

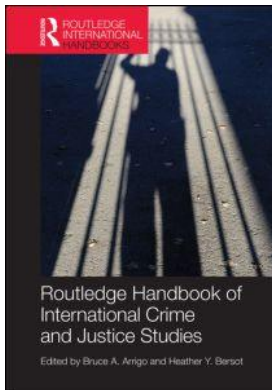
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The radical philosophy of criminology culturalized

Intellectual history and ultramodern developments

Bruce A. Arrigo and Heather Y. Bersot

Introduction

The place of cultural analysis and critique within the criminological canon is a source of some sustained, although generally under-developed and even misunderstood, theoretical and applied research.¹ This absence of scholarship and this confusion about the same are related, in substantial part, to the interpretive processes that underscore and inform the cultural investigation that one undertakes. The analysis questions and probes the often concealed and therefore unexamined forces that help to form the self, the social, and their mutuality. Stated differently, the cultural lens “unearths” and “dissects”: (1) the images of reality that are preferred; (2) the types of knowledge (i.e., the “texts”) that these favored mental constructions privilege; (3) the lived versions of truth and moral accountability that these circumscribed texts produce; and (4) the replications of each artifact, especially when disseminated through society’s informational (and increasingly carnivalesque) outlets (e.g., Carrabine 2008). Collectively, these forces or conditions establish an ordering of things (e.g., Foucault 1965; 1966; 1977). This ordering adversely impacts and, in some contexts, even harms far too many people in far too many instances throughout the world. Regrettably, for those held captive by this ordering, the harm that is both legitimized and reified is unreflectively taken to be emblematic of healthy, natural and inevitable human/social progress. Thus, critique must follow. To borrow a metaphor from archeology, the interpretive lens of cultural inquiry excavates and studies the artifacts of human expression (e.g. the images that inform how we engage in justice rendering, the texts that signify how we forgive offenders or restore victims, the ethics by which we make peace with crime and the techno-rational and seductive mechanisms/techniques that derivatively sustain each cultural expression given the artifact’s rapacious consumption).²

One way to mine the artifacts of human expression and the forces that order or organize them, is to rely on Beck’s (1992; 2009) socio-philosophical insights on cosmopolitanism and Delanty’s (2009) critical theoretical commentary on the cosmopolitan imagination.³ As a novel approach to cultural analysis, this proposed integration entails an assessment of human subjectivity

(and how the risk that subjectivity constitutes is managed), individual and collectivist consciousness (and how this consciousness is held captive), and freedom of choice and action (and how limits to or denials of both establishes harm that must be overcome). The attention drawn to these three phenomena, then, challenges the excavator as interpreter to retrieve and specify the forces (about the self, the social, and their mutuality) that organize and order the artifacts of human expression. Once again, these internal forces and emergent conditions are symbolic (images), linguistic (texts), and material (“bodies” of knowledge regarding ethical comportment) in essential composition.

When undertaking such a cultural inquiry within criminology proper, one must excavate (get underneath) the social sciences. The dissections that ensue identify and assess how dominantly constructed (although certainly contestable) realities concerning knowledge, truth, progress, power, and the like contribute to circumscribed and historically contingent manifestations about the human/social mutuality (Thomas 1993; Arrigo *et al.* 2005). From the perspective of cultural theory, this mutuality is not static; it evolves. Its evolution (e.g., shifting self/society typifications for and reifications about homosexuality, gambling, prostitution, and drug use throughout the world) is sensitive to the fluctuating interactive intensities of the prevailing symbolic, linguistic, and material conditions (of order and control) that help shape it. As cultural theorists and critical criminologists have cautioned, however, these conditions problematically tend toward closure (Bogard 1996), to finalizing being (Bakhtin 1982), and to reifying⁴ an ethic of the shadow (Arrigo and Milovanovic 2009). This ethic celebrates less than who we could be; how we could live; and what we could do for ourselves, for others, for our communities, and for the global society. What is desperately reified is risk (excessive investments in normalizing, territorializing, and homogenizing difference), captivity (for the kept as well as their keepers, managers and watchers), and harm (denials of one’s possible being; limits on one’s potential becoming) (Arrigo and Williams 2009). Efforts that nurture, manufacture, or legitimize this reification, this *criminology of the shadow* (Arrigo 2008, 2012),⁵ fuel a kind of systemic pathology (Fromm 1994) or cultural madness that feeds fear and governs (domesticates) through it (Simon 2009). This fear, often sourced in intensities that support hyper-vigilance, panopticism, and governmentality (i.e., Foucault’s self/market technologies of bio-power) (see Rose 1996; 1999), erodes prospects for dynamic citizenship and transformative social justice for one and about all (Arrigo *et al.* 2011). Cultural analysis and critique, then, form the intellectual prism through which the complexities of this criminological “madness” can be more completely specified in historically contingent although manifest form.

Accordingly, in this chapter, three pivotal concerns will be addressed. The next section will examine the major and radical philosophical transitions since the modernist era (the Industrial Revolution) that have culturalized criminology. This examination will include key observations on how each current addresses the reification problem (i.e., risk, captivity, and harm) as outlined above. Then the chapter will discuss the present state of criminology culturalized. Emphasis will be given to how this epoch’s dominant images, texts, and bodies of knowledge (i.e., as conditions/forces of control) portend a contemporary crisis⁶ regarding the status of the human agency – social structure mutuality. Following this, we will suggestively outline several cultural-philosophical directions for overcoming the contemporary self/society crisis of reified madness. These directions function as departures in theory, method, and praxis. These departures review in brief how extant forms of consumerism, politics, technology, and their cosmopolitanisms sustain this crisis, but also can be more affirmatively and humanistically de/reconstructed for and by a global society held captive by its reified fear (Arrigo and Milovanovic 2009).

Criminology culturalized: major currents and reification

The origins of criminology culturalized can be traced to three intellectual developments that have emerged since the Industrial Revolution. These paradigmatic currents include: the radical Marxist critique, the techno-rationality of the Situationists, and the sign-system theory of the hyper-realists.⁷ These major intellectual shifts manifestly draw attention to the reification process and the challenges it portends for the self/society mutuality.

Radical Marxism: on risk, captivity, and harm

The radical nature of the Marxist (1964; 1974) critique is derived from Marx's economic theory and his views concerning human nature. In contrast to Hegel's philosophy of history (1975), phenomenology of spirit (1979), and reaction–negation dialectic (1989), Marx resisted such idealism and supplanted it with historical materialism, a phenomenology of class consciousness, and labor power dynamics. For Marx (1984), one's consciousness (mental constructs) of the phenomenal world did not determine the conditions of reality; rather, the physical world determined people's consciousnesses, independent of their mental constructions for the same. As Marx (1974: 29) observed, Hegel's philosophical "ideal [was] nothing [more] than the material world reflected by the human mind, and translated into forms of thought." This Marxian conception of lived history and human consciousness reframed the human/social binary not as a search for an absolute spirit but as a collectivist struggle to overcome the real conflicts waged by powerful (i.e., alienating and exploitive) social (class) relationships (Lynch and Michalowski 2006).

Central to Marx's historical materialism was his assessment of "labor power and the abstraction of the worker" in a capitalist political economy (Arrigo 2006: 45). This abstraction reduced the intrinsic use-value of the laborer's productive capacities – as a tangible expression of one's generative potential – into an artificial exchange-value, defined by a fixed, false, and obfuscating monetary equivalent. In the capitalist mode of production, the triumph of objects, mass production, and the fetishism of the commodity displace their human producers, their very creators. This is the point at which "the worker sinks to the level of a commodity and becomes indeed the most wretched of commodities" (Marx 1978: 70). This wretchedness is the transformation of the laborer's humanness into an object of commerce, bought and sold in the marketplace and subjected to the regulatory conditions of marginalizing commodification.

