

## Synopsis of

### *Theorizing Crime and Deviance: A New Perspective*

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*Theorizing Crime and Deviance* is, as the subtitle suggests, an attempt to outline a new perspective in criminological theory. This new perspective makes no claims to be a ‘general theory’ or an ‘integrated theory’ of crime causation, if integration is defined as a broad synthesis of existing theories as the first move towards a unified theory. The aim is to lay some initial foundations on which an alternative theoretical framework with some explanatory power and developmental potential can be constructed. Whether it can be integrated with the mainstream canon remains to be seen.

The book begins with the claim that post-war criminological theory on the left side of the political divide has been avoiding what should be criminology’s primary question: ‘why individuals or corporate bodies are willing to risk the infliction of harm on others in order to further their own instrumental or expressive interests’ (p.1). Criminologists on the conservative/classical liberal side of the political divide do not shirk this aetiological duty, but their general discourse suffers from four fatal flaws: firstly, they do not explore the ontological field of harm to challenge orthodox legal definitions of crime; secondly, they tend to ignore crimes of the powerful and instead focus disproportionately on crimes of the powerless; thirdly, they tend to use rather crude positivist methods and categories that cannot

capture the complexity of social life; fourthly, they regard human nature as prone to 'evil', which of course means that, rather conveniently, they don't really need any aetiological theories of subjectivity over and above those concerned with the maintenance of discipline and socialisation.

Left-wing (or 'liberal', in US parlance) criminology's flight from aetiology has left it rather vulnerable to criticism. Its critics find it too easy to say, with some justification, that it cannot recognise or explain its own principal object, expressed as the primary question above. If it cannot answer this question, how can the population have any faith in its ability to lead society on a path away from the harms caused by crime and other corrupt practices? This inability also creates a huge vacuum into which right-wing intellectual and political contenders flow with glee, offering populist explanations and punitive solutions. Politically, left-liberal criminology shoots itself in the foot with its own constant vacillation around its primary object. When crime rates increased in 1960s and 1970s despite increases in freedom and affluence and the (albeit temporary) truncation of social inequality, which refuted the liberal left's principle explanations of relative deprivation and repression, criminology entered what Jock Young called its 'aetiological crisis'. There appeared to be a pressing need to return to the questions of causality and motivation. However, the liberal left, which still retains the annoying habit of sneering at the very idea of causality as an affront to its deconstructive sophistication, was not up to the job.

This palpable failure allowed US and British right realists to lever themselves back into criminology's intellectual driving seat in the 1980s to join right-wing economists in the corridors of power. Right realism supplied neoliberal governments with intellectual support for the massive incarceration and private/public securitisation programme that remains with

us today, and which must be considered as one of the main reasons behind the recent statistical 'crime decline'. The right won the day, and part of the reason why was that the left had quit, at least on the aetiological battlefield. Thus the right can continue to advance their favourite primary causes of personal choice, evil individuals and irresponsible parenting because the liberal left, running scared of aetiology and fixated on problems of linguistic definition and the attenuation of social reaction, have few if any roadworthy alternatives. Given this rather abject state of affairs, the book goes on to argue that left-liberal criminology, now in danger of political marginalisation except as the voice of conscience in the criminal justice system, must make a decisive comeback on the aetiological battlefield.

The book moves on to claim that criminology must transcend interpretive relativism and the notion that cultural pluralism is the natural 'bedrock' of societies and revisit the ontological question of consensual harms. The argument revolves around the possibility that a consensual core of harms is surrounded by a contested periphery, and criminology must begin to focus most of its analytical energies on the core. In order to move this debate forward, it's necessary to revive the philosophical principle of universalism, and, whilst making concessions to the existence of a relativistic periphery, begin once again to posit harm as a universal ontological category. This is not a plea to return to absolute authority, but, having said that, we must also understand that the absolute sovereignty of the interpretive ego presents us with a problem of the same magnitude at the other end of the scale. The tyranny of absolute authority and the debilitating chaos of absolute interpretive relativism must both be transcended.

We do not have a ready-made consensual understanding of harm, but this must be the purpose of future debate, and this debate must be brought to the centre of criminological

education, criminological research and governmental policy to replace the now rather tedious mantra that all categories of crime are 'contested'. This might well be the case, strictly speaking, but core categories need objective decisions on whether they are harmful, which should then lead back to the aetiological debate.

The first step for criminology is to move away temporarily from legal definitions of crime to a debate on harm, sometimes called a 'zemiological' debate. This will not be easy. At the British Society of Criminology conference in 2013, a year after the book's publication, a mock jury voted against this move, which indicates that British criminology is happy where it is, uninterested in contextualised aetiology and dominated by criminal justice studies and the annoying tendency to dismiss most representations of crime as 'moral panics'. This reluctance is an impediment to the development of the discipline. The book argues that criminology might consider restarting a serious debate around a simple principle:

[What] is harmful to human beings and their multi-layered life-supporting environments should be criminalised. Where harm is considered to be less serious on a consensual scale, it should be subjected to initially condemnatory yet eventually restorative social pressure, or, where it is very slight, possibly ignored (p.5/6)

The establishment and constant maintenance of the demarcation line between the core and periphery is important. Even postmodernists and other relativists and constructivists admit the existence of the core of consensual harms, but they tend to insist on a small core of 'brutal violence'. This definition is too restrictive, and it is accompanied by a reluctance to open up a debate and place that debate at the centre of the discipline's research and education programmes. This reluctance is the result of liberalism's all-encompassing fear of the

oppressive state, and the concern that any expansion of the category of consensual harm will justify the equivalent expansion of modes of ‘governmentality’. This book argues that criminology should not be governed by anyone’s irrational fear – conservatives’ fear of the working class, liberals’ fear of the state, or whatever – and it is not right to attempt to close the debate like this; not right for the integrity of the criminological discipline and not right for future generations who might want the chance to make their own decisions in the circumstances in which they find themselves. Harm cannot simply be defined by the more brutal acts of physical violence. It is a far more expansive category that encapsulates an array of acts and their experiential consequences.

