

**Mark Neocleous:  
All Roads Lead to Class**

by

Olena Kobzar

A thesis submitted to  
the Faculty of Graduate Studies and Research  
in partial fulfillment of  
the requirements for the degree of

Master of Arts

Institute of Political Economy

Carleton University,  
Ottawa, Ontario

© copyright  
September 2005, Olena Kobzar



Library and  
Archives Canada

Bibliothèque et  
Archives Canada

Published Heritage  
Branch

Direction du  
Patrimoine de l'édition

395 Wellington Street  
Ottawa ON K1A 0N4  
Canada

395, rue Wellington  
Ottawa ON K1A 0N4  
Canada

*Your file* *Votre référence*

*ISBN: 0-494-10053-2*

*Our file* *Notre référence*

*ISBN: 0-494-10053-2*

#### NOTICE:

The author has granted a non-exclusive license allowing Library and Archives Canada to reproduce, publish, archive, preserve, conserve, communicate to the public by telecommunication or on the Internet, loan, distribute and sell theses worldwide, for commercial or non-commercial purposes, in microform, paper, electronic and/or any other formats.

The author retains copyright ownership and moral rights in this thesis. Neither the thesis nor substantial extracts from it may be printed or otherwise reproduced without the author's permission.

#### AVIS:

L'auteur a accordé une licence non exclusive permettant à la Bibliothèque et Archives Canada de reproduire, publier, archiver, sauvegarder, conserver, transmettre au public par télécommunication ou par l'Internet, prêter, distribuer et vendre des thèses partout dans le monde, à des fins commerciales ou autres, sur support microforme, papier, électronique et/ou autres formats.

L'auteur conserve la propriété du droit d'auteur et des droits moraux qui protègent cette thèse. Ni la thèse ni des extraits substantiels de celle-ci ne doivent être imprimés ou autrement reproduits sans son autorisation.

---

In compliance with the Canadian Privacy Act some supporting forms may have been removed from this thesis.

Conformément à la loi canadienne sur la protection de la vie privée, quelques formulaires secondaires ont été enlevés de cette thèse.

While these forms may be included in the document page count, their removal does not represent any loss of content from the thesis.

Bien que ces formulaires aient inclus dans la pagination, il n'y aura aucun contenu manquant.

  
**Canada**

## **Abstract**

Mark Neocleous has produced a body of work informed by Bob Jessop's admonition that Marxists need to pay more attention to the analytical requirements of a weak theory of the state. To this end, Neocleous has tried to elaborate a political theory which proceeds from a more-or-less orthodox Marxist understanding of the relationship between economy and the state, and supplements it with a politicized rendition of Michel Foucault's approach to the study of the connection between power and knowledge. The point of this conceptual exercise is to demonstrate how the working-class became an object of administration in the nineteenth century, and how administration itself was reconceived as the non-political management of social order. This thesis challenges Neocleous's functionalist account of the state, arguing that different forms of governance are better understood as interacting with one another in complex and possibly contradictory ways.

## **Acknowledgments**

I would like to acknowledge the assistance of my supervisor Alan Hunt for his tireless work in reading and commenting on various drafts of this thesis. His numerous suggestions have been immensely helpful to its final form. His encouragement and sharp wit made the writing of the thesis a fulfilling exercise. Needless to say whatever faults that remain in it are wholly attributable to me.

I would also like to thank George Rigakos, Trevor Purvis and Rianne Mahon for the inspiration and intellectual mentoring I have received while pursuing my MA.

The many conversations I have had with my fellow students at the Institute of Political Economy have helped me refine my understanding of the political world. I would like to thank Keith, Dale, Sam, Berrak and especially Lincoln.

A special thanks to Donna Coghill who helped guide me through the year.

## Contents

<b>Introduction</b>	1
<b>Chapter 1 Administering Civil Society</b>	
1 Introduction	8
2 From Foucault to Marx Through Hegel	17
3 From Gramsci to Foucault Through Althusser	20
4 Rethinking State and Class in Britain	26
5 Class Struggle and Political Power: A First Critique	32
<b>Chapter 2 Fascism</b>	
1 Introduction	42
2 Perpetual War and Destruction of Reason	44
3 Nationalism and Racism: A Fascist Equation?	46
4 Fascism and the Working Class	50
5 Fascism as Reactionary Modernism	54
<b>Chapter 3 The Fabrication of Social Order</b>	
1 Introduction	62
2 Origins of Police: Preliminary Observations	63
3 Liberalism and the Police Project	69
4 Hegel and Colquhoun: Liberal Realists or Apologists?	75
5 Policing Wage Labour	80
6 The Dirty Criminal Vagrant	83
7 Pigs, Crime and Order	86
8 The Rule of Law versus the Rule of Police	87
9 All Roads Lead to Class	95
<b>Chapter 4 Imagining the State</b>	
1 Introduction	102
2 The Body of the State	105
3 The Mind of the State	108
4 The Personality of the State	112
5 The Home of the State	116
<b>Conclusion</b>	120
<b>Bibliography</b>	131

