

PERVERTING UNCERTAINTY/INSECURITY INTO UNSAFETY AS AN ELEMENT OF NEOLIBERAL-NEOAUTHORITARIAN GOVERNANCE REGIMES

Being a Russian student of criminology at Hamburg University in the middle of 1990ies, the author made an attempt to interpret different modes of official reporting about crime:

- A calming mode: in the former Soviet Union, there was a tradition of understating criminal problems, of telling permanent success stories about eradication of crime underway to communist society;
- An alarming mode: in Western Europe, mass media, politicians and police seemed to be chronically inclined to overstate the level of the criminal risks and dangers.

The **tendency to suppress negative information** was then considered to be a specific way of competition for material and legitimational resources, as the competition is embedded in the institutional, structural and ideological conditions of authoritarian regimes with a lack of reflexivity. The **alarming tendency** was understood as a specific way of competition for material and legitimational resources under structural, institutional and ideological conditions of liberal regimes; an excessive reflexivity or sensitiveness could fuel this tendency.

In Russia, a partial replacement of statistical success-concepts or -mythologies by alarming ones could be understood as an aspect of a fragmentary or selective liberalization. Here Russia looks like being in a transition toward Western conditions (of yesterday). Meanwhile, a trend of telling success stories about the impact of imprisonment boom, zero tolerance and community policing is partially replacing more crisis-driven pictures and mental conditions in the USA. This development could be grasped as a symptom of a partial authoritarianization, alongside with many other symptoms. The “lonely super-power” seems to be in a transition toward Soviet conditions of yesterday.

Here, at least three remarks should be made.

**Firstly**, there is no hard evidence of an unambiguous relation between trends of “real crime”, of statistical crime rate and of fear of crime. If there is a wide shared notion of increasing crime, there could, but not necessarily should be a really rising crime behind this. Hence, there are some “non-criminal factors of crime-concerning anxieties”. **Secondly**, these “non-criminal” factors of unsafety feelings are playing a crucial role in the relation between market liberalization and governance authoritarianization. And the **third remark**: the above assumed relations of the intimidating vs. “calming” modes of crime reports with respectively liberal vs. authoritarian modes of governance seem to be a much too abstract concept which fails to take into account many complexities and ambivalences.

A sounder concept seems to be that of “governance with fear of crime” (...with crime, with the concept of crime etc: Caplow & Simon 1999: 78; Sessar 1997: 255). There are many particular observations concerning the establishment of this way of governance; this notion has been developed to a conceptually matured and completed form in governmentality studies of Foucauldian stile (Scheerer 2004: 259; Łoś 2002).

The concept of “governance with fear of crime” has been initially applied to analyzing the realities of Western countries, but it is applicable to the postsoviet conditions as well. To put it briefly, the mode of governance in the former communist countries was based upon citizen’s fear of **KGB**. This mode turned out to be very insufficient and inefficient in economic, political and cultural terms. It wasted a great deal of material and legitimational resources without making people really obedient. It provoked much resistance, subversion and hostilities against authorities, at least implicit and passive ones (“criticism in the kitchens”, as it was used to say). It required very detailed and insofar expensive instructing and supervising people on the “correct” or “proper” ways of behavior. Usually, only small fractions of life could be accessible to a direct surveillance, and outside of these controlled areas people were very inclined to break the prescribed rules of economic, cultural, educational, sexual, sanitary-hygienic and other behavior. And the attempts of governance penetration into the private life were too expensive again and mostly failed. Besides, it required too much engagement and responsibility of the state bureaucracies for the citizens in a feudal or patron fashion, and therefore governing was a much too exhausting job for them (unnecessarily diverting them from corruptive activities and other ways of converting their political capital into economic one).

Governance with **fear of crime** helps to avoid many of these disadvantages. The citizens cease to be skeptical, critical and cynical about authorities; from potential enemies of the rulers they convert themselves to potential allies in the governance matters. There is an old truism: a shared enemy is suppressing hostilities and controversies within an “endangered” community. Today, criminals have been successfully defined as the shared enemy of rulers and ruled. Being really afraid of crime can be exploited as a reason to keep loyalty with those promising (however demagogically) protection. Thus obedience is being provided by fear of crime. Those ruled are even ready to give up some of their civil rights and liberties (in a business of exchanging security for freedom, once having been commented by Benjamin Franklin). The state is invited to visit the private space of the citizens, if it only wants to.

