The fundamental form of power, and thereby the most dangerous, is the right to use force.

Public health is part of the project of civilization and is not exempt from the influence of cultural forces which govern that project as a whole. The myth of the origin of civil society constrained the formation of "energy damage countermeasure strategies" at every step. Proposals for registration resembled rites of political subordination more than applied physics. This raises the question of the influence of ideology on "technocratic" efforts such as injury control.

Technocracy And Ideology

Concepts like "impulse" and "crime of passion" do not

come from physics, but from the mythical "natural state". This suggests that "radical positivism" is one form that ideology assumes in "scientific" discourse. To reiterate, "radical positivism" sees action as a physical event controlled by the physical environment. Note that radical positivism turns up not just in injury-control, but in other hyper-technocratic efforts at attributing social disorder to an unregulated "environment", above all "situational criminology". It is very interesting that the latter also posits an inherent dangerousness of individuals, and its account of gun violence is an exact match of the public health account.⁶³ This leads us to suggest that "radical positivism" is a generic theoretical mechanism which mediates between ideology and "scientific" concept formation⁶⁴ in today's political technologies.

Some Foucauldians see modern social control as entirely pragmatic and rational.⁶⁵ Such a position has the ironic effect of supporting technocratic claims to "value neutrality" and "rationality". Yet it seems that the "apparatuses of control" themselves are constituted in ideology: by various cultural myths, values, and fears. The latter, after all, are more basic to regulating social action in any society than deliberate and planned apparatuses for doing so, which come

⁶³A striking example is Block (1977).

⁶⁴What Althusser (1970) would have called a "theoretical ideology".

⁶⁵See Burchell et al. (1991) for some egregious examples.

later on the basis of social motives generated by unplanned mechanisms (the "civilizing process", etc.).

Through socialization, ideology is embedded in the actor's perceptions and feelings about social reality. When technocratic efforts come to deal with the social world, they run into a solid wall of collective representations which already shape how actors (including technocrats) make sense of that world. This is especially true in the case of gun violence, which in our culture is surrounded by all the myths upon which the legitimacy of the State depends. The culture in which injury analysts were born had pre-interpreted the private use of force in terms of the discourse on the "natural state". That discourse, which legitimates the political structure of society, determined how health workers saw gun violence and what they said about it.

This is not to say that injury prevention is "false knowledge". It is rather (to paraphrase Marx) that technocrats do not make policy as they please; they make it under conditions transmitted from the past. I have tried to define those conditions, leaving it to others to debate the efficacy of an "injury prevention" approach to gun violence. But by this point the reader knows what he or she would be getting into by taking up such a position: a project whose origins lie in police states, whose ideological assumptions can be denied to the extent that they are its condition of possibility, and which always ends up giving the State a lot more power than it already has. By this I mean not only

"regulatory" power, but power over life and death.

The Question Of Totalitarianism

Political power ultimately rests not on "civility"; it comes from the barrel of a gun. Gun registration has a function which has little to do with the symbolism of containing "the passions": it enables dictatorships to take "preventive" measures to disarm resistance groups by seizing privately owned weapons, as events in Greece (Bruce-Biggs 1990: 82) and more recently Lithuania, have proven. On the other hand, the concept of the "wild passions" was traditionally how political rebellion and resistance was represented in ideology. This suggests that what injury control efforts are ultimately trying to "prevent" is injury to the body politic (the State), caused by the ultimate "energy transfer": the will to power of the masses.

By now I am danger of slipping into an ideological discourse on the dangerous Monster-State, which had been identified above as a variation on the theme of the dangerous individual (the tyrant with no restraints on his passions). The picture is complex and needs to be qualified.

In Chapter Two, we saw that the "civilizing process" is a contradictory process. Fear of the "wild" passions and the unrestrained will to power led to the demand that everyone submit to the normative regulation of "civility". One effect of this, not mentioned above, is the subordination of military to "civil" authority taken as given in modern Western

societies. A striking example was a recent moral panic in Canada around various incidents of military misconduct. Civil society showed itself to be just as concerned about State personnel running "wild" with guns as with private citizens, and at about the same time. Historically, such normative regulation has probably done much to forestall military coups and the like.

The right to bear arms is itself localized in the framework of "civilization" and the social contract. Under Law C-68 it is still possible to obtain a permit to carry a handgun "to protect life". Evidently, these permits are not actually issued. Yet the mere fact that it is possible points to the contradictions in civil ideology, which on its own terms can never fully eradicate the "natural right" to self-defense. This suggests that one day civil society might restore what it has rescinded. Nothing in this Thesis suggests an inevitable slide into tyranny, which would be a very banal conclusion. Rather, the position civil society takes on anything is inherently reversible. It is possible that eventually the dominant fear in the "imagination of civil society" will again be of the "arbitrary" State more than the wild citizen.

If that happens in the course of a breakdown of political legitimacy, civil society may have a tough time trying to revive its rights if it lacks the means to do so. Civil society seeks regulation of State power within the framework of State power itself, which may be self-defeating.

Today "civil liberties" activists oppose the death penalty, to limit the State's power over life and death; at the same time they support gun control, which increases that power. This shows how the "civilized" concern for human rights and civil liberty coincides with the State's interest in keeping a monopoly on force. The concept of "civil liberty" was always defined as the regulation of liberty by the State; one enjoys "civil" liberty only as a member of the State. If the State should use that power to "uncivil" ends, it may not be enough to condemn the State's behavior as "barbaric".

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