The book moves on to investigate what underlies this avoidance of the important discussion of core harms, and the tendency to shrink the core to a minimum, and it concludes that the problem is post-war *political catastrophism*. We still live our lives in the fearful shadow of Stalinism and Nazism, the horrific results of Agamben’s ‘state of exception’, which invoked the politics of fear to pathologise specific cultural groups and scare the population into thinking that drastic political action and the suspension of human rights were necessary to purify the social body and place a firm authoritarian political hand on the helm of economy and culture. This historical nadir haunts the liberal imagination to the extent that it tried to dismantle politics *per se*. To a large extent it succeeded in its mission, and we live today in the midst of *post-politics*, a self-induced political paralysis.

However, the legitimate and totally comprehensible attempt to consign Nazism, Stalinism and other brutal forms of totalitarian governance to the past was over-extended. It also destroyed the credibility of the social-democratic regulatory framework and allowed the libertarian anarcho-capitalist right to return to the centre of politics and culture, to complete

the destructive job, crush conservatism, socialism and social democracy, and release the forces of the market. The result is that we now confront a world of totalitarian neoliberalism, controlled by a corporate oligarchy and beset by increasing social inequality, jobless growth, the marginalisation of youth, urban slums, ethnic tensions and the normalisation of global criminal markets. We also face the possibility of the return of reactionary protectionism and nationalism and an upsurge of racism. The only solution at hand is the security state, precisely what liberals did not want. With no alternative politics to offer, we have all bought into the 'end of history' discourse. The only recourse is to humanise the criminal justice system as it stands and lobby for its downsizing, which further reduces left liberalism's credibility amongst an anxious population whose anxiety is not simply the product of government and media scaremongering but the very real position of socioeconomic and geopolitical precariousness in which they find themselves.

In this climate of *political catastrophism* aetiology is downplayed and customised to fit the solution on offer, the downsized and humanized criminal justice system. This means that the approved solution is defining the problem, an inversion of what criminology should be. This should not continue to displace and marginalise honest and penetrative debate on aetiology, the results of which might suggest that political intervention of a different nature is required at the other end of the process, i.e. the criminogenic conditions of late modernity. However, strict ideological policing of criminology, assiduously maintained because criminology exists on the forefront of ethical condemnation, has ensured that only carefully selected philosophical concepts and social scientific theories have been allowed into criminology's mainstream debating chamber. Where we seek integrated theory, which is noble cause, we are forced to draw from a pre-restricted group of concepts and frameworks.

We should reopen the debate on harm, revive our aetiological curiosity and bring it back to the centre of criminology. Where law should be defined by harm, at the moment harm is defined by law, with all the concessions to political power that this idealist inversion of reality demands. The book tries to examine what underpins this inversion, and concludes that the dominance of hard-line social constructionism and relativism has created a climate of *symbolic inefficiency*, which now pervades not just criminology and social science but politics and popular culture. Following the likes of Derrida and the cult of deconstruction, we have reached a stage in our politico-cultural history where meaning can be established only for the length of time it takes to deconstruct and destroy it. The liberal left has embraced endless dissidence and contestation with no political purpose in mind other than the permanent suspension of real interventionist politics. Attempts to construct symbolically efficient concepts of harm with a view to political regulatory action are met with endless scepticism, automatically accused of being constructed in exaggerated forms to create ‘moral panics’ and justify expanded modes of ‘governmentality’. Radical liberal anti-statism dominates left-wing criminology, but out there in the real world the whole project has backfired as socioeconomic life becomes ever more precarious and the security state grows in the absence of alternative forms of democratic political intervention.

In the absence of serious debate the neoliberal elite, who suffer from no such relativistic doubts, can retain its grip on the concept of harm and define it in its own terms, which usually involves the disproportionate blaming of the powerless. Criminology does offer a tradition of critique aimed at state and corporate harms, but it consistently fails to deal with the *individuals and forms of subjectivity* behind these harms. As a first move towards the analysis of harmful subjectivity, the book moves on to introduce the notion of *special liberty* to the criminological debate, a traditional liberal-capitalist cultural norm that allows the business

class to justify the harms they inflict on human beings and their environments in the name of prosperity. However, this mentality is not restricted to a 'structural' class. The book claims that the norm of *special liberty* pervades British and US culture. Legitimate and illegitimate markets have expanded since deindustrialisation, and the anti-social and anti-human ethos of *special liberty*, the permission to risk inflicting harm on others to simply 'get things done' to satisfy the demands of business in a competitive environment, can be found in everyday operation throughout the social structure, from corporate boardrooms to ghettos.

The avoidance of the question of harm and the disavowal of its everyday consequential presence permeates the social structure, imposing a silence across the political spectrum and threatening the reproduction of universal empathy in social life. It is difficult to drag harm back to the centre of a criminological discipline that tends to disavow the concept from two opposed political positions – the right don't want their harmful practices exposed whilst the liberal left don't want to expand modes of 'governmentality'. Criminology must prise itself out of this double-edged intellectual embargo. Harms are diverse, but this is precisely why we need more ontological cohesion and consensus. They occur not just in the dimension of basic human physicality – in other words 'person and property' – but also the environmental, financial/economic, social, cultural, emotional and psychological dimensions.