However, what is managed by way of these pecuniary transactions is a deceptive risk. This fraud affirms the degradation of *having over being*, of acquiring rather than creating. Throughout the process of inverse risk management,

[P]eople and their labor, as well as society and its progress, are [defined by] the elusive value assigned to commodities [converted] in the marketplace, reducing the qualitative concrete uniqueness of [individual] labor to the quantitative abstract logic of economic equivalence.

(Arrigo 2006: 45)

For Marx (1974; 1984) and subsequent criminological commentators (e.g., Chambliss and Seidman 1971; Quinney 1974), what made these economic conditions so disturbing was the breadth of captivity spawned by such consumption. This domestication extended from the kept (workers) to their keepers (factory owners), from their managers (institutional decision-brokers) to their watchers (state government bureaucrats) (e.g., Rusche and Kirchheimer 1968; Pashukanis 2002).

Other commentators also noted that this quality of captivity “interpellated” them (Althusser 1971). In other words, one was said to be restricted by and capable of expressing valued human/social meaning only through artificial equivalencies and the commodity’s fetishism (i.e., imaging, speaking, and living the human/social mutuality principally through monetary values/exchanges). For neo-Marxists (the Frankfurt School critics), this was existential – phenomenological (human/social) harm summoned and sustained through the capitalist mode of production (Marcuse 1991). This harmful consumerism and commerce – as systemic pathology, social dis-ease, and negative freedom (Fromm 1994) – vanquished dissent and difference. Indeed, this quality of freedom nurtured the industry of crime (e.g., the prison industrial complex; the trade in diversion courts; the business of surveillance policing). The normative footing of this industry was defined as healthy, natural and inevitable threat-avoidance progress. However, such economic growth also normalized violence through its feeding of collectivist (even nationalist) fear (Simon 2009). This is why some post-Marxists have suggested that legitimizing this reification is totalizing madness (Arrigo *et al.* 2011).

The Situationists: on risk, captivity, and harm

The image-conscious perspective of the Situationists (e.g., Lukács 1971; Debord 1983) reconstituted Marx’s notion of commodity consumption by way of competitive capitalism, material production, and the logic of equivalence. As a paradigmatic shift, their critique explained how the effects of advanced state-regulated capitalism nurtured a new version of class consciousness and conspicuous consumerism (Best 1989; Pfohl 1993). In particular, this included the consumption of a mass-media manufactured reality whose commodities were (and are) disseminated through the information age of techno-rationality (e.g., digital and cyber-worlds) and omnipresent commercialism.

For the Situationists, late (monopoly) capitalism ushered in an alternative type of Marxian abstraction: one that yielded novel forms of exploitation, oppression, and alienation. This abstraction was sourced in the spectacle. “The spectacle refers to a society in which people consume phenomena created by others rather than generating their own commodities or products” (Arrigo 2006: 47; for penological applications, see Brown 2010). The proliferation of these consumable products – continuously marketed and exchanged amid a culture of multi-media outlets (e.g., television, radio, and film) – occurred, absent anyone’s direct contact with or experience of them. In other words, for the Situationists, the commodity that Marx described was replaced with the *image* of the commodity or object itself. When smartly crafted and highly stylized representations of reality are produced, disseminated, and digested, the spectacle *culturalizes* use-value. This is “the moment when the commodity attains the total consumption of social life” (Debord 1983: 42). Thus, unlike the Marxist critique in which “the commodity’s fetishism resulted in the exploitation of the worker,” the Situationists proposed that the spectacle’s consumerized fetishism “produced new and heightened avenues through which hegemony and alienation” could emerge and would endure (Arrigo 2006: 47).

What is abstracted by way of the spectacle is not the worker or the product of one’s labor. Instead, the deceptive risk that is managed and reified is the media-generated and culturalized imitations for both. This (false and fictionalized) class consciousness transforms reality itself into an abstraction (Pfohl 1993). Indeed, what these consumable replications of human/social struggle affirm is the poverty of *appearing over having*, of imitating life (and its meanings) virtually rather than living it (including its desperations and fears) viscerally (Debord 1983). Perhaps what is most troubling about this inverse risk management is the quality of captivity that it supports. Rather than confront directly the “terror” that follows in the wake of one’s anxious

(hyper-vigilant) and ravenous (panoptic) need to competitively accumulate (Fromm 1994), we are seduced sensorially and distracted incessantly by the ubiquitous image-object. As criminologists have noted, its allure not only enralls those who gaze upon it (the kept) but imprisons those who profit from it (their keepers, managers, and watchers) (Carrabine 2008; Arrigo and Milovanovic 2009; Brown 2010). For example, this society of captives advances, among other things, offender re-entry (Halsey 2007), restorative justice (Polizzi 2008), and therapeutic jurisprudence (Roderick and Krumholz 2006) initiatives. But, as each of these cultural criminological critics has questioned, on whose terms and under what conditions are these correctives even promulgated (see also, Acorn 2005; Pavlich 2005)? Not surprisingly, these are terms and conditions restricted by excessive investments in the commercialized (i.e., marketed) image-crafting that these very programs and treatments stylize (e.g., Ferrell *et al.* 2009; Hayward and Presdee, 2010). This is the fetishism of the criminological commodity as cultural product to be circulated, consumed, and reproduced. However, under conditions of the spectacle, difference is vanquished, identity is normalized, knowledge is territorialized, and community is homogenized consistent with the spectacle's mass-marketing of its culturalized criminological artifacts.⁸ This terrain is the vast landscape of illusion's harm.⁹ When replicas and façades displace matter and materiality, then liquid identities and simulated realities are made normative (Bauman 2000). However, consuming such commercialized and stylized images – presumably indicative of virtuous human/social progress – normalizes violence. This is violence that domesticates through imitative and therefore incomplete realities that are taken to be more factual and true (i.e., reified) than the authenticity from which they are derived. As some criminologists have therefore suggested, this reification is madness; its ethic establishes a kind of captivity that is itself totalizing in its ritualized and stylized reproductions (Arrigo *et al.* 2011).

The hyper-realists: on risk, captivity, and harm

For the Situationists, the society of the spectacle (image-objects) replaced the society of the commodity (objects themselves). Risk, captivity, and harm (i.e., reification) were rooted in the “intangible world of unreal images over the tangible world of real forces and relations of production” (Best 1989: 32). However, for the hyper-realists (e.g., Baudrillard 1983a; 1983b), this condition begged a question: “Does an inversion of opposites (e.g., counterfactual over factual, counterfeit over authentic)” account for the contemporary human/social mutuality? In other words, is “illusion more real than [the] reality” from which it is derived (Arrigo 2006: 48)? In response to this question, the radical social theory espoused by prominent hyper-realists elevated the commodification of illusion to a novel and disturbing (alienating) level of abstraction.

For example, Baudrillard (1968; 1972) noted that when the commodification of one's labor in a product-oriented society (i.e., having) was replaced with (abstracted as) the commodification of the spectacle in a techno-rational consumer-driven society (i.e., appearing), then significance (i.e., value) could only be expressed through *sign-exchange-value*. This “replacement effect” is a reference to the semiotic meanings (spoke or written) assigned to culturalized commodities by all those who consume them as image-objects.¹⁰ These meanings are largely symbolic in content. The exchange of symbolic meanings occurs because “the commodity form [image-object] is eclipsed by the sign-form [spoken/written word] and subsequently bears no relationship to any reality whatsoever” (Baudrillard 1983b: 11). In this culture of semiotic consumption, the binary relationship between use-value and exchange-value disappears. This is a culture in which commodity forms “circulate in the marketplace of signs, anchored, although temporarily, in the dominant sign meanings assigned to them in a particular political economy” (Arrigo 2006: 48).¹¹ This is a new and provocative level of abstraction beyond what Marx or even the

Situationists contemplated. In short, “the exchange of material products under the law of general equivalence [is replaced] with the operationalization of all exchanges under the law of the [sign system or] code” (Best 1989: 35).

