

The Neoliberal State: Then and Now

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'We meet in the aftermath of a General Election. We were elected to strengthen the forces of law and order. Of course, our opponents could never begin to match our record, once again trying to pin on us all the adjectives in the dictionary of denigration - harsh, uncaring, uncompassionate and the rest. The election showed that something remarkable has happened in this country - and our opponents were just as aware of it as those millions of people who supported us. And by giving voice to these convictions in 1979, by holding fast to them for four years, by having them reaffirmed in 1983, I believe we have altered the whole course of British politics for at least a generation. We have created the new common ground, and that is why our opponents have been forced to shift their ground. Both the policy and direction of State Socialism on which they have been fighting for years have been utterly rejected by our people. We are told the Social Democrats now see the virtues of capitalism, competition, and the customer. We have entered a new era. We have set a true course - a course that is right for the character of Britain, right for the people of Britain and right for the future of Britain. To that course we shall hold fast. We shall see it through - to success'

(Selected extracts from Margaret Thatcher's Leaders Speech
Address, Blackpool, October, 1983)

Introduction

In June 1983, the Conservative Party in the UK won their second consecutive general election under the leadership of Margaret Thatcher. The win was monumental not only because of the number of seats won in Parliament - by far the Party's most decisive general election victory since Labour's in 1945 - but because of what it signified in terms of concretising a new course for the British state and, by definition, domestic and international publics. As indicated in Margaret Thatcher's leadership address at the Conservative Party Conference in Blackpool four months later, this election win for the Conservatives was the firming up of a new era. This

era was neoliberalism, or what we refer to here as the neoliberal conjuncture. Understandably, the Party's 1979 general election win is often cited as the birth of neoliberalism in Britain, consolidated internationally by Ronald Reagan's US Presidential Election victory in November 1980, but this whole period of political foment provides an important contextual backdrop against which to read *Power, Crime and Mystification* published in the November of 1983.

The augmentation of the neoliberal project through the Conservative Party election win of 1983 was significant for myriad reasons. For one, it represented an intensification of state authoritarianism under the guise of 'rolling back' the state's direct interference into people's private, civic, and social lives. As a political project, neoliberalism was initially concerned with dismantling what had come before, namely, the social democratic state (for more nuanced discussions than we can provide here, especially pertaining to the so-called crime problem, see Hall et al., 1978; 1979/2017; Scraton, 1987). The support the neoliberal project had garnered since its first election win in 1979 had shown no signs of abating, quite the contrary. The elicitation of support had many aspects to it, but one of the major cornerstones for its public success hinged on the promise of a delivery of effective law and order in tackling the so-called 'crime problem'. The crime problem, as articulated by the new architects of the neoliberal project, was one of rising street crime, a loose term for criminal offences perceived to be committed typically by individuals from the working classes in public view. The official record of state-recorded crime added theft, burglary, murder, and robbery to this picture. Neoliberal champions for more effectual law and order offered a convincing and 'strident moral rhetoric' (Box, 1983: 2) for more robust and punitive responses *to their depictions* of the crime problem.

In November of 1983, Steven Box published *Power, Crime, and Mystification*. At its core was an alternative, radical message: that the crime problem presented to us by the advocates of neoliberalism was instead ‘only a crime problem and not *the* crime problem’ (Box, 1983: 3 original emphasis). Box begins with an astute acknowledgement that a denial of the victimisation experienced through the conventional crimes contained within the neoliberal depiction of ‘the crime problem’ would likely result in rejection from the public. In addition, with a deft persuasiveness of his own, he (1983: 3) sets out to demonstrate the limitations of the crime problem defined by the neoliberal project, as being in no way capable of depicting those ‘even more serious crimes and victimizing behaviours, which objectively cause the vast bulk of avoidable death, injury, and deprivation’. Integral to the neoliberal project’s law and order mandate was to maintain its vision of the crime problem thus, in turn, mystifying the full set of ‘actors, instruments, situations, and motives’ (Box, 1983: 9) involved in the fully exhaustive list of social harms in existence. Crucially, the power of the neoliberal state to mystify the true extent of the crime problem, including the nefarious actions of the state itself, was a central tenet of *Power, Crime, and Mystification*. The book ultimately encouraged a ‘radical reflexiveness’ (Box, 1983: 6), supporting the recognition ‘that the crime problem defined by the state is not the only crime problem, [and] that criminals are not only those processed by the state’ (ibid: 15). Drawing on both the advantages of intellectual hindsight, and the disadvantages of having lived through neoliberalism’s heyday to date, how are we to assess the legacy of Steven Box’s contribution? More specifically, how are we to assess the legacy of *Power, Crime and Mystification* for making sense of the neoliberal state today, a conceptualisation of governance in its relative infancy when Box’s book was first published?