But it does not necessarily want to (e. g. to enter the disorganized “no-go” areas of social or urban space with its security, sanitary, educational or other public service). The crucial aspect of governance with fear of crime could be explained with a medical analogy. If people are afraid of Aids, they do not need to be convinced or coerced to obey the rules of sexual behavior. They are going to do it without any external surveillance and supervising, instructions and consultations. If people are really afraid of other disease, they follow sanitary-hygienic norms without extra prescriptions and sanctions. If people are afraid of terrorism or street crime, they avoid dangerous places, do not drink too much alcohol, do not use illicit drugs, act responsibly in the public spaces and lead their life in a regular way. They control themselves (and their children, spouses, neighbors, co-passengers etc.) discharging the state from this difficult and expensive task, as well as from the necessity to be oppressive, repressive and authoritarian. In general, the ruled act as they are expected to act without any necessity to be explicitly commanded from above: they have been “activated”. Moreover, the rulers do not need themselves to understand and verbalize their own implicit expectations. This could remain their tacit knowledge; the intellectual job of concretizing and explicitly articulating the rules and expectations can be left to the ruled.

The ruled thus get a very special freedom which turns out to be a pressure to take choices without any information which could allow assessing the consequences of their decisions.

And the function of absorbing the excess of uncertainties is being outsourced to the burgeoning consulting industries that support coping with the contingencies of postmodern life as successfully as alcohol and other drugs do. In general, this is what's being called and sometimes welcomed as the most promising direction of social control development: "strategies of responsabilization" (critical commentators prefer to speak of disengagement strategies). And concerning the postsoviet conditions, a German colleague Uwe Ewald suggested the concept of teaching citizens (to take care for themselves) by fear of crime (Ewald et al. 1994: 92-93).

These considerations make clear what benefits can be gained with the neoliberal techniques of fear-of-crime-governance. But in a closer examination, this concept seems to appear too abstract and fragmentary. Firstly, it is improper, in Foucauldian terms to consider society as being separated into rulers and ruled. Secondly, there is a problem to properly dose out the intimidating messages and success reports; nobody has a pharmaceutical or culinary measure for these ingredients in public relations, and deviations from the measure is fraught with erosion of legitimational resource. Those in the leading positions are thus in the same situations as the ordinary citizens: under pressure to take decisions without any reliable information on the outcomes. Thirdly, there remains an open question of social and economic context of the shift toward governing with fear of crime; this shift can not be conceived as a purposive implementation of a managerial technology. Fourthly, there is no empirical evidence that budgetary expenditures for police and corrections as well as punitive appetites of criminal justice and the politicians would have been reduced; therefore, the concept of withdrawal is nor entirely accurate.

Just the opposite is true: the state-driven law-enforcement-and-correctional complex is booming alongside with the rapid expansion of private security and correctional industries (as well as military enterprises). The USA is in the avant-garde of this trend which is by no means confined to the "lonely superpower"; the same is going on (with varying extents of density, intensity and ambiguity) in Russia, in the most of West European countries and elsewhere. What is really in decline, is the "left hand of the state" presented by welfare bureaucracies. Pierre Bourdieu called it dystrophy of the left hand of the state alongside with the hypertrophy of its right hand which is responsible for policing and military affairs (Bourdieu 1998: 12 ff.).

A Russian professor for penal law depicted in an interview the state's giving up different functions inclusive that of maintaining the public order and safety. Yet retreating from there does not mean a reduction of using the means of monopolized violence. On the contrary, the state "...strikes, and the strikes are increasingly cruel, senseless and irregular. And this is giving up, why they are so..." This looks like an illustration for the concept of "penal expressionism" by David Garland who supposed the contemporary crime control to be schizophrenic: postmodern strategies of communal, individual and commercial responsabilization (subject of a "criminology of the self") are going alongside with a partial regress to premodern strategies of ritual displaying the sovereign power by punctual punishment (subject of a "criminology of the alien"; Garland: 103). These rituals should cover the disengagement and impotence in providing security. Another version of regress would be a partial reduction of state activities to the initial functions of war making and state making: suppressing the rivals of sovereign power inside and outside of the claimed territory (Tilly 1985: 181). This would mean partial giving up the welfare, educational, economic and other civil responsibilities, whatever could be reason for this: "glocaliza-

tion” or a general mistrust to state bureaucracies after the experienced excesses of state totalitarianism of the 20<sup>th</sup> century.