## Introduction

To argue, as I have done, that state power is geared towards the political administration of civil society, is to argue that bourgeois order is constituted politically by the state. To make sense of the constitutive practices of order, one cannot do without the police concept. Just as all roads lead to property in the bourgeois concept of order, so all roads lead to the state in the concept of police.<sup>1</sup>

For Marxist theorists, a recurring question has been the role of the state in producing and reproducing the order upon which capitalism is structured. There have been numerous, often conflicting, Marxist accounts of the state's role in securing capitalism. For instance, Antonio Gramsci famously argued that the key to understanding the function of the state is to be found in the dual imperatives of coercion and consent, and in the contingent nature of the historical bloc of class forces that dominates society at any given moment.<sup>2</sup> Louis Althusser, by contrast, focused on the structuring process supplied by the repressive and ideological state apparatuses, all the while maintaining that in the last instance the economic mode of production remains the determining factor in state policies.<sup>3</sup> Ralph Miliband, following an empiricist tradition in Marxism, directed his attention to the established links between capital and state elites, and the instrumental value that state policies have for particular classes.<sup>4</sup> Miliband's well-known theoretical protagonist, Nicos Poulantzas, insisted on viewing the state as a complexly articulated set of structures that worked to mediate the conflicts engendered by capitalism, while

---

<sup>1</sup> Mark Neocleous, The Fabrication of Social Order: a Critical Theory of Police Power (London: Pluto Press, 2000), p. 118.

<sup>2</sup> Antonio Gramsci, Selections from the Prison Notebooks (London: Lawrence and Wishart, 1972).

<sup>3</sup> Louis Althusser, Lenin and Philosophy and Other Essays (London: New Left Books, 1971).

<sup>4</sup> Ralph Miliband, The State in Capitalist Society (London: Weidenfeld and Nicolson, 1969).

continuously safeguarding the capitalist system as a whole.<sup>5</sup> Resisting what they regarded as a fatal economism in the works of their contemporaries, Ernesto Laclau and Chantal Mouffe have argued that an understanding of the discursive constitution of hegemony is crucial to a theory of the capitalist state.<sup>6</sup> Bob Jessop, drawing broadly on Gramsci via Poulantzas, and, more recently, on writers identified with the “regulation approach” to the study of capitalism, has tried to develop an institutional analysis of the state which stresses the varying accumulation strategies which different state projects help underwrite.<sup>7</sup>

While differing on such things as the internal unity of the capitalist state, its precise relationship to civil society, its efficacy in producing the conditions for capitalist profitability, the role of the class struggle within state institutions, etc, what these Marxist theorists have in common is a tendency to regard the state as an entity or an ensemble of forces that is relatively independent of the economic classes and mode of production that comprise capitalism, and that works in one way or another to condition or structure class relations. This inclination to treat the state not as an epiphenomenon of, but rather a crucial formative institution for, capitalism is shared by another contemporary Marxist theorist, Mark Neocleous. While his writings have not yet earned him a wide audience<sup>8</sup> Neocleous’s reflections on state and administration promise to be marked as a significant contribution to a debate that has become so central to the Marxist legacy.<sup>9</sup> In this thesis I

---

<sup>5</sup> Nicos Poulantzas, *Political Power and Social Classes* (London: New Left Books, 1973); “The Problem of the Capitalist State,” *New Left Review* ,58, (1969), pp. 67-78.

<sup>6</sup> Ernesto Laclau and Chantal Mouffe, *Hegemony and Socialist Strategy: Towards a Radical Democratic Politics* (London: Verso Press, 1985).

<sup>7</sup> Bob Jessop, *State Theory: Putting the Capitalist State in its Place* (University Park, Pa: Pennsylvania State University Press, 1990); *The Future of the Capitalist State* (Cambridge: Polity Press, 2002).

<sup>8</sup> Only a handful of reviews of Neocleous’s work have appeared to date.