In attempting to answer these questions, this chapter first provides an ‘orthodox’ account of the neoliberal state. We do this in the knowledge that what constitutes neoliberalism and whether neoliberalism’s days are numbered, or even over altogether, are live and contested debates. These debates are bracketed off from this section for the practical purposes of simply setting some initial parameters around what we mean by ‘the state’, in this case ‘the neoliberal state’, something Box did not do explicitly. In the three sections that follow this, we explore the book’s eponymous subject matter – power, crime, and mystification – as each relates to the neoliberal state. Ultimately, we argue that assessing the book’s contribution to our understanding of how the neoliberal state works can, and should, be treated as discrete questions, dependent on our disciplinary vantage point and cognisant of the pedagogical work that *Power, Crime and Mystification* has enabled so many of us to do.

The Neoliberal State: A Working Definition?

The neoliberal conjuncture refers to a period with a distinct set of economic, social, and political arrangements. Although neoliberalism is a disputed term, we are broadly referring to the dominant economic, political, and ideological arrangements emerging out of the late 1970s and early 1980s onwards (Thorsen, 2010). The first experiment in neoliberal state formation took place in Chile following Augusto Pinochet’s coup in 1973; since then, a recurring feature of neoliberal state formation has been the West’s aggressive implementation of neoliberal trade rules in strategically occupied countries whose domestic assets and services have been channelled into global chains of value extraction (Harvey, 2005: 6-7). Neoliberalism

comprises several elements. These include the unyielding drift towards mass privatisation and commodification of all aspects of public life, public space and, in turn, the selling of as many major public (that is, publicly funded) services as possible to corporate entities to elicit profit for shareholders. This has resulted in the unremitting accumulation of wealth by the most powerful and dominant classes and, in turn, the acute dispossession of the less powerful. Enshrined within the social, economic, and political arrangements of neoliberalism is the mantra of the free market and, whilst the economically and politically powerful reap the benefits of free market conditions, the people are met with increasingly aggressive fiscal and civil discipline (Harvey, 2005).

Like neoliberalism, 'the state' is a contested concept. Mair (2021) suggests that the social and political sciences have focused primarily on either the state's constitutional make up, or on empirical critiques of constitutional theorists' accounts, in what might broadly be termed 'constructionist' approaches. Without space to do justice to Mair's contribution, which advocates for a radical freeing from both such approaches, the latter group of state theorists (the 'constructionists', including the likes of Nicos Poulantzas, Michel Foucault, Bob Jessop, among others) conceive of the state as a social relation. The state conceived of as a social relation sits in contrast to instrumental conceptions of the state. An instrumentalist conception of the state supposes that the state is an object capable of manipulation or being seized. Conceptualising the state in this way infers one group at any given time has ownership and control of the state, whilst another group, or groups, lie in wait until such a time that they might take control of the state themselves.

An instrumental conception of the state reveals itself to be unsatisfactory in several ways. Although at any given time the state presents itself as having distinct capacities and tendencies, this does not equate to a state that is a 'pure power' or a 'monolithic block without cracks of any kind' (Poulantzas, 1978: 337). We know this to be the case through any number of examples where the state acts in ways that are contradictory to its everyday typical inclinations. In recognition of this, instead, we argue that the state is better understood as a social relation. That relation is, to paraphrase Poulantzas (1978), the condensation of the relationship of class forces. The capacities and tendencies of the state, within a particular conjuncture, is therefore the material representation of the condensation of the relationship of class forces at that time. As it is neatly put by Poulantzas (1978: 342 – 343):

power is not a quantifiable substance held by the State that must be taken out of its hands, but rather a series of relations among the various social classes. In its ideal form, power is concentrated in the State, which is thus itself the condensation of a particular class relationship of forces. The State is neither a thing-instrument that may be taken away, nor a fortress that may be penetrated by means of a wooden horse, nor yet a safe that may be cracked by burglary: it is the heart of the exercise of political power.