These pictures seem to be oversimplified; there seems really to be a regress, but not toward premodern penal practices or national state making functions of early modernity. To grasp the general direction of this development, its general context should be recapitulated. In brief words, the general conditions could be defined as the rise of a social-economic regime called by some commentators “new economy” or “new capitalism” (whilst others prefer to talk about a “late capitalism”). Here, no complete conceptualization of the “late-new capitalism” can be proposed. It should be solely mentioned that historically, its departure point was the end of the post-war affluence period and the crisis of Keynesian economic policies (the point of destination promise to be a new totalitarianism as a farce-shaped repetition of the 20<sup>th</sup> century’s drama, caused by memory disorders immanent to the triumph of the neoliberal market theology). As the performance of political arrangements of public control upon economic relations apparently declined, there followed a solution in a Bolshevik-style: to drop these arrangements altogether. One of the essential traits of the new economic regime is considered to be an extreme liberalization of capital markets and the growth of virtual economy. Yet rather relevant for our issue is the end of the post-war compromise between labor and capital. The dystrophy of the left hand, dismantling the welfare arrangements by the neoliberal Bolsheviks belongs to this context; further, here can be mentioned an offensive of employers against trade unions as well as reducing the legal protection of employees’ rights, euphemistically called liberalization of labor markets. Suffice to look at the striking stock-exchange progress of some corporations and an astronomic growth of rewards of their top managers alongside with decimations of their employees’ staff.

Under these conditions, the governments are increasingly loosing the opportunity to plausibly present themselves as neutral mediators between labor and capital or as representatives of (fictive) national entities. They had to take the side, and they took the side of capital – of the new cast of investors and top managers. This is a regress to the class government as a “committee for managing the affairs of capital”. After replacing the conservative governments of Reagan/Bush senior, Thatcher and Kohl, their leftist successors could only diffidently continue the economic as well as (notably) crime control policies of the former. Some authors call it “politics beyond the left and right”: there seem to have never been a real right-wing ideology which would not claim to be beyond ideologies. A very instructive diagnosis of this development was suggested already in the late 1970ies by a collective of British authors (Hall et al. 1978). The conditions of the affluence period of 1950-60ies allowed a consensual mode of governance. In the dawn of this period, this mode was being gradually replaced by a coercive one. This means “taxes down, capital punishment up”, to say it with Newt Gingrich, or “condemn more, understand less”, to put it with Tony Blair.

The most troubling aspect of the sketched above developments is that the policies of penal renaissance are widely welcomed, and requested by citizens. Politicians have always a certain tendency to penal populism as a comfortable instrument of governing. And the criminal justice as well as law enforcement and correctional institutions always have a certain “penal bias”, based either upon their vested interests or upon their system logic of thinking and acting. As well, mass media have always a tendency of broadcasting certain crime pictures that are very supportive for the development of punitive attitudes. But in the 60ies and 70ies, these tendencies of politicians, law-and-order-lobbies and mass me-

dia were much less popular in any country that there are relevant data for. So we can speak of a rise of punitivity and penal populism.

The support for harsher punishment is again more troubling not in itself, but rather as a symptom for a more basic shift of political culture. This shift has an authoritarian, antiliberal direction inclusive a ryzomatic rise of “group-related human hostilities”, xenophobies, hate crimes, different nationalisms, extremisms, fundamentalisms and similar forms of sociality. Their relation to abstract penal attitudes, manifested in the believes that “the criminals are being punished to lenient” and that social problems could be solved with a tougher crime control politics, has been documented by the studies of German sociologist Wilhelm Heytmeier (Heitmeyer & Heyder 2002). His quantitative data, as well as the qualitative research of Richard Sennett (1998) have identified the sources of the current rise of the authoritarian attitudes and of the mentioned above forms of exclusive sociality. These sources are embedded within the anomic conditions of living and working under the new capitalism.

It is not so as if people would be full up with ultra-liberalism and its consequences and therefore they are requesting for the opposite authoritarian political cuisine now. As well as the cry for a tough crime control politics is not solely a consequence of a direct confrontation with the reality of crime, with risks and dangers of victimization. The relations are just a little bit more complex. There is much empirical evidence that fear of crime and penal attitudes are connected rather to more basic layers of existential insecurity and uncertainty. This is not the conceptualized by Anthony Giddens “ontological insecurity” or any other kind of “diffuse” ore “free-floating” fears and anxieties. These basic fears refer unambiguously to the contingencies and uncertainties of life under the despotic rule of “neoliberalized” markets. Besides, people correctly consider their interests not represented by political parties with their “post-political” tendencies of medialization, cartelization and postmaterialization. Authoritarian and exclusion-based forms of sociality are surrogate being searched for under the conditions of the double deprivation: political as well as social-economic one.