<sup>9</sup> Neocleous has authored four books which explicitly deal with the topic of the capitalist state: *Administering Civil Society: Towards a Theory of State Power* (Houndmills, U.K.: Macmillan Press,

propose to examine critically the theoretical and political nature of this contribution with an eye to determining whether Neocleous succeeds in his self-appointed task of assembling a Marxist theory of state power that retains a separate notion of civil society, and that is grounded in an analysis of the role of administration in fashioning modern capitalism. The thesis will consist of an immanent critique of Neocleous's assorted writings on the capitalist state, the theoretical motivation for which is a shared affinity for Marxist theory that systematically aims at historicizing its subject matter

A Lecturer at Brunel University in West London since 1994, and a member of the editorial collective of the journal, *Radical Philosophy*, Mark Neocleous is, if anything, a prolific writer. In the last decade Neocleous has written five books and scores of articles on subjects ranging from state theory, modern European philosophy, fascism, policing, security, and political imagery. Dense with references and frequently filled with highly allusive language, these writings reveal a thinker who can at once infuriate with hastily drawn epithets and entice with carefully crafted arguments. It must be noted in advance that Neocleous's style of writing does not easily lend itself to summary. His expositions are not exactly linear; rather, he frequently circles back on previous arguments in order to expand and refine points. He also frequently indulges in digressions either to make polemical points or to distinguish his arguments from those of other writers. He occasionally resorts to undocumented claims using such academically unacceptable assertions as: "research shows..." He is fond of employing conceptual symmetries that

---

1996); *Fascism* (Minneapolis: University of Minnesota Press, 1997); *The Fabrication of Social Order: A Critical Theory of Police Power* (London: Pluto Press, 2000); and *Imagining the State* (Maidenhead, U.K.: Open University Press, 2003). It must be noted that a fifth book which tangentially touches on the same subject was in press when this thesis was being written and was therefore not considered: *The Monstrous and the Dead: Burke, Marx, Fascism* (Cardiff: University of Wales Press, 2005).

are alleged to be preconditions of each other though never demonstrably shown to be such.

Despite these several problems of exposition, it is nonetheless the case that Neocleous's overall academic purpose is easy to detect. The theoretical project that runs through Neocleous's varied writings was initially enunciated in *Administering Civil Society*. Observing the renewed interest amongst academics of all political persuasions in the idea of civil society in the years both immediately preceding and those succeeding the fall of communism in the former Soviet Bloc countries, Neocleous proposes to revitalize this concept for Marxism by reconsidering the Hegelian distinction between state and civil society. In the process of reassessing this Hegelian theoretical heritage in Marxism, Neocleous also proposes to incorporate insights from Michel Foucault's treatment of power as a disciplining mechanism that constitutes subjects according to norms of various administrative discourses. From Foucault Neocleous takes over the idea that administration is central to the construction of subjectivity, but he resolutely links this process to the state, thereby stressing the political character of administration, particularly its role in mediating class conflict. This latter point, that political administration is intimately and inextricably involved in managing class struggle, is a theme to which Neocleous returns time and again. It is for all intents and purposes the guiding motif of his political theory, and, as will be argued in the course of this thesis, this class-centric view of administration tends to vitiate the very distinction between state and civil society that Neocleous takes such pains in defending.

The thesis consists of five chapters, the first four of which offer critical commentary on Neocleous book-length studies of the state and political administration in

the order that they have appeared in print. The decision to present the trajectory of Neocleous's arguments in this chronological fashion rather than according to thematic distinctions, has been taken because there is a palpable sense in which each of his succeeding books can be profitably read as an extended elaboration of points first raised in *Administering Civil Society*.<sup>10</sup> Chapter One of this thesis will reprise the central arguments of this inaugural work and establish the academic and political context against which these arguments gain their sense. Included in the chapter will be brief accounts of the history of the state/civil society couplet, some of the conventional views on the rise of the modern administrative state, recent Marxist and non-Marxist attempts to theorize the capitalist state, and the Foucauldian representation of state power as part of the generalized social ordering process. Politically—why has class struggle not succeeded in subverting capitalism?

Chapter Two looks at Neocleous's interpretation of the phenomenon of fascism. Frequently regarded by Marxist writers as an exceptional form of the capitalist state, fascism is taken by Neocleous to symbolize in the starkest manner the internal logic of the state form within capitalism. Focusing on the symbols and ideological expressions of fascist regimes, Neocleous contends that the political purpose of this form of state is to present a set of discursive practices that serve to integrate the working class into existing capitalist relations by deliberately exaggerated appeals to national as opposed to class identities. In detailing this argument it will be shown that Neocleous's own understanding of the state/civil society distinction contains unresolved tensions, largely because he tends

---

<sup>10</sup> And as often is the case with academic writers, the theoretical problematic that informs Neocleous's publishing career derives from preoccupations acquired in graduate school. Thus *Administering Civil Society*, and the further refinements to arguments enunciated in that book, originate in his PhD dissertation,

to deny in his analysis of fascism the very dynamic between these two aspects of the social order that elsewhere he insists must be acknowledged.