At this point the book argues that we must revisit the basic Hegelian proposition of *social recognition* as the category that grounds and unifies the notion of harm, whilst still recognising its formal diversity. Recognising the rights and empathising with the emotions and basic needs of others is the basis of this position. Needs are multi-dimensional, but they can be boiled down to material survival, love, rights and esteem. This is accepted by many criminologists. However, the original Hegelian formulation is obsolete because the current



social order has severed the socioeconomic interdependency on which Hegel's concept was based. In a period of automated production and dominant finance where the return on capital now exceeds the rate of growth expressed in output and wages, the global ruling class simply does not need the services of an increasing number of working people. Many 'slaves' are technically redundant, and the master is no longer forced to recognise the slave or seek the slave's consent, and no longer susceptible to the slave's judgement, which was the source of the slave's latent political power. The master is now blessed with arbitrary choice, a matter of 'charity', which means that the master is now capable of narcissistic self-affirmation, and the arbitrary choice of whether or not to grant recognition becomes the most important aspect of *special liberty*. The dialectic is suspended: as the relation of interdependency unravels and the gargantuan security state enforces pacification it is no longer strictly necessary for the elite to respond to the harms and underlying injustices declared by the subjugated. Those who argue for the return of social recognition as the basis for a universal category of harm have assumed an already existing democracy. This inverts the causal relation; in fact democracy would be the *result* of the prior acknowledgement of harm and the embrace of empathy and social recognition, and would allow their institutionalisation as the foundation for renewed politics and the realization of progress. Thus criminology's move towards a universal category of harm would be a very important intellectual building block in the renewal of democratic politics.

However, the book takes this argument further by claiming that harm is not an aberration, a category that can be used to define occasional deleterious consequences caused by the capitalist system's frequent malfunctions or an individual's action permitted by the refusal to recognise the rights of the other. These are harm's manifest forms, but this book's main claim is that harm in its hidden forms is integrated in the actual core of the capitalist system, and its

attendant mainstream culture and subjectivity, as a functional dynamic force. Capitalism has not been a civilizing process across its history, but a *pseudo-pacification process*. The rest of the book describes and explains this process and the phenomenon of integrated functional harm.

The discussion begins with a brief historical analysis of how the manifest forms and practices of harm have changed markedly across the course of modernity in the West. The brigandage and rule by physical violence that had become normalised in Europe after the fall of the Roman Empire declined. A fundamental paradox was recognised in England after the Norman invasion: because a market economy cannot function in a situation where property rights are unable to be protected, violent disorder hampered early capitalist economic development, but so did the opposite, too much ethico-legal regulation, altruism and sociability. Early capitalists taking advantage of the Norman's lax estate management to enclose land and produce for the market sought a 'third space' of 'orderly disorder', a political and ethico-legal system that would reduce physical violence yet simultaneously bypass traditional ethics and foster aggressive sociosymbolic competition and exploitative business practices.

The English murder rate began its long decline in the late 14<sup>th</sup> century. The nascent bourgeoisie lobbied hard to establish a pseudo-pacified culture that encouraged aggressive business and sociosymbolic competition signified by gentrification and conspicuous consumption, yet simultaneously repressed the more brutal forms of physical violence in all public dimensions. The rest of Europe adopted similar practices at various points around the 16<sup>th</sup> century, reducing rates of murder and violence, which allowed the market economy to expand. The USA experienced a period of condensed change from the 18<sup>th</sup> century, but it

struggled somewhat with the conversion of physical aggression into sublimated sociosymbolic aggression. Murder rates declined, but undulated quite markedly and failed to reach the extreme lows experienced in Europe.

Norbert Elias was right that physical violence was monopolised by the state in order to create a pacified space for the development of social interdependencies and behavioural codes, but he neglected the other side of the equation, the fostering of sublimated aggression in business and social life. Western populations were recruited *en masse* into the *pseudo-pacification process*. There was no disciplinary regime of ‘biopower’ bearing down on the population, but a system of regulatory practices maintained by the population itself as it began to understand the benefits of allowing aggressive sociosymbolic competition to be practiced at its limits to increase economic dynamism. This sublimated aggression, structured by a selective mode of social recognition and its refusal, fed into gentrification and consumerism, the cultural fuel required for economic development. The population’s recognition of the value of law and order was not just about personal security but prosperity and economic development.

Cultural life was highly individualised in England from the 12<sup>th</sup> century. Whereas the laws of primogeniture and entail applied only to the feudal elite in Europe, in England they were introduced throughout the social structure. All but the eldest sibling were effectively dispossessed and encouraged to establish businesses outside of familial and communal territory. This effectively caused the breakdown of the family/community as a geographically bound economic and protective unit, dispersing insecure but inescapably ambitious individuals into the market economy in a process rather like cell-splitting, a sort of socioeconomic tumour.

The rise of markets and business as the principle means of livelihood, and the concomitant rise of conspicuous consumption as the mainstream cultural form anchoring social signification in the economy, coincided with the decline of rates of murder and serious violence. However, these developments also coincided with a concomitant rise in property crimes, fraud and other forms of non-violent illegality. As the English population became richer it became less egalitarian and honourable. Ethical values were displaced from the centre of socioeconomic life to the periphery, to act as ascetic restraining mechanisms for the sublimated vices – greed, usury, exploitation, deception, sociosymbolic aggression and abandonment of social recognition – that had been ushered to the centre as dynamic forces. The majority of individuals were physically pacified, but not for the sake of civilised values, rather to allow greater scope for their active participation in aggressive yet non-violent sociosymbolic competition, which of course was highly functional to the expansion and development of the market economy. This, in very simplified terms, is the basic anatomy of the *pseudo-pacification process*. The book explores its details and complications.