Therefore, the neoliberal state is not the state as wholly and successfully commandeered by the neoliberal project, as it would be in an instrumentalist conception. Instead, the neoliberal state is the material condensation of the relationship of class forces within a particular conjuncture, representing the outcome of complex and considerable struggle. Within this condensation-based outcome, the state presents itself as exhibiting both the capacity and tendency to act in favour of the continuation and advancement of the neoliberal project.

Notably, within *Power, Crime, and Mystification* itself, Box makes no direct reference to either neoliberalism or to the neoliberal state. However, despite the literal absence of this specific terminology, the text clearly makes a series of significant contributions to our understanding of these phenomena – not least, of course, in relation to the eponymous subject matter of power, crime, and mystification. How each of these subjects and concepts in turn relate to, and illuminate, the activities of the neoliberal state forms the basis of the following three sections of the chapter.

Power and the Neoliberal State

To talk about the neoliberal state, is to talk about state power in the neoliberal conjuncture. Much like the various key terminology under discussion here, power too is a term subjected to frequent deliberation. At the end of the second edition of *Power: A Radical Critique*, Lukes (2005) provides an excellent guide to further reading on theories of power, including to the classic contributions of authors such as Hobbes, Spinoza, Kant, Wollstonecraft, Marx, Mill and Nietzsche, among others, and also to the debates contemporaneous to Box (1983), such as the famous Poulantzas/Miliband debate in the 1960s and 1970s (see for example: Poulantzas, 1969; Miliband, 1973). Gramscian notions of hegemony and their critiques, feminist contributions from the likes of Raewyn Connell, Nancy Fraser and Nancy Hartsock, Pierre Bourdieu's sociological framing of power and, of course, Foucault's body of work. Furthermore, we might also refer to the work of Stuart Hall in *The Great Moving Right Show* (1979/2017) and the edited collection *The Politics of Thatcherism* put together by Stuart Hall and Martin Jacques (1983). Far from a simple concept, in either theory or practice, power, broadly speaking, refers to the

presence of the capacity or ability to influence and shape actions and events, either directly or indirectly, in one's own life or the lives of others. The exercise of power, therefore, takes shape in multiple and diverse formats. To consider power in the neoliberal state means to be concerned with political power in the neoliberal conjuncture. Political power refers precisely to the ability and capacity to influence and shape the course of events in public life. This includes examining its various manifestations and the various actors and institutions of power involved.

Despite the book's title, *Power, Crime, and Mystification* makes very few explicit references to the concept of power. When it does its concern lies with the shape that political power takes, at that precise point in time, through an emphasis on the role of the corporation on the global stage. To illuminate our understanding of political power within the neoliberal conjuncture, Box (1983) focuses his attention on the role of the transnational corporation¹. His observations are broadly threefold; firstly, he notes the increasing concentration of power into fewer transnational corporate hands; secondly, Box highlights the ability of the corporation to intervene in the construction of criminal law; and, thirdly, the subsequent lack of political accountability achieved through the former two points.

In the neoliberal conjuncture, capitalism takes the express form of monopoly finance capitalism. For Poulantzas (1974), writing less than a decade before Box (1983), monopoly finance capitalism denotes the development of capitalism over a prolonged period. After earlier historical periods of intense competition, capitalism is established as the dominant mode of production. The monopoly finance capitalist stage marks out the period thereafter and can be understood as 'the product of a

¹ We should be clear that Box also concerns himself with an examination of power within other contexts including an examination of sexual violence and female criminality, however here we are drawn to focus on this particular aspect of his analysis.

process of a “merger” chiefly between industrial and banking capital’ (Poulantzas, 1974: 107). There is lots to be said about capitalism during this period but in the context of the promotion of the neoliberal project, the salient feature that defines this epoch is the emergence of monopoly capital. Monopoly capital is the concentration of corporate power into fewer corporate hands with a huge international reach. The transnational corporate entities of monopoly capital exhibit an intensive exploitation of labour, taking advantage of the differences in the internationalisation of capitalist relations for obtaining ‘super profits’, most notably via the exploitation of ‘cheap labour’ (Poulantzas, 1974: 112 and 156). Most importantly, monopoly capital is the hegemonic fraction that plays the dominant role in the economy and enjoys political hegemony within this conjuncture (Poulantzas, 1974).

