

Exposing and Deposing the Nexus: School Shootings and the Sovereign Exception

Harvey Shapiro

Northeastern University

The litany speaks for itself: Sandy Hook, Columbine, Virginia Tech, Sparks, Red Lake, Aurora, Washington Navy Yard, Oak Creek, Tucson. The partial list of still painfully vivid events, many in schools, continues to present us with questions of how education might respond to the unending string of mass shootings of these past two decades. Justifiably, we become preoccupied with issues of school security, mental health vigilance, response time, public policy, and legislation. These important concerns, however, tend to eclipse educational and philosophical responses that might expose more pervasive, underlying problems. By beginning to expose these latter contextual issues, I suggest new directions in our responses to the scourge of violence as we consider what kinds of conversations educators might initiate and what is at stake in them.

Much discourse tends to characterize these school shootings as aberrant, anomalous acts or, when common factors are identified, as perpetrated by isolated, mentally ill individuals.¹ Some studies do point to larger environmental factors such as school culture, availability of support services, organizational communication structures, gender norms, general anomie, and psychosocial pathologies.² And while we need not deny the truth of these kinds of conclusions, they overlook certain historical, political, and linguistic understandings of this devastating phenomenon, implying a binary separation between what is considered normal and exceptional, between an expected course of human events and sociohistorical aberrations. I thus wish to build upon, but also go beyond, this discourse. To do so, I will draw on the interwar writing of Walter Benjamin on the nexus between violence and law, and on Giorgio Agamben's extensions and radicalizations of Benjamin's notions of the "sovereign decision" and the "state of exception."³

First, I will show how responses to school shootings — from gun enthusiasts and the gun lobby⁴ in particular — tend to expropriate and (paradoxically) dismiss certain kinds of violence in order to articulate a vision of the self as sovereign, exerting power over bodily life, exercising a self-removal from community conversations, and thus claiming what Agamben (using political theorist's Carl Schmitt's terminology) calls the "sovereign exception" (*HS*, 28, 34, 66). And second, I will suggest how Benjamin's concept of "divine violence"⁵ can inform education's efforts to challenge binaries of good and evil, urban and suburban, individual and community, justice and law, normal and exceptional, that confound our deliberations and long-term responses to mass shootings.

FORM-OF-LIFE AND BARE LIFE

In our parlance, the term, "life" is fraught with multiple meanings. The polyvalence of the concept becomes particularly noteworthy when we consider the classical

Greek distinction between *zoē* and *bios*. As Agamben explains, *zoē* “expressed the simple fact of living common to all living beings (animals, humans, or gods),” whereas *bios* “signified the form or manner of living peculiar to a single individual or group.” The former term, *zoē*, then, connotes “that naked presupposed common element,” that is, corporal, biological life, “that it is always possible to isolate in each of the numerous forms of life.”⁶ The concept of form-of-life (akin to *bios*, rather than *zoē*), in contrast, is “a life that can never be separated from its form, a life in which it is never possible to isolate something such as naked life.”⁷ So a form-of-life includes a strong sociocultural and personal dimension; it is “the form or way of living proper to an individual or a group” (*HS*, 9). In such a conception, our values, beliefs, and norms are confluent and coincident with living itself; they are inextricable from biological life. What Agamben, following Benjamin, calls “bare life,” on the other hand, is what remains when all non-biological qualities of life are removed, after “stripping away of predicates and attributes.”⁸ Bare life, then, is produced in this removal (*HS*, 10).⁹

SOVEREIGNTY

Agamben makes the explicit connection between this stripping life bare and modern assumptions of sovereignty: “[T]he inclusion of bare life in the political realm constitutes the original — if concealed — nucleus of sovereign power. It can even be said that the production of a biopolitical body is the original activity of sovereign power” (*HS*, 11). This severance of bare life from form-of-life is thus an act of violence by both governments and individuals who arrogate to themselves the status of sovereignty. So before turning to the meaning of violence in Benjamin and Agamben, let us first consider the notion of sovereignty.

An image that Agamben invokes to describe sovereignty’s extraction of bare life from form-of-life is the frontispiece to Hobbes’s political treatise, *Leviathan*, the urtext of modern political philosophy.¹⁰ A mythic image dominates the scene. Looking down on what appears to be a city devoid of people looms the giant crowned sovereign bearing a sword in one hand and a staff in the other. Despite being situated far from the city and behind a hilly range, the sovereign’s gaze, stature, and reach suggest an omniscience and omnipotence. Equally significant, as we look more closely we see that, with the exception of his head, the sovereign’s upper body and arms are fully constituted by miniscule people facing him — a “body . . . formed out of all the bodies of individuals” (*HS*, 74). For Agamben this image suggests modern notions of sovereign power controlling bare life and extracting it from any given form-of-life. On Hobbes’s frontispiece, we can only see the residual spatial outlines of a form-of-life in the empty city streets and buildings.