And, as empirical research shows, the economic uncertainty and social insecurity are not being experienced in a “photographic” way, as they “really” are. Within the mechanism of appraisal, there are some “built-in devices” that are reducing the subjective experience of uncertainty and insecurity to feelings of unsafety. The functioning of this mechanism is very compatible with the immanent tendency of the politicians to reduce the issue of social security and certainty to the matters of personal safety. This is a vehicle which is transforming (converting and perverting) the subjective experience of living under ultra-liberal social-economic regime into ultra-authoritarian political attitudes.

Russian society shares the tendencies sketched above, keeping avant-garde positions in some aspects of them. The spatial division into gated communities and no-go-areas is here not as clear-cut and visible as e. g. in the cities of the USA. There are many fortress-like neighborhoods, mostly in countryside and suburb-areas. Within the urban zones, special security arrangements are rather typical for the so called “elite block of apartments” where one can park, make shopping, and go to school, hairdressing saloon and cinema without any necessity to leave the building of one’s own residence. Individual forms of installing such arrangements are as widespread as collective ones. And in every small drug-store or microscopic food-shop you find a guard whose salary for protection-service makes more than any goods and money that could be stolen there. To keep a watchman has become a ritual which can not be grasped with any kind of profane-

rationalistic logic (rational choice theory is not fit enough to explain this collective drive to security magic). Some commentaries seem to be more relevant that stress the crisis of trust and solidarity relations among the ruins of the former socialist conditions (Ehrke 2005: 156 ff.). The old solidarity has been denounced and dismissed whilst the new one which could balance the extremes of individualistic and profit-oriented dispositions has yet not been developed.

Yet, despite the common sense ideas, market relations experienced a rizomatic development (below the level of official ideology and discursively recognized facts) long before the breakdown of real socialism. Dealing with bureaucratic service (usually conceptualized as corruption) belonged to this development as well as dealing with access to scarce goods like cheese, chocolate and western cigarettes. In the core of this process was the commodification of public goods that would better stay non-commodified anywhere. E. g., access to educational or medical service was provided by political, social or economic capital. As well, party and governmental bosses, people “having contacts” or being able to pay bribe money got a primary access to protection service. Now, the company of primarily protected has solely been extended by “New-Russians” (a designation for a social-structural outcome of the market reforms – an owner-class possessing high economic and low cultural capital). This tradition makes Russians less sensitive to the privatization of policing as well as of other functions that have previously been really provided as public goods or at least declared to be such.

Another reason of taking privatization easy is related to the previously mentioned one. This is blurring the distinctions between public, private and criminal providers of security (since several years, there is a massive effort to reestablish these distinctions). **Firstly**, it is a personal blurring: these are often the same people working as police officers from 9:00 till 18:00 and, as the first option, as private guards of micro-shops from 22:00 till 6:00. Another option, decreasingly available one, would be an employment by a criminal cartel. Police departments are deeply involved in the business of corporate protection; there are special words for this: protective umbrella or protective roof. “Roofing” means delivering security service to a commercial enterprise; there are criminal roofs, as well as police-roofs, FSB-roofs (FSB – successor of the former KGB) and so on. And, **secondly**, these are similarities in the mode of functioning: if you want your victimizer to be detained, incapacitated, executed, and the criminal damage to be compensated, you can go either to a private security agency or to a criminal protection provider or to the police. And, if you really want it, you have to pay, regardless whom you address with your need.

And the last remark: in Russia, as well as elsewhere, the flourishing business of private protection is being by no means accompanied by any cuttings down of police staff and budget. We have still much more police personal per capita than any nation that would be comparable with Russia in demographic terms or respective the crime & security situation: while the USA employ 400 policemen per 100.000 inhabitants, we are still employing 1.200 ones, with an especially high density of police control in larger cities. Under the present favorable economic conditions, the expenditures for police (and military) are growing more rapidly than those for public education and health services (Dolgova 2003: 75 ff.). The army of militia-men is hungry, chronically underfinanced and behaves always as an invader-army. No wonder that the police are being perceived as such by citizens; many are (with good reasons) more afraid of police than of conventional criminals. Under these conditions, the withdrawal of the state is being hardly noticed and often cordially welcomed.

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