This process did not reduce crime in general, but reduced murder and violent crime whilst creating an environment in which non-violent crime proliferated. The process calls for a conception of modernist culture and subjectivity as dualistic, motivated at its core by systematically cultivated yet ideologically disavowed aggressive drives – to use Slavoj Žižek's term, the 'obscene Real' – but guided and restrained by pseudo-pacified behavioural codes. Codes should ideally be internalised by socialisation, but this is unreliable because codes are designed not only to repress or eliminate but also to stimulate and convert aggressive drives, therefore, because of constant overspill, they need to be backed up by an expansive external system of regulation and control. This coincides with the decline of the ethico-political desires and transcendental ideals that motivate the citizen, the active social

subject. Pacification and sociability, and indeed political participation, become overly dependent of the constant satisfaction of sublimated yet still aggressive drives to achieve a constant stream of little victories in the economically grounded sociosymbolic competition. Beginning in England and diffusing throughout the West, capitalist-modernity has largely been about the functional *conversion of harms*, which reinforces the need for a renewed debate on harm

Having established the *pseudo-pacification process* as its analytical platform, the book moves on to explore the diffusion of the capitalist market economy, with its attendant cultural and subjective forms, across the contemporary globe. Everywhere the market economy is displacing traditional economic and cultural systems. Throughout the history of the *pseudo-pacification process* the elite learned one vital lesson: the capitalist market economy is unable to thrive under conditions of either violence or altruism. The violence that thrives in the absence of altruism can manifest itself as either the *barbarism of disorder* or the *barbarism of order*. The system must constantly recreate a third space constituted by repressing both. Therefore, when collective forms that demonstrated propensities for either violence or altruism became institutionalised and politicised in the West, such as the Labour movement and the social democratic state apparatus, they were systematically disrupted in order to return society to the preferred condition of atomised competition. As neoliberalism took hold in the 1980s and populations found it far more difficult to participate in sublimated socioeconomic competition, there were huge crime explosions in Britain and the USA, but less so in Europe, which hung on to its social democratic apparatus.

The book discusses the complex cultural and subjective manifestations of the *pseudo-pacification process* and the functional role and various formal manifestations of criminal

markets as they shadowed economic development in the West. The US and British experience is now being exported to other countries as global neoliberalism diffuses the *pseudo-pacification process* across the world. The freeing up of finance capital, neoliberal restructuring and cultural homogenisation is polarising socioeconomic inequality worldwide. Neoliberalism is also encouraging the displacement of traditional cultures and their political traditions with the depoliticising form of consumer culture. This, together with technological developments in communications and transport, has created conditions conducive to the development of global criminal markets and de-territorialised criminal networks. The gradual rejection of politics and solidarity has coincided with an increasing attraction to detachment, mobility, personal enrichment and *special liberty* in the global economy. Offshoring and the emergence of deregulated paraspaces offer opportunities for unrestricted commercial activity, much of it criminal in a global economy where the line between legal and illegal activity has become increasingly blurred.

Rapid large-scale urbanisation processes and the decline of subsistence agriculture have created global nodes for expansive criminal markets. Youth unemployment and the migration of anxious young people into legal and illegal markets as all-purpose opportunists have fuelled criminal dynamism. Illegal trafficking in drugs, weapons, alcohol, cigarettes, money and people, combined with the rapid expansion of cyber-crime, has created a class division in the criminal economy based on differentials in multi-purpose skills. Crime decline statistics have become increasingly misleading as these developing forms of crime mutate beyond the reach of police and standard crime surveys. At the top of the social structure, corporate crime, fraud, state crime, political corruption and illegal invasions constitute a grim picture for the 21<sup>st</sup> century. It seems that the social democratic period was little more than a brief period of respite, and we have now returned to the legal and illegal adventuring that was inextricably

intertwined with early capitalist development. Such a proliferation of harms is difficult to calibrate, but the core social harm caused by neoliberalism and neglected by criminology is the destruction of stable socioeconomic systems and the consequent inability of so many working people to earn a living without compromising their values and risking prosecution.

The book criticises criminology's neglect of these epochal criminogenic shifts in political economy and culture and continues with a trawl through a number of dominant philosophical positions and social theories, most of which deny formative connections between subjectivity and the socioeconomic system. The verdict is that, in the context of recent developments in the real and intellectual worlds, criminological theory is way off the pace. Powerful elements within the mainstream criminological hierarchy seem to demand that important and relevant new theories should not be taken seriously, and that revealing empirical work into the criminogenic conditions of late capitalism should be discouraged. Criminology seems to be content to remain an importer discipline, overly dependent on liberal philosophy and sociology for its core ideas. Throughout the discipline's developmental history many traditional philosophical positions have been rejected rather than incorporated and synthesised, and we are now left with a narrow debate between conservatism/classical liberalism and radical liberalism/social liberalism. The only aetiological concession made was to feminism and its forthright analyses of harms in the gender order. The book discusses the narrowing down of the criminological debate and identifies a major problem in the discipline's canon: criminology has no conception of the dark side of liberal individualism and seems to be resistant to dualistic theories of the human condition, which are quite deliberately misrecognised and rejected as 'conservative', the very theories we need to integrate into criminological theory in the current era.

Other problems are identified and discussed. Anti-essentialism and anti-reductionism are now blanket bans in social theory. Of course we need to avoid stereotyping cultural groups and individuals, but in our analysis of systems we can no longer talk about underlying principles. Capitalism itself becomes ineluctably 'plural', a multiform product of cultural value systems that pre-exist it and can change it. Therefore deindustrialisation, narcissism, competitive individualism, depoliticisation and so on can no longer be put forward as conditional, probabilistic causes of crime. Everything is mediated by cultural systems and susceptible to the choices made by the autonomous sovereign ego, therefore even complex concatenations of causes and probabilistic conditions are out of bounds. Some extreme forms of postmodernism have rejected the very ideas of crime, harm and their causes. Everything is contingent, relative, open to unlimited interpretation, and radical indeterminacy rules, not as a political possibility and a conduit for real change, but as the only *a priori* ontological certainty. The book goes on to discover how criminology's aetiological crisis discussed earlier is actually self-imposed, and in many quarters celebrated. The liberal social scientific establishment prefers us to think only of human agency shaping institutions – what might be behind this agency, and why it never seems to be able to unseat concentrated power, is never to be discussed. Depth and causality are dehumanising. Only totalising ideologies, external to the subject, are bad things – the system is guilty, the individual is innocent.