As Agamben notes, modern politics is structured around this depiction of the need for sovereign power. In this control over bare life, the citizen’s body — the *corpus* — bears a “two-faced” quality — subjection to the sovereignty of the state or ruler *and* the personal sovereignty of individual liberty (*HS*, 73). Thus, two seemingly dissonant processes co-exist:

Everything happens as if, along with the disciplinary process by which State power makes man as a living being into its own specific object, another process is set in motion that in large measure corresponds to the birth of modern democracy, in which man as a living being

presents himself no longer as an *object* but as the *subject* of political power. These processes ... converge insofar as both concern the bare life of the citizen, the new biopolitical body of humanity. (*HS*, 13)

Agamben is devoted to exposing the ambiguous zone of indistinction between these two qualities of totalization and individualization — a zone that defines the modern relationship between the human body and the nation state.

Consider, for example, the concerns with “right to life” and with the personal right to bear arms in the interest of bodily protection and the inevitably concomitant interest of wielding power over others. These extractions of bare life from form-of-life, subjecting bodily life to power, can be considered instances of what Agamben refers to as the political state of exception.¹¹ I now turn to this latter concept, after which I will suggest how gun violence is a form of this extraction of bare life from form-of-life. I will then argue that the gun lobby implicates a notion of power in which what is a stake is control over biological life rather than the free expression of a form-of-life.

STATE OF EXCEPTION

Carl Schmitt, who infamously became the ideologue of the German Third Reich, is an important source of influence and contestation for Benjamin and Agamben’s interpretations of sovereignty and the sovereign’s decision on a “state of exception.” Schmitt defines sovereignty concisely: “Sovereign is he who decides on the state of exception.”¹² As Agamben points out, the sovereign invokes the exception in matters that are considered the extreme emergency, suspending and bypassing constitutional law, thereby, purportedly, restoring the state’s security and viability (*HS*, 17). Following Benjamin, he shows that this suspension of the law, that is, the sovereign’s invoking the state of exception, exposes a legal vacuum and paradox. Schmitt suggests that though the sovereign’s capacity to suspend the law implies his standing outside of the political, juridical order, he is nonetheless an essential dimension of the order and therefore included within it. Agamben highlights this inside-outside paradox and contradiction: The law relates to the exception by suspending its own application.

I argue that the gun lobby reflects an appropriation and individualization of the sovereign exception. For the gun lobby, Hobbes must be read reflexively and not as a covenant between a person and a government. Sovereignty lies within and it is expressed outwardly with the gun. Loss of the gun is the loss of an individualized internal sovereignty. The obligation of a social contract, thus, is appropriated as an obligation to the sovereign self, to a presumed self-contained, self-identical bare life and body of the individual.

Agamben’s interpretation of modern sovereignty’s Janus-faced quality — collective and individual — finds significant support from a fellow philosopher from whom he frequently diverges. In a late interview, Jacques Derrida, argues that this attitude toward the self is characteristic of “modern notions of subjectivity as autonomous”:¹³

In an entire realm of our lives we act as though we still believed, at bottom, in the sovereign authority of the I, of consciousness etc., and employ the language of this “autonomy” ... either in our souls or our bodies, whether the body of each individual, the body of society, the body of the nation, or the body of the discursive and juridical-political apparatus.¹⁴

Commenting on Derrida's text, Samuel Weber makes clear that in the context of a modern "metaphysics of sovereignty," the "autonomous self" thus invokes a kind of indivisible exceptionalism in which the sovereign wields "power over the life and death of its subjects."¹⁵ In this conception, violence is instrumental in seeking to preserve, defend, and protect the bare life of the self and to control and reduce the bare life of those who may in some way be seen as a threat to one's corpus.

As we will see, Benjamin seeks to shatter this instrumental justification and appropriation of sovereign violence. And what I will explain as his decoupling of instrumentality and violence would be anathema to the gun lobby's motivation and argument. For after all, the gun is an instrument in service of individual security and control. It is the vehicle for command and control, the apparatus that allows one to target, to lock and load, to put in the cross hairs.