It was these emerging patterns of corporate power that Box (1983: 41) was beginning to identify for his reader. He was rightly concerned with the impact such patterns of ‘unrestrained power’ would have on the already opaque accountability of corporations. He was particularly concerned with the impact that such increasingly concentrated corporate power would have on the possibilities of corporations being able to evade accountability for the ‘crimes’ and social harms they committed. He saw this as occurring in two ways. Firstly, through the ability of corporations to exploit their transnational nature in order to export their day-to-day harmful activities to places where sanction was far less likely (see also: Pearce and Tombs, 1998). As Box (1983: 78) notes:

With the internationalization of capital and the concentration of power in the hands of fewer and fewer transnational corporations, national law violation may well become old fashioned. These giant corporations may simply opt for law evasion. That is, they may choose to export, say, plants emitting too much (illegal) pollution, or manufacturing processes

where the labour costs are legally maintained at a 'high' level, or products banned for safety reasons, to other countries where pollution laws, legal wage levels, and product safety regulations are all less stringent

Failing this, Box (1983: 58) argues that corporations could successfully evade accountability for their actions by way of 'the power of corporations to intervene in the process by which corporate behaviour becomes incorporated into criminal behaviour [or not]'.

These initial ideas have, of course, seen even further refinement. This is with specific reference to explicating in greater detail the relationship between the state and corporation. Given the intensification of monopoly capital, intellectual thought from some scholarly quarters have deduced that an increase in corporate power signifies a reduction in state power. However, more astute arguments have expressed that such presumptions about the impact of intensified corporate power overlook the reality of the symbiotic relationship between states and corporations (Michalowski, and Kramer, 2006; Tombs and Whyte, 2003). Rather than seeing corporate power replacing state power, Tombs and Whyte (2003) argue that the corporation augments the power of the state. For example, when the forces of neoliberalism successfully see public institutions and activities sold and delivered by private entities for profit, all and any errors, failures, and harms happening within these spaces are used to justify massive economic restructuring. Blame is often attributed to the vestiges of the social democratic state, rather than private corporations, making the continued sell-off of public assets and general failure of state regulation easier to accomplish and seem positively commonsensical in the face of public sector crises.

Scholars of the state have long continued to argue about the nature of state power in action. The debate typically tends to question if state power is expressed through explicit apparatuses such as the law or the judicial system, or through more subtle forms of internalised repression (see: Poulantzas, 1978: 111 - 112). This suggests that the two are mutually exclusive. In the neoliberal state, what emerges is state power of a variegated nature, and it is precisely this dynamic nature of power, that secures the continued propagation of the system. The full and comprehensive details of power within the neoliberal state are not depicted within *Power, Crime, and Mystification*. However, what Box (1983) does achieve is to give his readers an indicative set of guiding landmarks about some of the typical arrangements of power found within this conjuncture. His astute and prescient warning concerning the intensification of corporate power, then, is one key contribution he makes to the study of the neoliberal state at a time when that project was in its infancy. It is to his commentary on 'the crime problem' more broadly, and the ways the neoliberal state crafts its response to this through processes of mystification, that we now turn.

Crime and the Neoliberal State

The power to define both 'crime' and the 'crime problem' is a strategically important feature of the neoliberal state. Crime, as those reading this are likely already aware, has no objective ontological reality (Hulsman, 1986; Hillyard and Tombs, 2008). Crime is not a concrete object but rather an act to which the marker of 'crime' has been successfully applied. Yet its subjective construction is not one of serendipitous relativism. What is, and what is not, defined into, or out of, 'crime' and the 'crime problem', rather than mere happenstance, is a central tenet of the exercise of

political power in the neoliberal state. The power of 'crime' and the 'crime problem' lies within its moralising discourse. The construction of 'crime' and the crime problem shapes our social and public understanding of right, wrong, good, and bad. That which is ascribed as 'crime' or criminal by the state and the various other overseers of neoliberalism becomes the benchmark for immoral behaviour. That which does not fall under the remit of 'crime' and the 'crime problem' as defined by the neoliberal state fails to be taken as seriously, even where objectively more harm has been caused.