Sign-exchange-value does not elevate the commodity or its image to some status of ontological primacy. For the hyper-realists, the reality/appearance dichotomy has no currency (Baudrillard 1983a; 1983b). This is because in a digitized information age of conspicuous and imitative consumerism, neither substance nor its manifold forms signify anything other than mutating words. Stated differently, in a hyper-real culture that digitally simulates and replicates its derivatives *ad infinitum*, “there is no longer a real to be recovered behind the illusion [and, thus,] there is no illusion either” (Best 1989: 37).

When sign-exchange-value continuously absorbs and outpaces the image-object, then the risk that is managed by way of semiotic consumerism establishes yet another inversion. Reality and its cyber-constructed appearances are no longer “polar opposites; rather, they are pseudo states of being, *hyper-real* states of existence that collapse and collide only to emerge and disappear amid a mass-mediated culture of evolving sign meaning” (Arrigo 2006: 51). Baudrillard (1983b: 21–23) described these meanings as “miniaturized models of reality, imitation units of authenticity.”

Thus, what is abstracted through the consumable and mutating sign-exchange-values assigned to the human/social mutuality is the ruin of *simulacra over appearing*. Affirming this inverse risk management endlessly morphs significance (i.e., meaning) about the self, the social and their mutuality, absent any semiotic stabilization. The political economy of this risk transforms the self/society duality, as struggle, into illusory and derivative commodities for and about the same. Currently, this transformation sustains excessive investments in mechanisms of escape (Fromm 1994) that reduce/repress difference to sameness (Henry and Milovanovic 1996; Arrigo *et al.* 2005). This escape includes sadomasochistic dependence on authority, relentlessly acquisitive destructiveness, and unreflectively generated automaton conformity. These mechanisms – derivatively and continuously manufactured, repetitively and rapaciously digested – are the commutating messages (simulacra) of ultramodern captivity. This is captivity in the form of surveillance simulated in a hyper-controlled telematic society (Bogard 1996).¹² Harm, then, is a culturalized and consumerized sign-commodity. It is virtual and imitative in its character and normalized and addictive in its consumption. Ostensibly, these conditions are indicative of virtuous human/social progress. However, as criminologists and cultural critics have warned, this consumption, hyper-vigilantly reproduced and panoptically and synoptically¹³ disseminated, signifies nothing real other than the fictionalized fear that it feeds for a simulated society of commodified captives (Dyer-Witheford 1999; Delanda 2005). Sustaining this culturalized semiotic reification is madness (Arrigo *et al.* 2011).

Criminology culturalized and the ultramodern condition

The madness of semiotic reification (regarding risk, captivity, and harm) as developed by the hyper-realists, is traceable to a larger ultramodern¹⁴ international crisis concerning the human agency–social structure project and its presently disturbing conditions of control. These conditions include symbolic (aesthetic), linguistic (epistemological), material (ethical), and cultural (ontological) forces and intensities that co-produce and interdependently sustain a criminology of the shadow (Arrigo 2008; 2012; Arrigo and Williams 2009). This shadow or circumscription is harm that reductively sets limits to being and repressively imposes barriers to becoming for the kept (those confined) and their keepers (those who confine), for their managers (those who administrate confinement) and their watchers (those who observe confinement)

throughout the world. The constituents of these conditions of control and their relationship to the human/social mutuality as a cultural struggle of madness are briefly enumerated.

The symbolic: on the ultramodern shadow and the human/social mutuality

The symbolic is the realm of sign-exchange-value. This semiotic production constitutes manufactured meaning whose abundance originates in the unconscious. Thus, located within the psychic apparatus is a kind of structured language that communicates ubiquitous signification (Lacan 1977; 1981). Retrieving signification is about mobilizing and activating the union of image, speech, and subjectivity. These images, as symbolic constructions, represent prevailing expressions (i.e., “master” discourses) for and about the human/social mutuality. Subjectivity, or the divided self, consists of the production and circulation of speech that incompletely names or hails this subjectivity, this humanness (i.e., the “hysteric’s” discourse). The excavation process reveals a hidden struggle whose aesthetic intensity (about human agency) and force (concerning structural meaning) dangerously (i.e., panoptically and synoptically) linger as desperation and fear respectively; in short, as the shadow for and about one and all. The unconscious struggle that is waged relates to the continued consumption of restricted images as sign-exchange-value, and how this limited consumerism inadequately symbolizes the existential (human agency, subjectivity) – phenomenological (structural meaning, society) experience and its potential transformations.¹⁵

What is left out (the “lack” or the “not-all”) in this partial and fragmented semiotic retrieval process is replacement meaning that is dormant in the unconscious, plentiful, and awaiting symbolization. When mined and recovered, this desiring reservoir of symbolization suggests novel prospects for consumerism. These are prospects that more completely signify about otherwise concealed (unspoken, unimagined, and un-lived) directions for overcoming the struggle, the reified madness, of the human/social mutuality. What is manufactured and disseminated by way of dominant sign-exchange-value, however, is semiotic captivity.¹⁶ As an aesthetic, its intensities and forces extend from the kept to their keepers, from their managers to their watchers. Overcoming this aesthetical madness is a symbolic journey for a people yet to come (Deleuze and Guattari 1984; 1987).

The linguistic: on the ultramodern shadow and the human/social mutuality

The symbolic as consumerized sign-exchange-value represents a continuously consumable text. However, the excavation of circumscribed images put into speech (the unconscious narrative) communicates less than (produces less about) who we are or could become. This semiotic production is a mass-marketed fiction. The story that it advertises is political. As narrative, it enters the marketplace of sign-exchange-value and recounts the struggle of the human/social mutuality in its own governing voice. This voice tells of desperation and fear through the epistemology of logocentrism and the metaphysics of presence (Derrida 1973; 1977; 1978). Logocentrism posits that what is most foundational, true, good, and virtuous is that which is most instantly recognizable by and immediately accessible to consciousness. The value assigned to “recognition and accessibility is traceable to the conviction that stable, clear and absolute meaning resides in texts” (Arrigo 2010: 366). The problem with this logic is that while the written and circulated story offers narrative content that coheres and discloses, its tendencies are to foreclose and finalize (Bakhtin 1982), to reduce being and repress becoming (Arrigo *et al.* 2011), and to

reify the criminological shadow (Arrigo and Milovanovic 2009). The metaphysics of presence reasons that such risk management (the story's decision), captivity (limits on and denials of individual and collectivist consciousness), and harm (reproducing stories of desperation and fear that signify a totalizing madness) are an endlessly rewritten fiction. It is the marketplace narrative that governs and domesticates by defining the human/social struggle through hierarchical oppositions. This opposition-setting entails a metaphysical *presencing* (or privileging) of certain sign-exchange-values over their deferred (concealed or absent) binary others.¹⁷

Privileging one term in a hierarchical opposition over its binary opposite denies the existence of the contested terrain within which meaning dwells. Thus, the fiction and politics of the story concerning the human/social mutuality's interactive (i.e., dialectical) struggle are repeatedly written and told in ways that displace and undo the interconnectedness of its terms in binary opposition. However, the meaning of "risk management" is made more complete when its decided text of sameness (i.e., excessive investments in denying being and limiting becoming) is postponed by its undecided text of difference (i.e., generative investments in dynamically celebrating the recovering subject and the transforming subject). The meaning of "captivity" is made more complete when its decided text of confinement (for one and about all) defers to its undecided text of freedom (for one and about all). The meaning of "harm" is made more complete when its decided text of fear and desperation depends on its undecided text of well-being and hope. Each binary and the inter-reliance of their respective terms are a re-reading of signification that awaits greater inscription. This is the story to be told about the undisclosed meaning-making potential and promise of the human/social mutuality.¹⁸