FROM THE GUN CULTURE'S FORM-OF-LIFE TO THE GUN LOBBY'S POWER OVER BARE LIFE

It would be inaccurate to suggest that inherent in what has come to be called America's "gun culture" is a domination of bare life and a disregard for a form-of-life.¹⁶ Indeed, for many, guns are integral to a form-of-life. For many, gun ownership has been an expression of American individualism,¹⁷ self-reliance, and what has been considered by many to be a highly valued "American exceptionalism."¹⁸ And though we are familiar with the devastatingly tragic archetype of the lone gunman, guns constitute a very social, cultural practice.¹⁹ But I suggest that much of the gun culture's and gun lobby's contemporary rhetoric has increasingly isolated bare life, rather than asserting its own form-of-life as its concern, and, in the process, has arrogated a certain kind of exceptionality to itself. Perpetrators of violence then appropriate this exceptionalism.

In the National Rifle Association's (NRA) history, for example, we see this transition from concern with form-of-life to control of bare life. Indeed, for its first one hundred years, the NRA's charter opened with a statement promoting "marks-manship and organized shooting matches."²⁰ But in recent decades it has transformed itself from an organization that promoted and supported gun enthusiasm to a political action organization. In this transformation, the control of one's own and others' bare life becomes foundational — hence the emphasis on certain essentialist interpretations of the second amendment. Guns are embraced and supported in a discourse of physical security and insecurity. The language of gun supporters does not emphasize the sustaining of a form-of-life but, rather, power over bare life.

Consider Sarah Palin's infamous political call to arms prior to the shooting of Representative Gabrielle Giffords: "Don't Retreat, Instead — RELOAD!"²¹ Or consider Jesse Kelly's campaign ad to defeat the democratic congresswoman: "Get on Target for Victory in November / Help remove Gabrielle Giffords from office / Shoot a fully automatic M16 with Jesse Kelly."²² Following the attempted assassination of Giffords (and the killing of a number of other innocents), we can see how Palin again invoked the language of bare life, to criticize her detractors as perpetrating a "blood libel."²³

ARROGATING THE EXCEPTION

This isolation of bare life from form-of-life has enabled a relation of exception on several levels. First, the gun lobby *excepts the perpetrator* of mass shootings from itself. That much political discourse tends to isolate the mass shooter as a nonsystemic, isolated, criminal, mentally ill element, is well documented. Ronald Reagan famously or infamously offered a keynote for this sentiment, claiming that “we must reject the idea that every time a law’s broken, society is guilty rather than the lawbreaker. It is time to restore the American precept that each individual is accountable for his actions.”²⁴ There is no form-of-life noted here, no social theory or context that is sought, but simply the isolation of the body of the shooter, of the perpetrator’s bare life. He is thus excepted, decontextualized, disowned. In the view of the NRA, for example, the mass shooter is included in the rights guaranteed by the second amendment up until the point when he engages in his heinous murderous act. At that point, what had been a relation of *inclusion* becomes a relation of *exclusion*. But in order to be excluded, the shooter had to be included in the larger class of those who have the right to bear arms.

Agamben gives “the name relation of exception to the extreme form of relation by which something is included solely through its exclusion” (*HS*, 17). Though primarily exposing this kind of relation of exclusive inclusion as a function of the relationship of sovereignty to law and violence, it is not difficult to recognize that this complicity of inclusion and exclusion is what the gun lobby seeks to conceal by simply placing the shooter into the category of “bad apples.” But the shooter is not simply an *example* of a figurative “bad apple”; he is, rather, made an *exception* from the rule. It is in this status as exceptional that, prior to his shooting rampage, had allowed his first being *included* in the class of those who have the right to bear arms. We must expose this dual status of inclusion and exclusion to reveal its complicity with gun violence. For ironically, if not surprisingly, this language of exception, of isolating bare life, is appropriated by the shooter as well. In a sense, the shooter is mirroring the exclusive sovereignty of the gun and the gun lobby. The shooter becomes sovereign over the bare life of victims, extracting their bare life from their form-of-life by extinguishing the former. Thus, for the gun lobby, it is vital to distinguish the exceptionality of the mass shooter or criminal from the normality of an unfettered right to bear arms.

A further example of this relation of exception, of isolating and disavowing connections to school shooters, is in the highly racialized discourse on violence. The tendency to isolate and disavow connections to school shooters is fraught with a highly racialized discourse. As Abraham DeLeon has demonstrated, the “glaring Whiteness of most school shooters keeps them confined” to this exceptional status “when most black and brown youth are systematically feared or referred to as criminals, deviant or dangerous in relation to supposedly White innocence.”²⁵ The dominant societal culture thus fosters a view of the white shooter as isolated individual exception and of the violence in communities of color as an isolated collective exception. This discourse thus privileges certain sites in relation to others as “safe,” or “away,” creating

a binary relation between urban (where violence is “commonplace”) and suburban or rural (where violence “should not” or “does not” happen).