According to Box (1983: 4), there are two potential routes for analysts to take when it comes to 'crime' and the 'crime problem'. The first is the liberal 'scientific' approach. For liberal scientism the role of the researcher is that of an excavator – detecting, digging and unearthing all the 'underreported, under recorded and non-prosecuted crimes' (ibid). To the liberal scientific mind, the trouble with the 'crime problem' is a practical one, where resolution lies within the remit of greater administrative care, higher rates of efficiency, and reform. Whilst there is clear value in successfully recovering some of the less documented official crimes, bringing them back into the crime picture, liberal scientism is in no way sufficient to uncover the whole truth of the crime problem. Liberal scientism, no matter its apparent successes, 'will still be denied an adequate view of those whose crimes and victimizing behaviours cause us most harm, injury and deprivation' (Box, 1983: 6). The reason for this being that all its 'excavation work occurs so late in the process of constructing 'crime' and 'criminals' that it never gets to the foundations' (ibid). Box (1983: 6) continues:

'those committed to self-report and victimization surveys do not start off asking the most important question of all: 'what is serious crime?' Instead, they take serious crime as a pre- and state- defined phenomenon. But by the time crime categories or definitions have been established, the most

important foundation stone of 'our crime problem' has been well and truly buried in cement, beyond the reach of any liberal 'scientific' shovel'.

In contrast, Box (1983) then describes a 'radical reflexive' approach to the question of 'crime' and the 'crime problem'. This considers how, within a particular period of history, it comes to be that out of all the vast swathes of harmful behaviours and activities in existence, only some come to be included in state definitions of 'crime'. The answer is simple but frequently estranged from us.

As detailed by Box (1983: 7), 'criminal law categories are ideological reflections of the interests of particular powerful groups'. In the case of the neoliberal conjuncture specifically, this translates to criminal law categories and constructions of the 'crime problem' through those laws, being in the specific interests of the proliferation of the neoliberal project. The power to define 'crime' and the 'crime problem' through state law affords the neoliberal state enormous amounts of power. As Box (1983: 7) writes, 'criminal law categories are resources, tools, instruments, designed and then used to criminalize, demoralize, incapacitate, fracture and sometimes eliminate those problem populations perceived by the powerful to be potentially or actually threatening the existing distribution of power, wealth, and privilege'. He continues, 'they [criminal laws] constitute one, and only one way by which social control over subordinate, but 'resisting', populations is exercised. For once behaviour more typically engaged in by subordinate populations has been incorporated into criminal law, then legally sanctioned punishments can be 'justifiably' imposed. In a society such as ours, populations [are] more likely to be controlled in part through criminalization' (ibid).

Under these conditions, neoliberalism not only persists but thrives. The enormous transfers of public wealth, natural resource, and political power from domestic

economies, local environments, and civil societies into the hands of multinational corporations, whose behavioural incentives revolve around profit generation and returns for shareholders at the expense of exploited classes, demand that such adjustments to our shared sense of morality take place. Just as magicians work to ensure their audience is looking precisely where they want them to, enabling even a relatively clumsy sleight of hand to go unnoticed, the state depicted by Box (1983) is shaped by a set of powerful actors working expediently to signpost our senses. In practical terms we can also argue that the limited regulation and policing of the powerful also plays an important role (see: Hall *et al*, 1978). How this is achieved is taken up in the next section.

Mystification and the Neoliberal State

Whilst we know that processes associated with the neoliberal state have significantly skewed the public view of 'crime' and the crime problem in both the specific ways depicted by Box (1983), but also as part of broader efforts to promote and subsequently capitalise on crises for opening up new markets (Klein, 2007), it often seems puzzling how such situations endure. If radically reflexive accounts of 'crime' and the 'crime problem' are available, then how do their revelations fail to breach the projected falsehoods of the neoliberal project's 'crime problem' discourse? Mystification is the idea Box (1983) finds utility in for explaining its endurance. He writes:

for too long too many people have been socialized to see crime and criminals through the eyes of the state. There is nothing left, as Matza points out, but mystification. This is clearly revealed in the brick wall of indignation which flattens any suggestion that the crime problem defined

by the state is not the only crime problem, or that criminals are not only those processed by the state. There is more to crime and criminals than the state reveals. But most people cannot see it' (ibid: 15)