Chapter Three develops further this critique of Neocleous in the course of reviewing his important arguments about police and political administration. In *The Fabrication of Social Order* Neocleous both borrows from and takes issue with the Foucauldian idea of policing. Like Foucault, Neocleous conceives of police not in the narrow sense of an institution designed to enforce laws and preserve order, but in a more all-embracing fashion as a form of rationality and mode of governance that came to constitute the modern state. At the same time, Neocleous criticizes Foucault and his followers for failing materially to locate the policing function in the creation and supervision of a modern wage economy, and in their studied indifference to the coercive side of police power. These criticisms underscore Neocleous's concern for preserving the distinction between civil society and the state, but at the same time they raise anew the question of whether his own depiction of the state respects this conceptual division.

Chapter Four is devoted to Neocleous's penultimate book, *Imagining the State*, where he revisits the political themes identified in his earlier works, this time expounded through an analysis of what he terms the "statist political imaginary". His goal in this book is to show how the modern state came to be imagined as an entity in its own right, embodying a political collective, employing a sovereign will, and girding itself against a common enemy. In this work, Neocleous ranges far and wide, trying to illustrate the body politic metaphor with which the modern state has come to be associated, and the way this imagery has infused our understanding of citizenship and of social order. In the course of

---

State, Power, Administration: Marxism and Foucauldian Perspectives on State Development in Britain, 1832-1918 (Middlesex University, 1995).

exploring this imagery, Neocleous elaborates further his arguments about the role of the state in fabricating social order, the power of capital in eliciting this order, and the close relationship between fascism and bourgeois ideological norms. In some ways his most interesting and original contribution to a Marxist theory of the state, this book at the same time reveals the limitations of Neocleous's approach which tends to rely on theoretical assertions and inspired, albeit arbitrarily drawn, examples rather than on careful argumentation and methodically presented evidence.

In the concluding chapter the various strands of the critique developed in earlier chapters will be articulated in a more systematic fashion to show both the strengths and weaknesses of Neocleous's attempt at providing a Marxist theory of the state. In this final chapter his overall theoretical enterprise will be assessed according to criteria described by Bob Jessop, and which Neocleous adopts as his own. The criteria in question are those that need be met by "weak theory" of the state capable of supplying "a useful set of theoretical guidelines or orientations which would inform a Marxist analysis without trying to explain everything in a deterministic matter."<sup>11</sup>

---

<sup>11</sup> Jessop, *State Theory*, p. 249.

# Chapter 1

## Administering Civil Society

### Introduction

In the opening lines of *The Prince*, Nicolo Machiavelli asserts: “All Dominions that have had, or now have rule over men, have been Republics or Principalities.”<sup>12</sup> On the basis of his seemingly unrelenting political realism in this work, Machiavelli is generally credited as one of the first thinkers to offer a modern understanding of the state as an entity that is capable of employing force to control an existing population residing in a given territory.<sup>13</sup> Not only are his descriptions of the state in this short book presented in a matter of fact, or value-free, fashion, but they support the view that the state has a distinctive character and rationale that distinguishes it from other social organizations, and which therefore makes it an appropriate subject for study. Theorizing the state became an increasingly commonplace preoccupation after Machiavelli, not the least because the form of rule associated with the rise of the absolutist state and later the liberal-democratic state invited speculation on how social order can be established purely through political means, or, put another way, how in the absence of traditional or sacred sanctions a political authority can assume sovereign decision-making power within a defined territory.<sup>14</sup>

---

<sup>12</sup> Nicolo Machiavelli, *The Prince* (Indianapolis: Hackett Publishing Co., 1995), p. 1.

<sup>13</sup> See, for instance, Alexander Passerin d’Entrèves, *The Notion of the State* (London: Oxford University Press, 1967), p. 32.

<sup>14</sup> The following account of early and late modern theorizing on the state draws on Kenneth H. F. Dyson, *The State Tradition in Western Europe* (New York: Oxford University Press, 1980).

Such normative concerns, typical of social contract theorists of the sixteenth and seventeenth centuries, took on a different complexion, or were more-or-less displaced, as modern states proved relatively stable. Rather than focusing on questions of sovereignty, nineteenth and twentieth century theorists of the state tended to inquire into such things as the relationship, both causal and normative, between the state and society (or civil society as some have termed it), or the link between nation and state.