The Anglo-American social scientific establishment, when it is not conservative, is dominated by the cults of Weberianism, creative interpretivism and methodological individualism. Continental philosophy, critical realism, critical theory and psychoanalysis, for instance, have never been fully accepted and integrated. It seems that we can play active piecemeal roles in changing the system for the good, but we can never have a role in its badness. The terrible things it does have nothing to do with us. There are no drives, desires or



deep structural forces connecting individual subjects to the system. This is the institutionalisation of what Slavoj Žižek calls *fetishistic disavowal*, and presents us with liberalism's benign, innocent individual, a simplistic inversion of conservatism's wicked, fallen individual. Both ends of the analytical spectrum have been blocked off. There is no way out to any place beyond, and any movement towards either end risks being denounced as either a liberal or a conservative. Attempts to transcend this duality are marginalised. Social science in general and criminology in particular cannot progress in this restrictive furrow.

This demarcation appears as the main fault line in the history of criminological theory. The major shift occurred in the Chicago School in the 1930s. Marx's ideologically duped social being and Durkheim's bearer of pathogenic *anomie* were replaced by liberal progressivism's insistence that the 'deviant' should be appreciated as autonomous, pragmatic and creative, adapting to difficult circumstances. The idea that we create and reproduce these difficult circumstances ourselves was marginalised – perish the thought, we resist in an inexhaustibly creative mode. The ethical individual should never be seen as a cog in the system or a wretched creature driven by unconscious forces and licentious desires. Marxism and Freudianism were pushed out of the picture, although later humanised versions were reluctantly allowed back in on condition they get back into liberalism's line and behave themselves. Western philosophy and social science entered a mode where both liberals and conservatives attacked any formulation that posited the individual as a bearer of the harmful drives and desires needed to reproduce the system – liberals because the innocent individual should not be disparaged and reduced as the system's reproductive agent, and conservatives because, given the individual's inherent wickedness, there's nothing much wrong with the system anyway. The political desires to conserve and replace the system, both thought to be

dangerous and oppressive, were replaced by a great faith in the inherently ethical individual's ability to gradually reconstitute and reform society's institutions.

Non-conservative social and criminological theory was forced into the ethical and pragmatic centre-ground. The world was to be explained solely in these terms and nothing else, and criminology's different schools are variations of that master discourse. The permitted solution was granted the sole right to define the problem. The shape of criminological theory's canon across the 20<sup>th</sup> century, which the book outlines in Chapter 4, is a gradual convergence towards the narrow centrist, pragmatic position made possible by the careful selection and modification of social and psychological theories that support that movement and the rejection of those that suggest alternative ways of thinking. Deep ontological and political differences were cast aside to allow room only for epistemological variations of liberalism's ontological certainty.

The reality, that the majority of individuals were forsaking both ethics and politically rebellious urges in order to adapt as efficiently as possible to capitalism's brutal competitive individualist culture and save themselves from poverty and humiliation – and of course to reap rewards as wages increased and business opportunities burgeoned in periods of economic boom – was either marginalised or rejected outright. Ethical realism and its politics were abandoned in favour of pure pragmatism and the multiple gestures of ethical idealism. To sustain this intellectual and political project it was necessary to abandon all conceptions of dialectics, ideology and unconscious drives and any connection they may have to each other. The mainstream canon of social and criminological theory duly obliged.

However, the book argues that this paradigm of thought is rapidly running out of steam in the 21<sup>st</sup> century. The abandonment of the alternative theories and categories mentioned above, and outlined in more detail in the book, prevents the construction of criminological theories based on dialectical contradictions, powerful drives and desires and ideological incorporation into the capitalist system and its attendant culture. The rest of Chapter 4, which will be of most use to undergraduate criminological students, points out the flaws in each major 20<sup>th</sup> century criminological theory, and how these flaws culminated in the sort of overall theoretical weakness that contributed to the downfall of relatively successful social democratic politics and the return of new right thinking in the 1980s. At this point in time mainstream liberal-left criminology had shifted from aetiology, the study of the multiple causes and probabilistic conditions that underlie crime and harm, to ‘controlology’, the study of the control system with a view to downsizing it and ensuring the humane treatment of offenders. Deep political intervention in underlying socioeconomic causes and conditions – which some thinkers such as Elliott Currie have argued is the most effective and enduring way to downsize the system – was to be taken off the agenda, and there was no better way of achieving this aim than denying their existence. Traditional politics was replaced by identity politics, with the aim of addressing unequal relations across the lines of ethnicity, sexuality and gender within the market economy and the class structure as they stood. Only critical criminology, cultural criminology and left realism carried forward some tentative notions of deep socioeconomic causes and conditionality. Unfortunately, however, left realism was incorporated by the Blair and Clinton governments, and both critical criminology and cultural criminology tended to retain romanticised ideas of inexhaustible cultural forms of political resistance that, by the turn of the millennium, in reality had virtually disappeared. Bringing back genuine political opposition to the fore of everyday life is today’s most pressing

problem, but nothing hampers the solution more than the assumption that it is already in place.

The second part of the book, Chapters 6 to 9, points out the main flaws in liberal thinking and presents alternative ideas – either resurrected from obscurity and modified to suit current circumstances or currently in the throes of intellectual development – that could, with a little bit of effort and determination, be used to construct an alternative perspective on crime and harm. It suggests that many of the conceptual mainstays of post-war liberal theory, such as ‘biopower’, ‘moral panic’ and ‘the culture of control’, are not only outdated but fundamental category errors. Their continued existence is a product of a long-running fear of the state and collective authority, which leads to misinterpretation and overstatement. For instance, although the mass media do obviously exaggerate the harm that street crime causes, the purpose is not to cause a ‘panic’ and justify further authoritarian governance. Crime fiction and news reporting always finish with *solutions* to crimes that are portrayed as individualistic, and these solutions are always provided by the extant criminal justice system. This fosters a sentiment of *complacency*, not panic, amongst Western populations whose members on the whole have never been more depoliticised and apathetic. The criminal justice system has been expanded in a surreptitious way to cope with real problems caused by neoliberal disruption – for instance the expansion of drug markets and the decline of mental health services – not amidst a huge fanfare created on the back of public fear. Progressive socialist and social democratic political movements of the past achieved relatively impressive results despite right-wing media’s constant dispensation of crude ideology, because they had inner strength and conviction and mass support. The current liberal left is blaming its own failure of nerve, weakness of thought and failure to inspire the population on a right-wing mass media that has existed since the 19<sup>th</sup> century.