The material: on the ultramodern shadow and the human/social mutuality

When the unconsciously written narrative is reproduced over and over again, it becomes a lived text or an embodied history. It becomes a body of knowledge, composed of disciplinary systems of thought (e.g., in psychiatry, law, penology, and education). These bodies of knowledge discipline the self, the social, and their interrelatedness. These systems of thought advance technologies (of self/market control) understood to be material expressions of power that normalize, de-pathologize, and correct (Foucault 1965; 1977). The domestication that ensues establishes an ordering of things (Foucault 1966) that renders subjects (one's own humanity and the systems of thought that discipline) ethical bodies, bodies of utility, and the product of state-based human engineering (Arrigo *et al.* 2005). This normative complacency in thought and action is captivity's shadow, its violence. Injury extends from the kept to their keepers, from their managers to their watchers. Indeed,

the narrative of power as knowledge that is materially produced by . . . disciplinary systems promulgates regimes of truth and regimens of human-social existence. These truths [and regimens] inscribe and render docile . . . dissenting self and social bodies: they vanquish difference, territorialize knowledge, homogenize identity, and sanitize community.

(Arrigo 2010: 366)¹⁹

The cultural: on the ultramodern shadow and the human/social mutuality

In the digitized age of image-objects manufactured and circulated as mutating simulacra, materiality (bodies of knowledge and disciplined bodies) is transformed into a hyper-reality. As hyper-reality, neither materiality's physical features nor their non-tangible appearances assume

ontological primacy. This is because there is no embodiment behind the illusion and, as such, there is no fixed imitation either. The pseudo-ontologies that emerge from hyper-reality dramatically and provocatively re-conceive the dialectical struggle of the human/social mutuality. The existential – phenomenological condition is culturalized as semiotic reproduction and representation. This is the realm of consumerized sign-exchange-value in which the meaning of a commodity's worth pivots. For example, in Western society, we do not consume products (i.e., purchase a home, lease a car, buy shoes, etc.) for the physical comfort that tangible commodities yield. We do not consume image-products (advertisements about purchasing a home, leasing a car, buying shoes, etc.) for the techno-rational spectacles and derivative satisfactions that intangible commodities yield. We consume semiotic products (signs for and sign systems about purchasing a home, leasing a car, buying shoes, etc.) for the simulations and simulacra that these (and all other) commodities yield. These are meanings that “mutate and morph endlessly in order to support the conspicuous consumption of technologized culture for its own sake” (Arrigo 2010: 367). The liquid identities and virtual realities that follow as sign-exchange-value are inexhaustible in their ubiquity. This is ultra-modernity's cosmopolitanism.²⁰

Culturalized hyper-reality feeds fear and nurtures desperation as the semiotically consumerized criminological shadow. This digitized condition of reified madness is reproduced through simulated mechanisms of escape (i.e., the captivity found at the nexus of image, language, and subjectivity). This nexus artificially and imitatively signifies within the ritualized pseudo-ontology of the hyper-real. Sadosomachistic dependence on authority (i.e., reductive/repressive images, texts; bodies of knowledge), relentlessly acquisitive destructiveness (i.e., semiotic captivity; mass-marketed fictions), and unreflectively generated automaton conformity (i.e., docility in thought and action) are replicated, *argumentum ad nauseam*. This is the realm in which the human/social mutuality is experienced incessantly by one and for all as virtual and derivative non-reality. As negative freedom, this reality is simultaneously the source and product of its own reified madness. Indeed, this is how the shadow, as liquidity, is nurtured, sustained, manufactured, and distributed symbolically, linguistically, and materially.²¹

Given the shadow's disturbing and collective flows, ultra-modernists have called for an “overcoming,” a will-to-power (Nietzsche 1968) that dynamically transforms being and becoming (Arrigo and Milovanovic 2009). This overcoming entails a de/reconstruction of the dialectical struggle that is the human/social mutuality legitimized by way of its extant conditions of control. Undertaking this challenge, as a cultural criminological revolution, begins as a departure in theory, method, and praxis (Arrigo *et al.* 2011).

Affirmative ultramodern criminology and the awaiting cultural revolution

Figure 3.1 visually depicts the intensities and forces of an ultramodern criminology. Its conditions of control currently populate, interdependently co-shape, and recursively sustain the dialectical struggle waged by the human/social mutuality. Figure 3.1's existential-phenomenological flows (arrows) indicate movement to and from each sphere (the symbolic, linguistic, material, and cultural), as well as to and from the human/social mutuality. These collective flows demonstrate the porous composition of the ultramodern condition and the constituent interconnectivity of its general operation. The criminological shadow consists of semiotic captivity, mass-marketed fictions, docility in thought and action, and liquid/negative freedom. Overcoming the shadow's flows of reified madness is an invitation to transform risk, captivity, and harm. This is an invitation to follow a “strange,” although affirmative, path (Arrigo and Milovanovic 2009); one that dis/reassembles the journey of theory, method, and praxis. It is a cultural revolution in the making.