DIVINE VIOLENCE

In Benjamin’s notion of divine violence, Agamben sees the possibility of “exposing” and “deposing” these very kinds of illusory distinctions between the exception and the normal case in order to create “a zone in which it is no longer possible to distinguish between exception and rule” (*HS*, 42). If considered pedagogically, we might begin to see how education might help undo this nexus between life, liberty, and pursuit of happiness, on the one hand, and the freedom to possess and use instruments of violence and death, on the other.

Benjamin seeks to shatter the instrumental justification and appropriation of sovereign violence; for an instrumental justification does nothing to suggest the meaning or “criterion for violence itself as a principle, but, rather, the criterion for cases of its use,”²⁶ that is, its outcomes. Rather, he suggests the task of “individuating a different kind of violence that certainly could not be either the legitimate or illegitimate means to those ends” and is not related to those ends “as means at all.”²⁷ It is important to clarify that “divine violence” is not violent in the sense that we are accustomed. In fact, this is a kind of nonviolence that assertively “posits itself without insisting on its moment of foundation.”²⁸

For Agamben, Benjamin’s notion of divine violence is “[t]he only truly political action” in that it “severs the nexus between violence and law.”²⁹ In his “Critique of Violence,” Benjamin carefully demonstrates the intimate connection between law and violence. He thus argues that maintaining the law — its enforcement — inherently involves a kind of violence that he characterizes as “law preserving.”³⁰ And he deftly shows the kinship of this type of violence with “law creating” violence — the violence that emerges from revolutionary inauguration of a new law. What these two forms of violence share is an *instrumental* use of violence. Violence and law are related and interdependent because the threat or use of violence is the means through which law is created or preserved.

Built into this relationship between violence and law is “the device of the state of exception through which politics was brought within the law.”³¹ Enacted in a sovereign decision, this state of exception excludes the sovereign from subjection to the law-preserving function of violence but includes the sovereign in the law-suspending and law-establishing functions of violence, that is, invoking the sovereign exception. Fundamentally, then the sovereign exception is inscribed in the very structure of the relationship between violence and law. In Benjamin’s enigmatic notion of divine violence, however, Agamben sees the capacity to dismantle this kind of inscription of the state of exception, this perennial privilege, of the sovereign state and the sovereign self.³²

The concept of divine violence demands a great deal from educational theorists accustomed to a means–ends kind of logic for it is not a vehicle for implementation of a new norm, temporary or permanent (as is the state of exception). Divine violence

is neither instrumentally serving an end nor an emotional outburst or expression. But it has an effect that fosters a transformation in perspective in a process of “exposure and deposition” (*HS*, 41–42)³³ of the linkage between violence, law, norms, and sovereignty. Thus, it does not stake a claim but reveals a nexus. By exposing the dependence of the state of exception on that nexus, it deposes the sovereign’s excepting himself.

In a brief but significant passage, Benjamin explicitly asserts the relationship between divine violence and education: “This divine power is attested not only by religious tradition but is also found in present-day life in at least one sanctioned manifestation. The *educative* power, which in its perfected form stands outside the law, is one of its manifestations.”³⁴ To avoid misunderstanding, it is important to note what Eva Geulen’s work on Benjamin has made clear.³⁵ When we speak of education as divine violence, we are not invoking a Kantian justification of educational force to shape or form brute nature and to thereby cultivate freedom and autonomy (*Erziehung zur Mündigkeit*). And, in divine violence, we are also not suggesting anything like a Hegelian notion of education’s force being a function of state jurisdiction of education’s success and progress. Divine violence, in Benjamin’s sense, is nothing like G.W.F. Hegel’s “pedagogical coercion”³⁶ that engenders a certain kind of freedom to resist the force of “the merely natural will.”³⁷ Divine violence then, is neither transgressive nor conservative, neither ordaining nor upholding. Important for Agamben is that divine violence suggests no foundational or transcendent principle. Divine violence, then, “neither posits nor preserves law, but rather ‘deposes’ it” (*HS*, 41). Thus, in Geulen’s explanation of education’s being divine violence, she notes: “Education performs itself; infinitely, the transformation of the law into a particular order does not come to rest in a finalized form, but is instead the continually renewing act.”³⁸ Education, if indeed a form of divine violence, exposes the static linkages between law, violence, and exceptionalism in the sovereign state and the sovereign self, thus calling for an iterative reconstructing of the relationships between individual and communal forms of life.