In short, when the magician whips the sheet off the cage, all we are left with is an audience aghast at where the doves, and indeed the cage itself, have gone. Our inability to see the workings of the trick rarely occupy our minds for long, for we are so overawed by the artifice and skill of the trick itself. Box's (1983) work on the concept of mystification has two aspects to it. Firstly, he seeks to readily identify key actors who play a defining role in the mystification within the neoliberal epoch. In this sense, he identifies both the police and the corporation as key actors in this process (see: chapters 2 and 3 of *Power, Crime, and Mystification*). However, the real triumph within *Power, Crime, and Mystification* lies in its illumination of the concept of mystification via its ability to explicate some of the finer important details about the state's role in misdirection and deceit on this scale. As previously depicted, most state law is designed to work in the interests of the powerful. The key term here is *most*. Whilst most laws within this conjuncture serve the interests of ruling class fractions, there crucially remain some laws that do not directly represent the interests of the ruling classes. Instead, there are several laws that seem to serve the interests of the people – those not implicated in the mass scale corruption and dishonesty of neoliberalism. The reason for their existence is twofold. Firstly, they reflect the struggles of the less powerful whose tenacity can have the capacity to elicit tangible change. These changes, or 'pertinent effects' (see: Poulantzas, 1968), however, remain fragile whilst the overall balance of class forces continues to condensate into the neoliberal state overall. Secondly, it is often the case that the existence of these laws is no careless mistake on the part of the superintendents of the neoliberal project. In fact, it is quite deliberate. These laws that seem at odds with, or not in the

direct interest of, the dominant discourses of the conjuncture serve a clear purpose in the process of mystification. These laws typically represent either a short-lived tactical retreat, born out of a successful pocket of resistance and/or, most importantly, a misdirection in the search for truth. What we mean by this is that it is precisely the existence of such laws within the neoliberal state that provide adequate fodder for the effective obfuscation of the truth about 'crime' and social harm (see also: Pearce, 1976). Laws that seem to, or do in fact, serve the interests of the people are mostly symbolic and rarely adequately or systematically enforced (Box, 1983: 8). Instead, their existence is exploited by the power of the neoliberal state to project the falsehood that criminal law acts in the interests of the people. Examples are lauded as 'justice delivered as standard', rather than as isolated concessions. Whilst most laws continue to serve the interests of neoliberalism and its beneficiaries, the neoliberal state is highly proficient in taking the exception and making it the rule. This is done through 'structuring' the sparse cases of law that are not expressly in the interests of the powerful (see: Hall *et al*, 1978: pages 35, 41, 55 and 66), as the 'truth' of criminal law. This depiction of criminal law is then 'amplified' (ibid) as the 'truth' of criminal law writ large above all other alternative, and far more accurate, portrayals.

Mystification by typical dictionary-styled definition infers the quality, or state, of being mystified; of being utterly confused and bewildered. Mystification within the neoliberal state leans far more towards a definition of mystification steeped in deception and falsehood. The dexterity of the neoliberal state results in an ability to mystify in a way that, for many, delivers satisfaction by way of the 'crime problem' and criminal law as it is presented to them in the current conjuncture. In fact, for those that partake in the neoliberal project's common-sense constructions of 'crime'

and the ‘crime problem’, their confusion leads to their surprise when the persistent, repeated, and increasingly punitive measures of the neoliberal state’s law and order mandate fails to address their concerns. By such a time, our gaze has quickly been moved onto the magician’s next trick.

The Neoliberal State Then and Now: *Mystification* Pure and Simple?

Despite the attractiveness of ‘mystification’ as an explanatory concept, and its undeniable utility for Box in framing his selected examples, it invites several further questions which are arguably never really resolved within *Power, Crime and Mystification*. This is because Box couples it with an underdeveloped conceptualisation of power. We must be careful not to misread him here, nor to judge his contribution unfairly, but a couple of points deserve some attention. The second part of his key claim, that ‘[t]here is more to crime and criminals than the state reveals. But *most people cannot see it*’ (Box, 1983: 15; emphasis added), seems perhaps less convincing today than it may have done four decades ago. This becomes particularly apparent if we use the book to try and reflect on contemporary statecraft and the Covid-19 pandemic (Sim and Tombs, 2022), or the perennial issue of state-corporate greenwashing (Nurse, 2022). Clearly, millions of people truly were *mystified* when the UK government continued to promote success stories of a vaccine rollout, all while the same government awarded Party donors PPE contracts with no competition, and key figures in government acted with reckless disdain for a country in lockdown. Indeed, the almost inexplicable resilience of the UK Conservative party since 2010 at the time of writing would suggest so. Yet there are

similarly millions of people who vote for and benefit from the kind of status quo critiqued by Box. There are also millions more who know full well that there is more to crime than the state reveals, but who feel relatively powerless to change things. Box (1983: 223) is well aware of this and acknowledges as much on the final page of the book: 'The autonomy of the criminal justice system, constitutionally congealed as "separation of power"', is left untampered with by those with the power, but not the will, to redirect it. Those with the will, but not the power are unable to alter the situation without much more organized and solidaristic action.'