Jean Baudrillard – yet another continental theorist neglected by Anglo-American criminology – once argued that if ‘disciplinary biopower’ and all the other figments of the fearful liberal imagination did exist, there would be something to resist, and people, left to their own devices and acting on their own clear thinking, would probably resist them. What exists, however, above all else, is Debord’s ‘society of the spectacle’, a seductive simulacrum that absorbs human energies and manipulates desires. Our fixation on ‘governmentality’ and so on has distracted our attention from the concentrated oligarchic power at the top of capitalist system – which, along with its huge pots of offshore assets, appeared in stark relief during the financial crisis of 2008 and showed itself to be the uppermost layer of concentrated socioeconomic power that government merely serves – and the deep drives and desires that motivate individual action in late-modern consumer societies. Liberal societies dare not look up, and they dare not look down. Foucault’s notion that ‘power is everywhere’, and the new left’s notion that ‘politics is everywhere’, are dependent on the redefinition of both categories to the extent that they cease to have any substantive meaning. This is how the liberal left dissolved itself in the throes of *political catastrophism*, and the book discusses in detail why these positions and others like them need to be rejected and replaced.

The rest of the book outlines what needs to be put in place to produce a new criminological perspective with explanatory power. Liberalism has no positive conception of harm as drive, only as temporary consequential aberration. It is beset by a constant fear of the natural, that which threatens to overwhelm the autonomous ethical individual and destroy the fragile cultural superstructure on which civilization depends. We cannot allow this institutionalised fear to restrict criminological enquiry. For the individual, the aggressive/defensive harmful drive is energised by a lack of trust in others, the product of abuse and neglect by parents, the

very people on whom the young child depends. Death drive was for Freud our bestial nature activated as will in trying circumstances. To extend this principle to the social world we must return to the issue of social recognition. Capitalist culture and dominant subjectivity is the same condition and relation writ large, the inability to trust others in a ruthlessly competitive society. We no longer trust politicians, police officers, media people, business executives or any of today's 'leaders', or in some cases even our workmates and neighbours. They appear before us as scoundrels, out for their own profit and gratification – Berlusconi, Sarkozy, Blair, Clinton and Bush represent the political norm. We live in an era of cynicism, post-politics and symbolic inefficiency, where there is no institutionalised ethical antidote to the obscene pursuit of gratification in which we see our erstwhile leaders indulge every day. Alongside their multi-dimensional philandering they appear incapable of guardianship, of performing their allotted roles and looking after the interests of a mass of underemployed workers whose lives are becoming ever more precarious as the global capitalist system seeks new levels of 'efficiency' in its pursuit of profit.

In such cynical times, too many individuals fall back on the obscene Real, internalised consumerist envy and exploitation, disavowed and experienced privately as enjoyment, which energises the capitalist project. Why shouldn't they? Their leaders of left and right have told them that no feasible alternative socioeconomic system is possible and they allow themselves to be revealed every day with their snouts in the trough. Rather than fall back on ethico-social values, economic criminals seem to follow society's fallen leaders in short-circuiting the norms and rules that keep obscene drives in check. This creates the doubling of humiliation, the most common psychological harm inflicted on the population by criminals, who gratify their obscene desires without having to suffer the mundane labour and exploitation that fill up the lives of everyday people. By obeying the cultural norm and making important

contributions to the reproduction of the ideology that disavows these obscene drives, by refusing them a place in their analyses, liberal criminological theorists cannot connect agency to structure or explain the ubiquitous motivations behind most forms of crime. On the other hand, conservatives posit these drives as ‘timeless’ and ‘natural’, which, as the book goes on to explain, they are most certainly not.

The book moves on to frame this problem in a dialectical tension that seems impervious to whatever interpretive autonomy we have left. The social disruption caused by the neoliberal right’s economic policies creates the conditions for expanding criminals markets and increases in crime rates, whilst the liberal left’s public denial that a distinctly different socioeconomic system is possible destroys the alternative ethico-political narrative – now displaced by identity politics – that throughout the era of high capitalism gave working people hope and another way of thinking about the world. This once active dialectical tension has now been attenuated and run down. Large numbers fall back on the obscene Real and pursue their own interests in competition with others, using criminal methods where opportunities present themselves or their inability to compete legally effectively gives them little chance of success. Only the massive security system in combination with strongly socialised beliefs in the authority of law and the fairness of the system deters greater numbers from gratifying the obscene Real in whatever ways are available.

In the current left-liberal narrative, the polarised struggle between the exploited and exploiter class has been replaced by the undialectical tension between the corporate state and the individual or various identity groups. The discussion of dialectics in Chapter 7 is complex, but the upshot is that the abandonment of the social dialectic has destroyed both self-recognition amongst the exploited and recognition of the exploited by the exploiters, and vice

versa. The majority no longer recognise each other through the lens of class, and, even where the ruling class do they don't reveal their knowledge too much in public. This multiple denial of recognition dissolves collective social conflict to intensify and reproduce the competition between 'equivalent' individuals, who have little support and nobody to blame but themselves should they fail, and obviates all popular conceptions of socioeconomic life as a system of relations. In the absence of any substantial collective identity, libidinal energy can be stimulated amongst envious, anxious and depoliticised individuals, and harnessed via consumerism's sociosymbolic competition to the economic system.