The state/civil society distinction in particular has influenced much of contemporary theorizing of the state. Although certainly anticipated by writers associated with the Scottish Enlightenment as well as French essayists such as Montesquieu and Rousseau, it is usually held that Hegel was the philosopher who first articulated in a coherent fashion the modern idea that state and civil society describe two separate realms that are not natural but humanly constructed artifacts.<sup>15</sup> Hegel's point was both analytic and normative. He understood civil society to comprise the ensemble of private individuals, classes, groups, and institutions including the market economy, the interactions amongst which are regulated by civil law but which are not directly controlled by the state. Analytically, Hegel's insistence that civil society has an identity and materiality independent of the state, and that it is itself an historical construct of the modern age, stood in contrast to earlier naturalistic accounts of the pre-political realm. This contrast is particularly in evidence in his portrayal of the "system of needs", the complex and ever-multiplying social interdependencies created by emerging capitalism and by which civil society has come to be typified. Not only are these needs increasingly

---

<sup>15</sup> The following account draws on Shlomo Avineri, Hegel's Theory of the Modern State (Cambridge University Press, 1972); and John Keane, "Despotism and Democracy," in J. Keane, ed., Civil Society and State (London: Verso, 1988), pp. 35-71. Note that Keane is not inclined to treat Hegel as the most

artificial in the sense that they are products of the social organization of the economy, but they also give rise to conflicts and antagonisms in civil society that preclude the operation of some natural principle of social harmony. In the circumstances, the state becomes in Hegel's eyes the only institution capable of uniting the disparate elements of civil society. But unlike social contract theorists, such as Hobbes, who regard the state's arbitrating role of individual interests purely in terms of creating the conditions for public peace, Hegel invests the state with an ethical function that places it in a superior position to society. This normative side of Hegel's state/civil society distinction leads him to conclude that the state is needed to supervise the particular interests of civil society while also striving to effect a higher ethical unity that would ground and guide these interests. Institutionally, Hegel argued that this ethico-political assignment is best realized by a constitutional state with a corporatist form of representation, a professional civil service dedicated to administration, and a limited monarchy symbolizing its authority.

While Hegel's differentiation of state and civil society ultimately served to substantiate his strongly normative view of the Rechtsstaat, other writers who traversed this same conceptual terrain were inclined to elevate civil society over the state. This was certainly true of Marx and Engels who, in "standing Hegel on his head", inverted the significance of these two forms:

Civil society embraces the whole material intercourse of individuals within a definite stage of the development of productive forces, It embraces the whole commercial and industrial life of a given stage and, insofar, transcends the State and the nation, though on the other hand again, it must assert itself in its foreign relations as nationality and inwardly must organize itself as state.<sup>16</sup>

---

important thinker to consider civil society, nor does he accept the proposition, subsequently popularized by Marxists, that civil society is itself exclusively the product of capitalism.

<sup>16</sup> Karl Marx and Frederick Engels, *The German Ideology* (New York: International Publishers, 1970), p. 57.

This portrayal of the state as the product of the interests of civil society rather than an ethical achievement that transcends those interests becomes even more pointedly instrumental when Marx and Engels penned the famous line in the Communist Manifesto: “The executive of the modern State is but a committee for managing the common affairs of the whole bourgeoisie.”<sup>17</sup> Reducing the state in this way to an effect of civil society is not, however, an intellectual practice in which only Marx and Engels engaged. Indeed, for much of the twentieth century, particularly in the post WWII era, scholarly approaches to the study of the state tended to treat it as an artifact of forces in society.<sup>18</sup> If not as single-mindedly reductionist in their account of the state as Marxists customarily were thought to be, these modern analysts, especially those influenced by the political sociology of Weber, by interest group liberalism, or by the epistemological claims of the behaviouralism of the post-war years, almost always sought society-centered explanations of state form and conduct. Curiously, a reaction against society-centered explanations of politics in mainstream political science occurred more or less at the same time that neo-Marxists revisited the question of the relationship between state and society. In the event, both Marxists, and what have been termed “neo-institutionalist” political scientists, came to share a concern to demonstrate not simply the relative autonomy of the state vis-à-vis society, but, more positively, its dynamic role in shaping various social practices.

For neo-Marxists, it is commonplace to refer to Gramsci as the inspiration behind these current efforts at retheorizing the capitalist state. His rejection of what he

---

<sup>17</sup> Karl Marx and Frederick Engels, *The Communist Manifesto* in David McLellan, ed., *Karl Marx: Selected Writings* (Oxford: Oxford University Press, 1977), p. 223.

<sup>18</sup> For an historical account of developments in the twentieth century academic study of the state, see Eric A. Nordlinger, *On the Autonomy of the Democratic State* (Cambridge, MA: Harvard University, 1981).