So, whether people in 1983 were as genuinely mystified about state-corporate corruption, political nepotism, and related systemic harms as Box is suggesting they were throughout much of the book remains a moot point. Even fairly mainstream or 'status quo' accounts of 1960s counterculture, 1970s trade union activism, or the 1980s AIDS and heroin epidemics paint a cynical picture of the state's moral legitimacy. How power practically circulates among the demons (see: Brown, 2015) what its local and specific effects are, and what non-mystified people successfully and unsuccessfully do to resist remain unanswered questions. To be clear, we are not suggesting that Box's analyses concerning financial and legal inequalities are wrong. His longest chapter on corporate crime, for instance, is especially good at concretising the very real ways in which people, communities, indeed entire societies, are dispossessed of their power by the financial might of the corporation due to its immense influence over markets, health and safety standards, precedents set in the criminal courts, and other key sites of decision-making and moral regulation. But Box's somewhat inconsistent clarifications on power leave him open to the critique that *Power, Crime and Mystification's* everyday actors are cultural or psychological 'dopes' following preestablished grounds for action (Garfinkel, 1967:

68). As Lukes (2005: 150, emphasis in original) argues, 'It would be simplistic to suppose that "willing" and "unwilling" compliance to domination are mutually exclusive: one can *consent* to power and *resent* the mode of its exercise.' Box's (1983) evidenced the deconstruction of 'crime' is his most compelling contribution; his accounts of power, mystification, and indeed the neoliberal state all leave readers seeking deeper explanations.

Box Forty Years On

At the start of this chapter, we provided a brief and familiar sketch of what the neoliberal state is often taken to be. We set Box's (1983) landmark work in the context of neoliberalism's ascendancy in the UK. It is obviously one among many sketches. Notwithstanding the above critiques of Box, what might the relationship between neoliberalism and mystification be today? To echo a somewhat vacuous truism of all generations, we have lived through strange times. The period of austerity beginning in 2010 could be described as a major turning point in the shifting dynamics of mystification. The mask which adorns the front cover of Box's (1983) book had mostly slipped for an entire generation, only to be ripped clean off with the Brexit referendum of 2016 and empty promises of money for the NHS and endless economic prosperity for the UK. The election of Donald Trump as US President and his explicit emboldening of the American right, the Johnson government's handling of, and behaviour during, the Covid-19 pandemic, and institutional corruption, and the culture of immunity and impunity that still protects those involved, at the highest levels of government throughout this period furnish no end of interesting examples to

consider the utility of ‘mystification’. The pageantry of Trump, the buffoonery of Johnson, and the immense levels of real harm and corruption undergirding these superficial exterior plays has been met with mass resistance, mockery and, worryingly, support. In the UK, when political satire actually parodied the news, the likes of *Spitting Image* or *Not The Nine O’clock News* felt like a reminder that the public could channel their anger into laughter, belittling political authority, if mostly in symbolically, but occasionally materially quite powerful ways. Today, political satire which uses state mystification as its primary source material fails to trigger quite the same response. It does not just feel too close to the truth, it often *is* the truth.

Today’s cost of living crisis, with further recessions on the horizon, mass stagnation of wages, crippling house prices, dangerously unaffordable energy prices, the list goes on. Within a decade, a generation of new voters has been schooled in both austerity economics (‘there’s no money left in the UK bank account’), emergency economics (‘there’s as much money as we want in the UK bank account, we must keep greasing the wheels of commerce’), and now back to those familiar artificial grimaces from our leaders waxing lyrical about ‘knowing how hard it is’, a sure fire cue for Austerity 2.0 (see also: Flohr and Harrison, 2016). If this is still mystification in action, then the novelty of Box’s original tricksters has worn off somewhat since ‘The Iron Lady’ took aim at her familiar folk devils. Furthermore, as we have argued, voters occupying certain class positions may embrace mystifying discourses, often without believing a word of it.