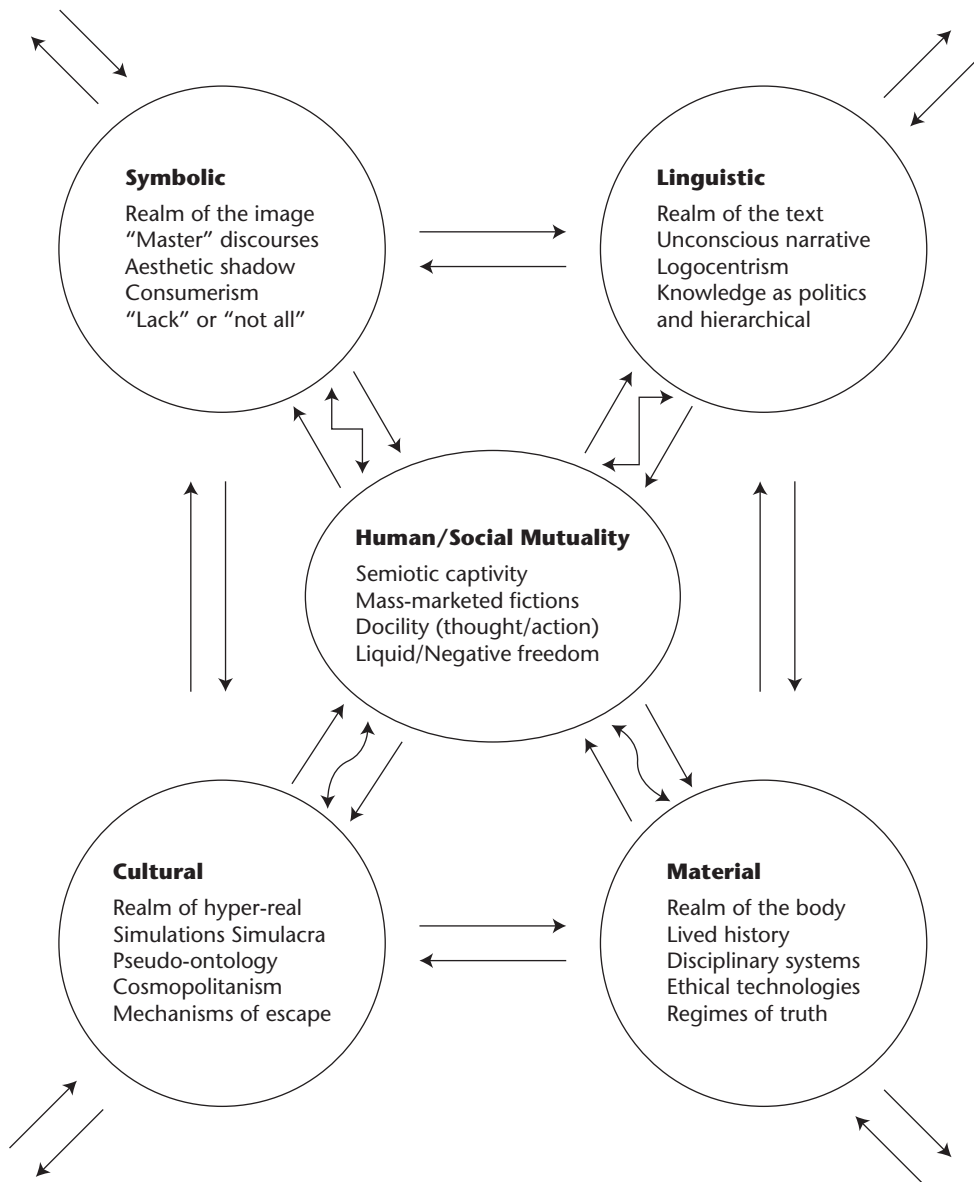


Figure 3.1 Ultramodern criminology, the conditions of control, and the shadow

Ultramodern criminology and the revolution in theory, method, and praxis

Presently, the consumerism, politics, technology, and cosmopolitanism of the ultramodern condition generate artifacts for and about the human/social mutuality that problematically reduce and repress prospects for transformative citizenship and dynamic social justice through the maintenance of co-productive and interdependent harm-generating intensities. However, when a space or habitus (i.e., horizon of perception thought, and action) (Bourdieu 1977) is more

fully and routinely inhabited that seeks dynamic transformation through the dialectical struggle and quest that revolutionary change signifies, then an emergent excellence and an unfulfilled promise that pulsate for a people yet to come can be made more attainable.²² Activating this revolutionary pulse, then, commences as an exit (a way through and out of the madness).

As a departure in theory, the journey embraces a cosmopolitan imagination (Delanty 2009). This imaging entails the mining, retrieval, reproduction, and circulation of significations (i.e., meanings) that do not tend toward closure, to finalizing being, or to reifying the criminological shadow. The cosmopolitan imagination is the realm that re-conceives (re-symbolizes) the nexus of image, language, and subjectivity. Excavating this reservoir of desire necessitates a critical mindfulness, a critical reflexivity. The genealogical mining that ensues uproots the unconscious, its topography, and the Oedipal and capital logics that the psychic apparatus both privileges and sustains. At the level of the symbolic, this (criminological) terrain currently is populated with images, languages, and subjectivities that govern authoritatively through master discourses. The desire of these visions and voices consumes as the law of the father (Lacan 1977; 1981) virtualized and serialized recursively (Dyer-Witheford 1999). This jurisprudence awaits its de-centering and de-stabilization through provisional, positional, and relational intensities and forces (flows).²³ Harnessing this libidinal (desiring) energy requires that will be mobilized in the service of power (Nietzsche 1968). Excavating this desire both creatively and productively is how an overcoming (i.e., transpraxis) is seeded.²⁴

As a venture in method, this overcoming affirms and seeks out “difference” both actively and mutatively. Difference is the vast uncharted promise of consciousness; it is “the lack” whose absence insists. Indeed, difference is the value deferred in an oppositional binary (i.e., sameness/difference). However, the binary’s *mutual* interdependencies long for symbolization. This symbolization and its unexcavated possibilities (in being) and potentialities (in becoming) are a protean antidote to the diagnosis of reified madness and the criminological shadow. The consumption of these envisioned and spoken images, as sign-exchange-value, semiotically produces a subjectivity that is more fully affirming of one’s evolving, unpracticed, and unfamiliar (“strange”) humanness. This consumption is rendered more realizable because these newly harvested meanings are already lodged within the co-habited self/society mutuality awaiting release. Indeed, this union’s more liberating interdependencies, while mostly concealed, are nonetheless bountiful. As an unconscious narrative, then, the story that this cohabitation tells (produces) is one that cultivates significations that affirm greater possibilities in being (overcoming reduction) and greater potentialities in becoming (overcoming repression).²⁵

As an undertaking in praxis, this semiotic production becomes lived history. This history inscribes bodies (and bodies of knowledge) through habits of excellence. These lived habits when experienced dynamically are transformative in their embodiments and technologies. This metamorphosis extends from the kept to their keepers, managers and watchers. The materiality of this practiced excellence at the citizenship/social justice divide is a governing topography whose evolving jurisprudence awaits further and ever-changing assemblages.²⁶ For example, here the phenomena of risk, captivity, and harm all merit critical reincarnations but in ways that corporealize much more justly, courageously, generously, compassionately, wisely, etc., than presently found within the culturalizing of criminology. Among other things, the mutual interconnections that could more generatively and dynamically inform the composites for offenders and victims; violence and crime; healing and restoration; health and safety; and self, society, and community all await heterodox inscriptions.²⁷

The hyper-real reproduction, circulation, and replication of such mutating theory (as the consumerism of critical mindfulness), method (as the politics of difference), and praxis (as the technologies of excellence) suggest a recovering human/social mutuality and a transforming

citizenship/social justice binary of unimagined, untold, and uninhabited proportions.²⁸ This is the archeological journey for a people yet to come. This is the strange and unexplored path for a criminology that is ultramodern in its assessment of risk, captivity, and harm; and affirmative in its treatment of the shadow, its conditions of control, the struggle to overcome them and the fear on which they are based. This is a cultural revolution global in its expanse, a critical cosmopolitanism, awaiting more thorough genealogical excavation. Retrieving its artifacts initiates release; a way out of the contemporary crisis that is madness reified semiotically, ubiquitously, and destructively.

Conclusion

This chapter has problematized the culturalizing of criminology both historically and socio-philosophically. Guided by the method of critical cosmopolitanism and commencing with the Industrial Revolution, three such historical currents or transformational worldviews were discernible. These currents consisted of the radical Marxist critique, the techno-rationality of the Situationists, and the sign-system theory of the hyper-realists. Of particular criminological import were the troubling manifestations of reification (i.e., the co-constitutive forces that manufacture risk, captivity, and harm internationally) identified by each historical transition. The inversion of being (use-value) culturally abstracted as having (exchange-value), then appearing (imitation-value), and presently as coding (simulacra-value), yields a number of unexamined artifacts about the human/social mutuality and its historically-contingent conditions of control. These artifacts (social realities) include human subjectivity and the management-modalities of difference, individual and collectivist consciousness and the sadomasochistic forms of imprisonment that captivate one and all throughout the world, and freedom of choice and in action and the limit-setting and denial-imposing intensities that restrict/repress being and becoming.²⁹

In the ultramodern age, the conditions of control that culturalize criminology reify semiotic captivity, mass-marketed fictions, docility in thought and action, liquid identities, and negative freedom. Sustaining these interdependent and co-productive flows nurtures the criminological shadow (i.e., the reification of madness). This madness consumes subjectivity as the sign-exchange-value of lack; writes the texts of difference as the politics of sameness and the metaphysics of presence; disciplines subjectivities through disciplinary bodies of knowledge that domesticate as self/market technologies of bio-power; and culturalizes reality through mechanisms of escape that virtualize existence, simulate choice and serialize action as unremitting hyper-real façades. Several suggestions for overcoming ultra-modernity's risk-captivity-harm cultural crisis of reified madness were tentatively enumerated. These provisional recommendations delineated protean departures in theory, method, and praxis. Exploring these exits further and unleashing the latent promise that these departures signify, represent a (cultural) criminological revolution in the cosmopolitan making.