perceived to be the crude determinism displayed by orthodox Marxist thinkers of the Third International precipitated his absorbing, albeit tentative, reflections on the role of politics and ideology in fortifying and reproducing capitalist relations of production. Although always a conventional Marxist in regarding the capitalist economy as an intrinsically unstable and exploitative system prone to crisis and susceptible to revolutionary transformation by the working class, Gramsci was alert to fact that the exercise of state power involved complex mediations of class relations. For this reason the state can never be regarded as merely the juridical expression of bourgeois power, but rather has to be recognized as an autonomous body actively involved in organizing class rule, or, as Gramsci puts it, securing hegemony. Preserving class hegemony is necessarily a contingent process, Gramsci insisted, one in which both coercion and consent play a role. While organs of the state are most directly involved in the coercive side of class rule, Gramsci argued that attaining and maintaining the consent of subordinate classes to the rule of capital is an activity that occurs both at the level of the state and in civil society. With this observation Gramsci encouraged the development of a Marxist analysis that resurrects the importance of civil society, understood broadly as the collection of non-state institutions, practices, actors and processes involved in generating and sustaining those ideological forms and class alliances that function as critical bulwarks of capitalist rule. Moreover, Gramsci's suggestive comments on political tactics dictated by the relative strength of civil society in advanced capitalist states (i.e. "war of position" versus "war of maneuver") went beyond the increasingly sterile debates about a revolutionary versus parliamentary approach to socialism to indicate the critical importance of developing multiple sites of struggle within society.

This general Gramscian problematic informed the theoretical deliberations of perhaps the best-known neo-Marxist writer on the state, Nicos Poulantzas.<sup>19</sup> While usually considered a structuralist theorist in the Althusserian mold, Poulantzas was very much indebted to Gramsci's formulation of the problem and process of hegemony. Employing Althusser's structuralist orientation to explain the function of the state as an effect of the necessity of maintaining the overall unity of the various fractions of the dominant classes in capitalism vis-à-vis subordinate classes, Poulantzas drew on the Gramsci when trying to specify the mechanisms by which this political project plays itself out. Significantly, Poulantzas, at least in his early writings on the state, laid comparatively more stress on the question of how it worked to unify fractions of the bourgeoisie around an overarching construal of the long-term interests of capitalism. In later writings he depicted the state more and more in terms of discrete class struggles, suggesting that the various institutions of the state themselves become the site of the political aspirations of contending classes. For this reason, Poulantzas avowed, the relative autonomy of the capitalist state can never be specified in any detail independently of actual historical social formations, because concretely they vary according to how the class struggle manifests itself in their institutional forms. But as Bob Jessop has accurately pointed out, this latter attempt to import conjunctural factors into his general theory of the state leaves Poulantzas with a genuine conceptual dilemma:

Poulantzas wanted to introduce an element of contingency into his analysis of relative autonomy but he also wanted to argue that the capitalist state can never in the long run do anything but reproduce bourgeois class domination. This dualism can be traced through all his work....In his early writings on the state Poulantzas emphasized the structuralist moment of this polarity. Accordingly he treated the class struggle as the vehicle through which the structurally-inscribed necessities

---

<sup>19</sup> This following account of Poulantzas relies on Bob Jessop, Nicos Poulantzas: Marxist Theory and Political Strategy (Houndmills: MacMillan, 1985).

of social reproduction were realized. The structuralist bias in his early work made it difficult to concede any real influence to the role of class struggle.....[But in subsequently moving away from the structuralist paradigm Poulantzas could not] satisfactorily explain how the state's relative autonomy guarantees bourgeois political domination despite the contingencies of class struggle.<sup>20</sup>

In trying to find a conceptual language that might alleviate the dilemma of simultaneously affirming a structural determinism and a superstructural (i.e. political) indeterminism, Poulantzas found himself later in his intellectual development turning to the work of Foucault for inspiration. The influence of Michel Foucault on contemporary theorizing of the state might seem something of a paradox given that he deliberately resisted the subject, as he once sardonically put it, "in the sense that one abstains from an indigestible meal."<sup>21</sup> Yet the paradox resolves itself when one considers that Foucault had been consistently interested in the broader question of governmentality understood as the shaping of conduct and self-identification.<sup>22</sup> Moreover, in his last writings Foucault did begin specifically to address the topic of governmental rationality or the changing conceptions of the nature and practice of government.

Notoriously difficult to pin down because he changed emphases over the course of his writing career and frequently reinterpreted the meaning and significance of his earlier work, Foucault can nonetheless be regarded as a social historian for whom the techniques of power, constituted especially by particular discourses of knowledge, were of prime interest. In attending to the disciplinary techniques associated with such historical innovations as modern medicine or penology, for instance, Foucault tried to demonstrate on a micro-level the dense structure of subjugating power inscribed in

---

<sup>20</sup> Ibid, pp.134-36.