Having established the importance of the suspension of dialectical conflict and explained why dialectical thinking should return in intellectual life, the final two chapters explain how the West's historical capitalist system has temporarily captured the individualised subject of its ideology and how this subject is simultaneously stimulated and pacified in a specific way that fuels consumer culture and economic expansion. This explanation involves a reassessment of biology mediated by culture and ideology in a framework provided by the new philosophy of *transcendental materialism*. This is complex and explained in detail in the book, but the upshot is that human drives are not hard-wired mechanistic 'instincts' attuned to survival and triggered by various environmental phenomena. The latest neuroscience suggests that an array of sophisticated emotions form an interface between weak instincts and the cultural world of symbols. Only the terror of extreme abuse in early childhood is etched firmly in the neurological system. This explains the motivations behind a very small amount of extreme violent crime, but not the often more successful and rewarding crime committed by those who have not experienced such extreme terror.



Where some family regimes are extremely brutal, the majority are merely tough, and many combine tough discipline with care. This is preparation for life in capitalism's competitive individualist system. Capitalism seeks tough individual competitors willing to play by the rules. Here we can see a scalar and formal conception of harm and subjectivity: the ideal capitalist subject is willing to do harm to others in pursuit of self-interest, but the scale and form of action and harm varies considerably. We can neither romanticise nor pathologise this ideal subject, but see him or her on a scale of *dissociation*, a form of being that seeks to bypass social language and morality to *simply act* in ways driven by its proto-symbolic emotional condition. Referring back to the beginning of the book, this is a personalised *state of exception* where the individual grants itself *special liberty* to act in his own interests or gratify her own hatred and prejudice. The scale can range from extreme, compulsive and dysfunctional – such as the serial killer or rapist – to the mild, controllable and functional – such as the fraudster or economic criminal, depending on the intensity of the trauma and dissociation and the degree to which conformity to external rules is inculcated by socialisation.

This scalar rather than qualitative difference in fundamental motivation means that a 'normal' political and cultural analogue further down the scale from the extremely traumatised, dissociated individual can exist. Functionally ruthless individual 'undertakers' in crucial positions are willing to take the lead in disregarding others in order to 'get things done':

At specific points when the system demands the sort of excess of exploitation and destruction that it periodically requires, the conformist individual, whose occupational position in the system can range from the corporate apparatchik to the fraudulent or violent economic criminal, must momentarily show unflinching allegiance to

whatever practical manifestation of these logical demands presents itself as necessary.

When morally offended onlookers respond with the rhetorical question “is this really necessary?” the active conformist has already decided that it is (p. 200)

What separates the ruthless *criminal undertaker* (‘undertaker’ is used in the sense of an individual who ‘undertakes’ to get things done even though it could inflict harm on others) from the mainstream ruthless undertaker is little more than a willingness to conform to the system’s rules. The core drive, the obscene Real that has displaced internalised ethical values as motivations, is shared. Ruthless undertakers operate throughout the social structure, from ghettos to boardrooms and governments. Liberal capitalism has never been about ‘freeing’ or ‘controlling’ subjects, but energising key subjects with ruthless and asocial forms of ambition, rewarding them and fostering envy in others. Only the alternative fostering of genuinely civilized emotions can lead to a better world – many would already agree with that – but the conundrum is that these emotions would be dysfunctional in the competitive environment reproduced by aggressive and pseudo-pacified drives.

The core of the human neurological system is shot through with conflicting drives, therefore the human being has weak ‘instincts’. This means that the human being is malleable at the *material level*, hard-wired but only, paradoxically, for plasticity, which has been necessary for survival in multiple and changing environments. This inverts the orthodox liberal view – in actuality it is the *material body* that is malleable whilst symbolic systems induce rigidity and inflexibility because that is their primary social and practical function. Pre-symbolic life is terrifying for the helpless child, therefore de-naturalising ourselves to create subjects of language and seek a symbolic order also inhabited by others is entirely natural. This process is the formation of what we call subjectivity.

The problem, however, is what Adrian Johnston calls *deaptation*, where the symbolic system or ideology becomes actively counter-productive in a new environment. Ideologies tend to insulate themselves from major shifts in natural and socioeconomic environments. This insulation is maintained by the powerful conformist subjects who benefit most from the ideology's continuation. Over long periods of time dominant ideologies become seriously deaptive because they consist of layers of previous maladaptations caused by resistance to change. However, on its own, constant dissent is counter-productive. Anxious individuals cannot tolerate life without a comprehensible ideology shared by others, they crave a *unary order*. Identity actively solicited by the fearful individual and provided by entrance into the symbolic order is returned inwards and consolidated in the body's neurological circuits. To change itself, its emotional being and its dreams and desires, the individual subject must re-enter an alternative order of symbols, an ideology more suited to the current environment, which must have time to cultivate the intermediary realm of proto-symbolic emotions, to which drives can be recruited to form desires that are connected to external symbols. There is no 'autonomous' or 'determined' subject, only a subject that seeks a collective symbolic order in which he or she can become individuated; the choice between symbolic orders is the only choice available.

Modernity's political unary orders – socialism and social democracy – are disintegrating with no replacement in sight, whereas liberalism does not exist as a unary order, only a 'clearing house' for plural cultures in a market economy. Violent criminality and tribalism grow in spaces where once unary symbolic orders are in constant disarray. We can see this in today's violent paraspaces in failed states, and we can see it bubbling up in disrupted former agricultural communities or communist states, and in deindustrialised and economically

abandoned areas of the post-political era. We can also see it in the cut and thrust of global geopolitics and business competition. Only appeals to tolerance and constantly increasing levels of material wealth combined with tight securitisation and the rule of law together prevent further violence.