Discussion questions

- 1 The authors identify four forces that help to form the self, the social, and their mutuality. Are there other unexamined forces that you believe shape the self, the social, and their mutuality?
- 2 What images, texts, and bodies of knowledge for and about "offenders" and "victims" are replicated through informational outlets (e.g., television and the Internet) in your country? How do these images, texts, and bodies of knowledge diminish prospects for healing, restoration, and justice?

- 3 Beyond the tentative strategies enumerated in the chapter, are there other approaches that may be employed to overcome the contemporary self/society crisis of reified madness?

Websites

Critical criminology information and resources: <http://www.critcrim.org>.

Cultural studies and critical theory: <http://theory.eserver.org>.

Cultural criminology: <http://blogs.kent.ac.uk/culturalcriminology>

Notes

- 1 At the outset, it is important to note that the intellectual history on which this article is based extends before and beyond the critically animated cultural criminological insights developed by such notables as Ferrell (2005), Young (2000), Presdee, (2001), Hayward and Presdee (2010), Hamm (2007), and Brown (2010). As astute provocateurs, their philosophical insights underscore and inform several important aspects of the contemporary image-manufactured crisis regarding the management of human risk (i.e., difference). However, this chapter focuses on the radical philosophical *transitions* that society has witnessed since the Industrial Revolution as exhibited in the dominant forms of each transition's cultural artifacts. These artifacts include, among others, the favored images of crime; the preferred texts of delinquency; the prevailing embodiments of justice identified by each current. The interdependent and co-productive flows, intensities, and frequencies that are recursively sustained by these images, texts, and embodiments *culturalize* criminology historically. This is not the same as cultural criminology whose aim is to draw attention to the "creeping criminalization of everyday life" (Presdee 2001: 159). This is governmentality that authenticates and domesticates crimes of style (Ferrell 1996); structurally locates and contextualizes the sociology of vindictiveness and the criminology of transgression that fuels this criminalization (Young 2007); posits and problematizes a criminological imagination that awaits its own transformative unleashing (Young 2011), and invites and incites reform in which the meanings of these awaiting transformations when practiced and lived become embodied excellence (Ferrell *et al.* 2009).
- 2 Cultural and linguistic anthropologists have been particularly persuasive on this matter, noting that underlying social structures or patterned formations are discernible through such artifacts (e.g., Lévi-Strauss 1983, see also, Durkheim 1933, for some criminological applications). The ensuing chapter, however, "does" cultural inquiry as an instance of critical ethnography (Thomas 1993) informed by canonical insights developed within the critical theory and continental traditions.
- 3 Indeed, as a grounded sociological method, Delanty (2006: 25) describes critical cosmopolitanism as serving one principal function: "to discern or make sense of social transformation by identifying new or emergent social realities." These realities are evident

when and wherever new relations between self, other and world develop in moments of openness . . . [The critical cosmopolitan imagination] shifts the emphasis to internal developmental processes within the social world rather than seeing globalization as the primary mechanism [of change].

(ibid.: 27)

In this way, then, the critical cosmopolitan imagination as cultural medium "refers to the multiplicity of ways in which the social world is constructed in different modernities" (ibid.; Delanty 2009). In order to specify the transformational worlds (the radical philosophies) and social realities (the emergent reifications) that have culturalized criminology since the industrial revolution, this chapter appropriates the critical socio-ethnographic method of the cosmopolitan imagination.

- 4 Reification occurs when humans assign objective-like qualities to their own constructions or belief-systems (i.e., ideologies) and then treat these constructions as if they were "facts of nature, [the] result of cosmic laws, or manifestations of divine will" (Berger and Luckmann 1966: 33). The concept of reification extends from Marx's (1974) critique of capital logic and the fetishizing of the commodity form, to Althusser's (1971) commentary on the ideological state apparatus and the interpellated subject, to Lukács' (1971) assessment of bourgeoisie false consciousness (i.e., the conversion of the commodity's significance as image object) projected onto the proletariat as class consciousness, to Honneth's (2012) rejection of structural arguments replaced by psychodynamic explanations that source reification in intersubjective relations of (pathological) struggle over recognition and power.

- 5 The intellectual history of the “shadow” construct is a critique of the social person (i.e., the self that is both in and of society) (Arrigo 2011; 2012). The shadow is rooted in Plato’s (2008) appearance/reality binary; is historicized in Hegel’s (1979) master/slave dialectic; is internalized in Freud’s (1965) and interpersonalized in Jung’s (1976) psychoanalytic theory, is culturalized in the Frankfurt School’s criticisms of capital logic (Marcuse 1955), freedom (Fromm 1994), and the mass-produced culture industry (Adorno and Horkheimer 2002); is corporealized in existential phenomenology (Merleau-Ponty 1983) and hermeneutic ontology (Ricoeur 1970); and is de/re-textualized in various postmodernist critiques of educational (Freire 1970), political (Laclau and Mouffe 2001), legal (Unger 1987), and related institutional struggles. As an instance of the *criminological* shadow, however, the chapter’s third section assesses the reification problem in the ultramodern age, the interdependent and constitutive forces that nurture this reification, and the systemic and totalizing transgressions that follow from this reification’s (unreflective) maintenance.
- 6 The “crisis” to which this article refers includes the *field* of criminology (i.e., a theoretical, methodological, disciplinary crisis) and the *terrain* of criminology (e.g. the more ‘material’ crisis of prison expansion, the rise of actuarial justice, “risk” society politics).
- 7 As the radical philosophy that informs this chapter will demonstrate, each of these three currents as “moments of ‘openness’” (Delanty 2006: 27) distinctively problematizes critical social transformations in the constitution of risk, captivity, and harm (reification). By logical extension, then, each current uniquely re-culturalizes the field and terrain of criminology. This includes critical transitions in consumerism (e.g., the favored forms of commodification regarding crime phenomena), politics (e.g., the hierarchical narratives that fictionalize offenders and victims), and technology (e.g., the dominant mechanisms/techniques of crime control that domesticate one and all) from one period to the next. For an analysis exploring some of the historical and current linkages among culture, criminology, and critique, see Carrabine (2008) and Young (2011). For a theoretical commentary describing the relevance of each historical transition and the culturalizing of society, see Baudrillard (1983b), Bauman (2000), and Debord (1983), and for justice-centered implications (Milovanovic 2010).
- 8 Examples of this phenomenon are ubiquitous. Consider the trade in therapeutic, restorative justice and related diversionary courts; the commerce in surveillance and cyber-policing; and the industry of neuroscience and radio frequency identification technology administered in the criminal law. The mass image-marketing of these criminological commodities furthers a form of reification that governs through panoptic and proliferating mechanisms of control that discipline corporeally, that is, through a “microphysics of power” (Foucault 1977: 26). This hermeneutics of suspicion (Ricoeur 1970, see also, Scott-Baumann 2009) is a form of domestication that renders subjects “docile bodies, bodies of abject utility and mere functionaries of the state” (Foucault 1977: 210).
- 9 One case in point is the “No-Lie” fMRI technology that now is being offered as “truth verification” evidence in criminal courts as a basis to determine competency to stand trial, competency to execute, sexual assault culpability, and related legal matters (e.g., Tancredi 2005).
- 10 According to semiotic theory, all phenomena stand for more or other than the thing itself (e.g., Kevelson 1988). Objects or events in the world communicate meaning beyond the object or event. This logic obtains not only at the phenomenal level but at the organizational, institutional, and macro-logical as well, that is, within all *systems* of communication. For example, law is but one of many coordinated linguistic systems by which a type of meaning (i.e., highly specialized, often status quo-directed, and exclusive in its very construction) is conveyed. To illustrate, consider the meanings for “death by lethal injection.” For some, it is a reasoned method of administering capital punishment; for others, it is an indication of just how sterile, clinical, and antiseptic penological practices have become; for still others, it is an industry from which to materially profit at the expense of another’s apparent lack of intellectual and social capital. Semiotic meaning abounds; however, these significances are often reduced to circumscribed interpretations of what is just, true, fair, or equitable (Milovanovic 1986). These are interpretations in which the logic of capital, dominant political economic interests about the same, and prevailing psycho-cultural dynamics co-produce finite social relations and restricted class consciousness (Milovanovic 2010). For the hyper-realists, however, the question is begged: What meanings does the law advance and privilege, as a system of signs, regarding death by lethal injection, given the simulated and consumable industry that helps to sustain it through the language (sign-exchange-values) used to talk about it? This industry includes DVD movies, CDs and video games, YouTube sites, etc., that digitally commodify the phenomenon, thereby producing virtual meanings *ad infinitum*. A more detailed response to this query is beyond the scope of the present chapter.