<sup>21</sup> Michel Foucault quoted in Colin Gordon, "Governmental Rationality: An Introduction," in Graham Burchell, Colin Gordon and Peter Miller, eds., The Foucault Effect: Studies in Governmentality (Chicago: University of Chicago Press, 1991), p. 4.

specific professions or knowledge-practices, and the way in which such power relations are interiorized through the inculcation of the norms of these practices. Significantly, these studies were almost exclusively trained on institutions of or practices in civil society, reflecting the fact that for Foucault the effectiveness of power relations were linked, not so much to the coercive capacity of the state, as to the force of ideological conventions in inculcating social norms. Even in his latterly investigations into the rationality of governmentality, when Foucault explicitly addressed different forms of political rule, it is their ideological constructions of the technique of ruling rather than their organizational form or their substantive role in civil society that held his attention. Thus he focuses on such markers of the growth of the modern form of political rule as the appearance of a separate police science or Cameralism, the increasing concern for methods of security, or the propensity to employ risk analysis as an evaluative instrument for state policy, all in the interest of laying bare techniques and strategies in the deployment of power.

While often criticized by Marxist writers for failing to illustrate the materiality of state power and its relationship to civil society, or to connect the microphysics of power in the institutions of civil society to the broader set of structured power relations with which the social world is imbued, there is in Foucault a contrariness that, in an odd way, places in useful perspective certain trends in contemporary political theorizing. For example, in focusing primarily on power relations in civil society, and more precisely, power relations that flow from the disposition of knowledge claims, Foucault deliberately set himself up in opposition to the economically-derived and state-focused view of power that his Marxist critics presupposed. In this, Foucault's work has acted as a challenge to

---

<sup>22</sup> The account of Foucault offered in these pages draws on Colin Gordon, *ibid*, pp. 1-51.

many Marxists to try to develop a more elaborate and richly grounded analysis of power, a challenge that Mark Neocleous, for one, has taken up. In a different vein, Foucault's tendency to depict power relations in civil society as ubiquitous and seemingly inescapable, while again frustrating many of his Marxist critics who charge that Foucauldian analysis allows no opportunity for a liberating praxis, stands as a valuable antidote to the legion of contemporary liberal theorists, who have in recent years exalted the indispensable democratic contributions of a vigorous civil society. This recent revival of interest in civil society has many sources.<sup>23</sup> The events leading to the dissolution of Soviet Bloc countries and subsequent efforts to build democratic regimes in the region encouraged many analysts to look for evidence of thriving institutions of civil society that might underwrite the political transition from communist rule. In western capitalist states, on the other hand, a resurgent wave of market liberalism has celebrated civil society as the site of moral freedom and the crucial bulwark against despotism. An interest in the political potential of civil society has also been fed by the appearance of new social movements that often bypass institutions of the state altogether and try to negotiate their political claims directly with other social actors. Whatever the particular starting point for the present-day absorption with civil society, its theorists have for the most part commended its democratic credentials. Foucault, by contrast, offers a more pessimistic or at least guarded view of the emancipatory promise of civil society because he insists on the omnipresence of structured power relations reflected in the myriad technologies of control that pervade it.

---

<sup>23</sup> For a sense of the many sources of this scholarly recovery of the concept of civil society, see the various contributions to Keane, ed., Civil Society and the State.

### **From Foucault to Marx Through Hegel**

The themes that Foucault began to explore when deliberating on governmental rationality, and more generally, which he elucidated in his writings on the dynamic of power/knowledge, have been taken up by Mark Neocleous in his self-proclaimed project of rejuvenating Marxist state theory. While nominally critiquing Foucault's methodology, Neocleous ends up reproducing much of the Foucauldian problematic in an uneasy conjunction with his Marxist orientation to the state. The terms of this theoretical combination are first elaborated in *Administering Civil Society*, and it is to a consideration of the arguments of that book that the remainder of this chapter is devoted.

As is commonplace for neo-Marxist theorists of the state, Neocleous begins his analysis by distancing himself from what he regards as crude Marxism. Thus he duly registers his criticisms of those interpreters of Marx (e.g. Lenin, Kautsky, Luxemburg and Bernstein) who seek to analyze everything in terms of the base – superstructure distinction, something that renders the state and politics in general purely an epiphenomenon of processes taking place in the mode of production that characterizes the economic foundation of society. As a remedy for this hopeless reductionism, Neocleous advocates first a return to the Hegelian roots of Marx's conception of the political world. What he thinks is especially worthy of note is Hegel's contribution of the conceptual distinction between state and civil society, a distinction that is employed by Marx to illustrate the contradictions engendered by bourgeois society. It was Hegel, Neocleous remarks, who first clearly saw that the development of a more-or-less autonomous civil society or *bürgerliche Gesellschaft* was the historical product of an emerging commercial and industrial order. Thus, whereas in previous social formations the political and the

social were indistinguishable because social transactions were always directly the domain of political control, in modern bourgeois society a strictly political realm is ostensibly separated from the private activities and social relations that make up civil society. Divining the relationship between the two is what Hegel undertakes in his political philosophy. Noting that the separation of state and civil society leaves modern man estranged from political or common life and absorbed in the pursuit of day-to-day needs, Hegel suggests that institutional developments of the “rational” state as exemplified in his contemporary Prussian state allow for an overcoming of the fateful duality of private and public. Specifically, he approves of the interpenetration of the two realms through institutions such as the police, understood broadly to mean administrative organs, operating directly in civil society, and the Estates General, conveying the particular interests of civil society to the state. These institutions, according to Hegel, serve both to mediate the conflicts generated in the former and to promote political conceptions of a common good in the latter that transcend the particular interests of civil society.