Neoliberalism, together with its classical liberal antecedents, is a historical exception. It does not try to create solidarity and security, whereas other systems were failed attempts to do so over long periods of time. To promote aggressive individualised competition it systematically cultivates the anxiety of the subject who permanently lacks a unary order. It is uniquely criminogenic, although not necessarily violent in its everyday life. The book finishes with a return to the concept of *pseudo-pacification* and further develops the explanation of how the capitalist system and its attendant consumer culture cultivated and sublimated anxiety to foster a culture of competitive individualism. This was not an attempt to adapt to a new environment, but to create, expand and reproduce a new environment driven forward by:

[An] economically functional dualistic form characterized by the dynamic tension between overstimulated libidinal energy and tenuously internalized sublimating and pacifying codes backed up by external systems of control (p.218)

The very basic psychosocial processes in the *pseudo-pacification process* are the stimulation, democratisation and capture of the obscene Real. This has a complex cultural history, which the book explores in detail, beginning in England, diffusing outwards through Europe and the USA and now displacing unique historical cultures elsewhere as neoliberalism goes global. The *pseudo-pacification process* is a psychosocial energy generator. Capitalism's original Promethean dream was not to construct an ideology and logic of practice appropriate to the

environment and principles of social justice, but to transcend environmental restrictions, disintegrate and atomise social orders, create unlimited wealth and democratise opportunities for self-aggrandizement: the ultimate and permanent ‘escape from evil’ in the individual’s imagination. Therefore the system was *fundamentally deaptive* from its beginning, fuelled by the seductive and exciting dream of constantly going beyond limits. It could be described as a form of *managed deaptation*. For those fully recruited, pacification became dependent on constantly increasing wealth and circulating the commodities and competitive opportunities for social status in which identity is forged. The system is criminogenic at its root, but, paradoxically, also pacifying in the sense that violent crime was largely displaced by more subtly harmful practices.

The systematic disintegration of family and community created the permanently anxious hyper-individualised subject, which was forced to cope with permanent insecurity as subsistence was also removed. Yet, the same subject was attracted to the seductive compensation of expansive opportunities for wealth and sociosymbolic status, which were of course unavailable to the majority in the rigid social hierarchies of the past. The pursuit of the abstract values of money and the democratised signifiers of social status replaced the traditional defence of land, family and bodily honour. The traditional community and ‘moral economy’ in their various cultural forms were replaced by a hastily assembled superstructure of fake benevolence and sentimentalism. The idea of ‘common fate’ was eventually rejected as individuals began to regard themselves and their own enrichment as life’s fundamental purpose. This new cultural goal permeated art and literature throughout Early Modernity in Britain and Europe, which became vehicles for the creative expression of private dreams and life-projects, tinted in the background with the acknowledgement of vital behavioural codes and a melancholic nostalgia for the ‘lost object’ of community.

The pseudo-pacification process's fundamental psychosocial drive is provided by the sublimation of the once ubiquitous physical aggression that ordered Feudal societies, and its subsequent conversion into sociosymbolic competition ordered by the signifiers of consumer culture. The decline of physical violence and the subsequent rise of property crime and fraud, fuelled by the ubiquitous pursuit of money and status symbols, effected a major historical shift in the dominant form of crime: from the 'somewhere' of land, community, family and body to the 'nowhere' of the abstract economy. The absence of organic trust in others became normalised, externalised and displaced by private contracts and currency. Therefore basic security is transferred from family/community and located exclusively in the capitalist economy, and the 'social contract' is displaced from the centre of society to the periphery, a mere boundary restricting excessive anti-social activity. Traditional sources of identity were replaced by identification with consumer signifiers, which normalised and diffused a taste for luxury and *aristophilia* that is now manifested by the population's fascination with wealth and celebrity culture.

The *pseudo-pacification process* was quite effective as a means of combining pacification with aggressive competition to promote prosperity. The problem is that it is fragile and criminogenic, a poor substitute for a genuine civilized culture. It is prone to breakdown in spaces where opportunities diminish and the rule of law is relatively lax, or in spaces in the top social echelons where the gratification of the obscene Real can be concealed from public scrutiny. Pacification is contingent and over-reliant on the constant gratification of new desires and the expansion of economic freedom and prosperity, which are in turn reliant on constant economic growth. There were brief periods of genuine solidarity in some proletarian communities during the industrial heyday, but they largely disintegrated in 1980s.

In the current conjuncture characterised by automated production, resource depletion, climate change, slow economic growth and consumer saturation, the ideology behind the *pseudo-pacification process* is becoming truly outdated and dysfunctional. We must suspect that the ability to keep crime and harm in check is over-reliant on the expansion of both the external control system and the virtual means of gratifying consumer desires. However, there are signs that some young people are seeking a new ideology beyond left-liberalism's diluted post-political form of constant aimless dissent, a truly adaptive symbolic order beyond the *pseudo-pacification process*. Others, the majority, less attuned to the hazardous nature of our current situation, suffer from *depressive hedonia* and remain restless, nihilistic and frustrated, seeking temporary respite as commodities are virtualised and become very cheap or free, and, in the most impoverished locales, become prone to drift into criminality. Perhaps the way forward is to relax the pressure, to stop stoking anxiety in the individual's psyche, which would result in less disappointment and frustration, less crime, a return to the principles of citizenship and democratic politics and a diminished need for control. It is difficult to tell. The book offers no concrete solutions, but simply requests that criminology join the important debate.

### **Author biography**

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[http://www.tees.ac.uk/sections/Research/social\\_futures/criminological.cfm](http://www.tees.ac.uk/sections/Research/social_futures/criminological.cfm)

In the 1970s he was a professional journeyman musician. In the 1980s he worked with young offenders in the field of rehabilitation. He is the author of numerous articles and the books *Violent Night* (with Simon Winlow: Berg); *Criminal Identities and Consumer Culture* (with Simon Winlow and Craig Ancrum: Willan/Routledge); *Theorizing Crime and Deviance* (Sage); *Rethinking Social Exclusion* (with Simon Winlow; Sage); *Riots and Political Protest* (with Simon Winlow, James Treadwell, Daniel Briggs and Georgios Papanicolaou: forthcoming, Routledge); and *Revitalizing Criminological Theory* (with Simon Winlow: forthcoming, Routledge). He is the editor of *New Directions in Criminological Theory* (with Simon Winlow: Routledge).