- 11 The process of generating sign-exchange-value occurs repeatedly. Consider advertising campaigns for McDonald's, Coca-Cola, or Nike. In each instance, the image-object (for fast food, soft drinks and sneakers) is dynamically stylized to attract (to captivate) diverse market audiences (parents on the run; youthful senior citizens, adolescent would-be athletes). Moreover, these individual campaigns evolve, consistent with the manufactured and derivative human/social (political-economic) reality that these target groups presumably experience. In this way, the culturalized semiotic meanings that directed audiences assign to the commodity's image-object help to "sell" the commodity's worth to that group (e.g., Arrigo *et al.* 2005).
- 12 O'Malley's (2010) example of the traffic fine represents a compelling example of simulated justice and telemetric (i.e., digitized surveillance) policing. As he argued,

[The offense] is electronically monitored, calibrated, monetized into a fine, the fine issued and expiated in simulated space—that point at which the real and the virtual converge. While all of this is very "real" (real money is primarily electronic and digitized), binary codes rather than liberal individuals are focal. Key forms of simulated justice operate beyond the reach of "individual rights" as liberal individuals are fragmented into simulated "dividuals" and commodified privileges rather than rights become critical to everyday life.

(*ibid.*: 795)

- 13 Foucault's (1977) work on the panopticon argued that the predominant mechanisms of social control exercised by modern institutions (e.g., prisons, schools, courts) were not "the spectacles of criminal justice in which the 'many' saw the 'few' [but rather were the proliferating techniques of] surveillance in which the 'few' saw the 'many'" (Doyle 2011: 284). Indeed, as Foucault (1977: 217) himself posited, "our society is not one of spectacle, but of surveillance." However, in the digital age of mass media-sourced information, a parallel and reciprocal mechanism of social control is the synopticon in which, as a "viewer society," "the many" see "the few" (Mathiesen 1997: 215–216, see also, Bauman 1998). Among other things, the synopticon has been used to theorize the role of the media in relation to the 9/11 attacks (Lyon 2006), policing and society (Mawby 1999), white-collar crimes (Levi 2006), and therapeutic courts (Moore 2011). For the purpose of this chapter, the panopticon and synopticon are recognized as two complementary techniques of surveillance whose connections to the cultural critique of the hyper-realists are situated in their semiotic relevancies.
- 14 In addition to the linguistic realm (i.e., the postmodern condition of privileged texts that discursively reproduce systems of communication) are the symbolic, material, and cultural conditions to which the linguistic sphere is interconnected and from which it co-productively fashions "liquid" representations (i.e., partial/fragmented definitions) of social relations (Bauman 2000). These definitions as

phenomenal forms (e.g., the self as "lack", the body as "disciplined", and the state as "sign-exchange" value), imbue language with its ontological footing, ethical signification, and aesthetical resonance. [When] these phenomenal forms [are] expressed through a system of communicative thought, [these forms] help bridge the divide from the postmodern to the ultramodern.

(Arrigo 2011: 434; see also Henry and Milovanovic 1996)

- 15 For example, the sign-exchange-values that are produced and disseminated in regard to offenders and victims; violence and crime; recovery and restoration; health and safety; and self, society, and community are all less than what they could be or could become. As circumscribed pictures in our minds, the restricted meanings we conjure about them typically convey only dominant (criminological, penological, psychiatric, educational, etc.) renditions of knowledge and truth regarding these culturalized commodities. Moreover, these governing sign-exchange-values mostly support and sustain images (as simulacra) that are consistent with the system-maintaining status quo dynamics of a given political economy, its ordering of things (Foucault 1966), and its regimes of signs (Deleuze and Guattari 1987).
- 16 The notion of semiotic captivity is akin to Polizzi, Draper, and Andersen's description of the social construction of "fabricated selves" (Chapter 11 in this volume). In their hermeneutic phenomenology of incarceration, they argue that the rehabilitative machine as "apparatus" (Agamben 2009: 12) endures for one and all because:

the apparatus of the correctional machine seeks to not only manage and control those held by its disciplinary regime, but also seeks to manifest that control within the thoughts and behaviors of these incarcerated individuals, which in turn attempts to re-fabricate the very identity of the self.

(Polizzi *et al.*: 237)

- 17 Consider the following criminal law examples:

[T]he expression “*competency to stand trial*” defers or postpones its binary opposite “*incompetency to stand trial*.” The legal construct of “*sanity*” conceals and displaces its binary opposite “*insanity*.” The phrase “right to psychiatric *treatment*” devalues or renders as absent its binary opposite, “right to psychiatric *non-treatment*.” In each instance, rather than cultivating an epistemology that grows meaning through the *mutual interdependence* of both terms/values that constitute a hierarchical opposition, meaning (and knowledge about the self, the social, and their interconnectedness) is reduced to the activity of esteeming one term/value in a binary over and against its other term/value. As such, the metaphysics of presence prefers logocentric assumptions, ideas, and truths at the expense of potentially worthwhile, though often unexamined, alternatives.

(Arrigo 2010: 366, emphasis added)

- 18 This logic applies to the narratives of criminology as well. If, for example, the stories of crime deferred more interdependently to their texts of justice, what criminologies regarding the social person (e.g., from those who offend to those victimized; from those who police, treat and keep the kept to those who legislate, manage and educate about them) might emerge from these yet-to-be-written mutualities?
- 19 An illustration from criminology that explains the shadow as a type of exclusion (i.e., as promulgator of regimes of truth about the human/social mutuality) is worth noting. This includes the interaction of evidence-based research, actuarial penology, and the policing of risk. As Arrigo and Williams explained:

[P]reoccupation with avoiding threat or reducing risk [seemingly at all costs] makes obsolete the free-thinking role of the individual in society. Indeed, excessive investments in technology displace the creative contributions of the individual. Within the science of criminology, the mechanistic regulation of citizens occurs through offender-monitoring techniques (intensive probation supervision, boot camps, mandatory-minimum sentences, three strikes legislation, transfer of juveniles to the adult system) that seek to [maximize] compliance and/or minimize transgression.

(2009: 235)

Interestingly, neither the empirical nor the probability studies support the policy maintenance of these techniques. Thus, the presence of sustained docility can only be explained through risk politics that domesticates (captive and polices) subjects by feeding collectivist fears, desperations, and insecurities.