Then there is the recurrent question of whether evermore frequent crises, such as the 2008 crash, Covid-19, or the war in Ukraine and its impact on fuel and food supplies have hastened the end of neoliberalism (see for example Kılıç, 2021) or just

its next iteration. However, while early neoliberals liked the classic metaphor furnished through Adam Smith's 'invisible hand' to describe the market, there was nothing invisible about the handshakes between the public state and the private market. Deregulation meant endorsing less safe production practices, but it never really meant 'free market competition'. The market may have appeared more or less free, or more or less competitive, at points between 1983 and today, but the neoliberal state has always played an active role in maintaining 'those military, defence, police, and legal structures and functions required to secure private property rights and to guarantee, by force if need be, the proper functioning of markets' (Harvey, 2005: 2). It is also the case that the neoliberal state has intensified its authoritarian powers even further through changes to Trade Union Laws and the Police, Crime, Sentencing and Court Act 2022 (Webber, 2021) reminiscent of the authoritarian state populism identified by Stuart Hall in the 1970s, 1980s, and beyond (Hall, 1979/2017; 2009).

On the question of ideological epochs, Garland (2001: 168, emphasis in original) is instructive here when he writes: 'History is not the replacement of the old by the new, but the more or less extensive modification of one by the other. The *intertwining* of the established and the emergent is what structures the present, and our analysis should reflect that fact.' To understand the materiality of mystification then and now, we would need to compare general living standards, corporation tax, wages, house prices, education, healthcare, and geopolitical stability. After decades of deteriorating public transport systems, strained national healthcare, massive inequalities in education, and ongoing housing crises, we have seen time and again successive governments forced to spend big, but in ways purposefully designed to extract maximum wealth from the public and funnel it up the class structure. Arguably,

mystification only works if the working classes truly believe that migrants are stealing their jobs, or that we really cannot afford to close down prisons and invest in social care and community restoration, or that street crime is something to fear more than men in suits brokering shareholder deals. While social media provides the working classes with unbridled access to counter-narratives today, does it productively combat the kind of mystification concerning Box, or simply breed endemic cynicism?

Conclusion: The Importance of Holding Radical Ground

Having given Box a fair reading, we suggest his thesis leaves unanswered questions concerning the relationship between power and mystification. We have considered where his work ‘sits’ in relation to today’s neoliberal state, furnished as we are with such examples of contemporary statecraft as Brexit and Covid-19, alongside social media as a political communication network. To say that Box’s (1983) contribution to our conceptual understanding of the state in *Power, Crime and Mystification* is modest should not be read as barbed criticism. In comparison to other intellectual works produced both prior to and during the neoliberal conjuncture, found within the humanities and social sciences, the text lacks a comprehensive conceptualisation of the neoliberal state. Yet it does do something quite extraordinary at the time, in rendering some of the capacities of the state intelligible as criminological research objects. For intellectuals concerned with the power of the state and its ability to construct a ‘crime problem’ that obscures a wider, and often more potent, set of harms within society, *Power, Crime, and Mystification* (and other notable texts from this period) performed a crucial role. That role was to resist the neoliberal deluge of the 1970s onwards by holding radical ground at a time when intellectual

acquiescence to the project of neoliberalism was rife. *Power, Crime, and Mystification* becomes a seminal text in this context. The book's commitment to keeping alive a radical agenda for those for whom the politics of 'crime', deviance, and social harm were major concepts within their scholarly concerns was of vital importance. Without *Power, Crime, and Mystification*, and other work like it, the hegemonic project of capitalist imperialism in its neoliberal form would surely have secured the relevant disciplines entirely for its own ends. Instead, there is an endurance of a radical project within the study of 'crime' and deviance. Although this project remains a path less travelled in comparison to the Goliath of mainstream criminology, the radical pluck of Box (1983) and others is a major driving force in the dogged persistence of their contemporary successors. As the mystifying powers of the neoliberal state persist, the task for radical scholars is to not only reveal the true scope of 'crime' and harm but to summon the necessary dedication and commitment to subjecting the neoliberal state to continued rigorous scrutiny.

A commitment to revealing the composite nature of state power within the neoliberal conjuncture today is as important as it ever was. Never has this been more the case than with reference to the increased abilities of the state, and its concomitant corporate entities, to structure and amplify (Hall *et al*, 1978) the 'crime problem', having exponentially increased its capacity for obscuring the truth through the commodification and use of surveillance technology (Zuboff, 2018). The task ahead remains a long and arduous one, but when it comes to the possibility of subjecting the neoliberal state to continued scrutiny on matters of 'crime', deviance, and social harm, to Steven Box and his fellow radically reflexive scholars, we can, and should be, truly thankful.

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