CONCLUSION

By exposing the extraction of bare life and the modern efforts of groups, and individuals to assume power over it with violence and threat of violence, we reveal a certain reality. What has been rhetorically posed as a struggle over law (that is, the Second Amendment) and security is also the exercising of the sovereign exception by individuals and groups. Agamben shows us that in this process of appropriating the sovereign exception, form-of-life has become bare life. The object of concern has become the assumption of power to arrogate the sovereign exception over life, to assume an imperial disposition toward the other, and to cast the other as a potential threat to one’s own bodily existence. We can only expose this reality by getting past the public health and gun safety discourse. To be sure, bodily, mental, and societal health are at stake whenever there is a threat of violence and whenever violence is an available means for wielding power and control. Yet, I have here sought to demonstrate the need for political, philosophical, and educational conversations that transcend this discourse. Our educational task then, involves exposing

and deposing the language of nonresponsibility and exceptionality when it comes to school violence and violence's other forms and contexts. The problem, which of course can never be isolated, is not simply people and not simply guns, but the increasing disposition toward bare life and relations of exception. Is there a vision of community and responsibility that does not strip bare our forms-of-life, that does not isolate bare life? This is a question that must invoke a kind of divine violence in which education seeks to conduct meaningful, emancipatory conversations on and responses to patterns of devastating violence.

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3. Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life*, trans. Daniel Heller-Roazen (Stanford, CA: Stanford University Press, 1998), 19, 22. This work will be cited in the text as *HS* for all subsequent references; Giorgio Agamben, *Means Without End: Notes on Politics*, trans. Vincenzo Binetti and Cesare Casarino (Minneapolis: University of Minnesota Press, 2000); Giorgio Agamben, *State of Exception*, trans. Kevin Attell (Chicago: University of Chicago Press, 2005), 55; and Walter Benjamin, "Critique of Violence," in Walter Benjamin, *Reflections: Essays, Aphorisms, Autobiographical Writings*, ed. Peter Demetz, trans. Edmund F.N. Jephcott (New York: Schocken Books, 1921/1978).
4. My use of the term, "lobby," refers broadly to the political agendas of gun enthusiasts and gun rights supporters.
5. Benjamin, "Critique of Violence," 294, 297, 300.
6. Agamben, *Means Without End*, 2–3.
7. *Ibid.*, 8–9.
8. Leland de la Durantaye, *Giorgio Agamben: A Critical Introduction* (Stanford: Stanford University, 2009), 203.
9. See also Abamben, *Means Without End*, 6–7; and Tyson E. Lewis, *On Study: Giorgio Agamben and Educational Potentiality* (New York: Routledge, 2013), 41.
10. Thomas Hobbes, *Leviathan*, ed. Richard Tuck (Cambridge: Cambridge University Press, 1991).
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24. Ronald Reagan, "Excerpts of a Speech by Governor Ronald Reagan, Republican National Convention, Miami, Florida, July 31, 1968," Ronald Reagan Library, Simi Valley, California.
25. DeLeon, "'A Perverse Kind of Sense,'" 153.
26. Benjamin, "Critique of Violence," 277.
27. *Ibid.*, quoted in Agamben, *State of Exception*, 62.
28. Martin Blumenthal-Barby, "Pernicious Bastardizations: Benjamin's Ethics of Pure Violence," *MLN* 124, no. 3 (2009): 729; and Lewis, *On Study*, 151.
29. Agamben, *State of Exception*, 88.
30. Benjamin, "Critique of Violence," 300.
31. Arne De Boever, "Politics and Poetics of Divine Violence: On a Figure in Giorgio Agamben and Walter Benjamin," in *The Work of Giorgio Agamben: Law, Literature, Life*, ed. Justin Clemens, Nicholas Heron, and Alex Murray (Edinburgh: Edinburgh University Press, 2008), 82.
32. De Boever, "Politics and Poetics of Divine Violence," 81–2.
33. See also Agamben, *State of Exception*, 62.
34. Benjamin, "Critique of Violence," (emphasis added).
35. Eva Geulen, "Legislating Education: Kant, Hegel, and Benjamin on 'Pedagogical Violence,'" *Cardozo Law Review* 26, no. 3 (2005): 943.
36. *Ibid.*, 945.
37. *Ibid.*, 945–46.
38. *Ibid.*, 953.