- 20 Consider, for example, how surveillance technology innovations (e.g., radio frequency identification [“tagging”] of paroled sex offenders; global positioning system monitoring [“tracking”] of diverted juveniles) have reconceived and intensified the management of human risk or hazard throughout the world (e.g., Milovanovic 2010; O’Malley 2010; see also Lippens and Van Calster in Chapter 16 in this volume). This is a hyper-real state in which our ultramodern experiences of crime and justice, law and order, violence and victimization, etc., are serialized. Sustaining this serialization converts (i.e., abstracts) objects, events, and people to (for their) mere informational (i.e., coded) utility. The cultural “informationalizing” of these phenomena is harm normalized that implicates one and all. This is harm digitized in the form of social sorting (Lyon 2003), bio-political tattooing (Agamben 2004), and prepression (Schinkel 2011). Indeed, these hyper-control society and situational surveillance conditions have even led some critics of institutional corrections to warn that:

Current attitudes in corrections and offender treatment and the policy initiatives these evoke, reveal an underlying set of negatively defined socially constructed meanings about offenders that effectively contradict and undercut any superficial [let alone detailed] discussion about the benefits of rehabilitation, reentry, or restorative justice practices. It is very difficult to envision what successful work in corrections, offender psychotherapy, or rehabilitation would actually look like in such an environment. Successful work with offender populations will be difficult to achieve without first thoroughly addressing the way in which these [actuarially-conceived and] socially-generated definitions, concerning who and what the offender is, both restrict and actually prevent the type of success the criminal justice [mental health and substance abuse] system[s] appear willing to pursue.

(Polizzi and Braswell 2009: 4)

- 21 Baudrillard (1996: 3–4) describes this virtual and derivative condition as the “perfection of crime.” It is a condition where subject and object are “equivalent,” without any tangible, stable referent, where “assailant and victim” are one. This ultramodern crisis of reified madness is the *murder of reality*. This crisis sustains the criminological shadow.

The only suspense which remains is that of knowing how far the world can de-realize itself before succumbing to its reality deficit, or, conversely, how far it can hyper-realize itself before succumbing to an excess of reality (the point when having become perfectly real, truer than true, it will fall into the clutches of total simulation).

(*ibid.*: 4)

- 22 The quality of this excellence and the nature of this promise are traceable to Aristotle's (1976) notion of *eudaimonia* (i.e., happiness or human flourishing) purposefully embodied as a habit of character. This flourishing passes through Levinas' (2004) phenomenology of "becoming other" (i.e., beyond essence or outside of ontology) subjectively embodied as care ethics. This care ethic re-emerges in Deleuze and Guattari's (1984) schizoanalysis as a "body without organs" (i.e., the smooth space through which movement/change can occur unfettered by underlying or unifying principles of constraint, rigidity, or permanence as in a system of organization) nomadically inhabited as becoming minoritarian, becoming imperceptible, or becoming (ethically) revolutionary.
- 23 One critical cosmopolitan and re-constitutive possibility is found in the transformational philosophy of the gift. As Olsteen aptly summarizes:

We live in a culture consumed and deafened by the rhetoric of self-interest, by a superficial "globalization" that mostly consists of spreading this rhetoric without considering the lessons we might draw from the ways that people in other cultures interact through objects. In our own society, the questions of the gift impinge upon essential issues in social life: What kinds of obligations do gifts engender, and what role do gift practices play in creating communities? What are the relationships between persons and objects: can objects function other than as commodities? How are gift practices related to family dynamics? Does economism make gifts less prevalent or more calculated? How does thinking of each other as gift-givers and -receivers invite new ways of conceiving ourselves and our choices? If we revise the stories we tell about social interaction, might we also revise the interactions? How, in a secularized society, do gift rituals express the desire for spiritual transcendence? Finally, is a truly free gift possible or even desirable?

(2002: 1–2)

A theory of the gift as fitted to the terrain of criminology re-conceives the human/social mutuality in countless untapped and unexamined ways. For some preliminary commentary in penology that is consistent with this philosophy of the gift see, Arrigo and Milovanovic (2009: 76–78) on the deconstructive dynamics of "punishment and reward."

- 24 Additional insights in regard to "willing" the cosmopolitanism of critical consciousness include: Lacan (1991) on the integration of the discourse of the "hysteric" and "analyst"; Freire (1970) on conscientization and dialogical pedagogy; and Deleuze and Guattari (1984; 1987) on schizoanalytics, de-territorialization and re-territorialization, and the "rhizomatics" (i.e., active lines of flight) regarding libidinal and economic production.
- 25 For a more detailed description of this revolution in method and several of its criminal law applications, see Arrigo and colleagues (2011). In this work, the authors addressed three controversial instances of overcoming reified madness and the criminological shadow. These instances included: (1) juveniles waived to the adult system, despite developmental maturity concerns, subsequently found competent to stand trial; (2) psychiatrically disordered offenders placed in long-term disciplinary segregation where said isolation was not deemed to be cruel and unusual punishment; and (3) sexually violent predators subjected to criminal/civil confinement, followed by offender registration and community notification.
- 26 Consider the victim/offender binary as one case in point. Its terms (values) constitute a hierarchical opposition wherein the binary's conditions of control make victims into "offenders" (by way of fearful hyper-vigilance and dangerous panopticism) and offenders into "victims" (by way of limits to being and denials of becoming). This privileging of meaning yields regimes of truths and regimes of human/social existence (i.e., governmentality) that discipline bodies incompletely through inadequate bodies of knowledge. Indeed, the images, narratives, inscriptions, and replications of this victim/offender binary are less than what they could be or could become for one and all. Overcoming and transforming these "partialities" are the task of an ultramodern praxis when its jurisprudence more fully inhabits lived excellence.
- 27 Several additional praxis strategies have been identified that are consistent with the proposed ultramodern critique and the lived journey of human/social flourishing. Among them are the following: Foucault (1980) on the ontology of actuality, heterotopia, sites/bodies of resistance, and in-process inscriptions; Levinas (1987; 2004) on care ethics as inhabiting the space of the other; Sen (2011) on

- capabilities theory, freedom, and democracy; Williams and Arrigo (2002) on chaos theory, dissipative structures, strange attractors, and far-from-equilibrium conditions; Spivak (1988) on post-colonialism, the subaltern, epistemic violence, and strategic essentialism; and Badiou (2005) on the ontology of language, set theory, and deciding on and naming the undiscernible, the “event.” Collectively, these praxis strategies seek to overcome – contingently, positionally, and relationally – the intensities and forces of reified madness that nurture and sustain the criminological shadow.
- 28 Several emergent directions regarding recovery in being and transformation in becoming appear promising and are worth noting. Consider, for example, the cosmopolitanism of delinquency (e.g., tearing down the streets) (Ferrell 1996) when imagined, spoken, and lived as graffiti artist/art; the cosmopolitanism of psychiatric illness (e.g., order within and out of chaos) (Saks 2008) when imagined, spoken, and lived as mental health consumer advocate/advocacy; and the cosmopolitanism of criminality (the edgework of voluntary risk-taking) (Lyng 2004) when imagined, spoken, and lived as boundary transcendor/transcendence (e.g., BASE jumper, dumpster diver, identity extremist). The culturalized reproductions of these departures – from the symbolic, to the linguistic, to the material – are incipient directions (a “strange” humanness) that make more realizable the journey of a people yet to come. For several critical and cultural, existential and phenomenological, dramaturgical and hermeneutic elaborations in criminology, see Hardie-Bick and Lippens (2011).
- 29 Given this chapter’s approach to cultural inquiry and critical ethnography, the culturalizing of criminology by way of modernity’s (the age of radical Marxism) and late modernity’s (the age of the Situationists) conditions of control warrants separate and more detailed analyses.

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