In reviewing Hegel’s political theory Neocleous pays particular attention to his conception of police as administration, arguing that this constitutes one of Hegel’s major insights:

....in the modern duality of state and civil society the existence of administrative mechanisms is fundamental, for the state must not only establish laws which are universal in content applying across the face of civil society, it must also implement these laws and administer the particular. Thus law and administration, while separable in principle, are structured into one another. Through them the state constitutes a range of administrative mechanisms through which it regulates the civil society.<sup>24</sup>

---

<sup>24</sup> Neocleous, *Administering Civil Society*, p. 6.

This insight is weakened, in the eyes of Neolceous, because Hegel offers a counterfeit notion of the transcendence of particular interests in civil society insofar as the “outcome of Hegel’s mediating institutions is that the struggles of civil society are shifted onto the state and administered.”<sup>25</sup> By contrast, Marx is able to recognize the superficial nature of Hegel’s political solution to modern alienation and shifts the terrain of the discussion to the class struggle within civil society, arguing that only when this struggle is superseded by the dissolution of the bourgeois order will this estrangement disappear. But in effecting this shift, Marx occasionally, and certainly many of his ensuing interpreters, were inclined to reduce civil society entirely to economic relations. Such a conceptual manoeuvre is ill-advised, argues Neocleous, because it “is impossible to comprehend the state without conceptualizing it in relation to civil society, but this cannot be done if civil society is reduced to ‘economic base’.”<sup>26</sup>

The reason for Neocleous’s insistence that Marxism must retain something of the original Hegelian distinction between state and civil society becomes clearer when he discusses Hegel and Marx’s treatment of the working-class. When Hegel talks about social classes or estates to be represented in the Estates General, he excludes the working-class because it embodies no distinct interest in civil society and for this reason is not even envisioned as an estate. Marx reproduces this error, according to Neocleous, by depicting the working class as a “class that is in some sense out of civil society”<sup>27</sup> albeit a class that holds the potential of revolutionizing social relations through the destruction of capitalism. Hegel and Marx both failed to appreciate the true political status of the working-class because at the time they wrote the working-class had not yet

---

<sup>25</sup> Ibid., p. 14.

<sup>26</sup> Ibid., p. 16.

won full legal recognition in the form of political and economic rights. But subsequent events proved that the working-class would gain these rights, though in their very acquisition the working-class became a quiescent subject of political and legal administration. In short, the process by which the working-class gained the full rights of citizenship, thereby becoming a legally recognized member of civil society, was also the process which led to its assimilation into capitalist rule. Neocleous's point is that to fully comprehend this process of assimilation, one must acknowledge that there is a civil society separate from the state, and that the conflicts generated therein call forth the intercession of the state through a medium that straddles both—political administration. The working class in this view becomes fully part of civil society once it becomes subject to political administration, and this means, in some sense or other, that the working class as a class is created by the state. This observation leads Neocleous to describe his own theoretical project as a refinement of historical materialism: "In light of historical developments either the state-civil society dichotomy needs rejecting or it needs rethinking. The contention here is that it needs rethinking and this is best achieved by developing the category of political administration."<sup>28</sup>

### **From Gramsci to Foucault Through Althusser**

To try to illustrate what he regards as the novelty of this supposed refinement of Marxism, Neocleous engages in a discussion of the development of Marxist theories of the state, focusing primarily on Gramsci and Althusser, and in an exegesis of the work of Foucault whom he regards as a theorist par excellence of administrative power. Gramsci

---

<sup>27</sup> Ibid., p. 10.

<sup>28</sup> Ibid., p. 15.

is singled out for attention because, according to Neocleous, he should be credited with resurrecting a Hegelian conception of the state-civil society dichotomy for Marxism. Gramsci was drawn to this distinction when reflecting on why revolution had been so manifestly unsuccessful in western capitalist nations. Noting that the presence of a strong civil society in these nations served to fortify the rule of capital, Gramsci concluded that a Marxist understanding of state power must take into account the existence and character of civil society. Neocleous suggests that Gramsci's appropriation of an essentially Hegelian conception of civil society grafted unto a Marxist base—superstructure conceptual architecture produced both theoretical innovations and tensions. The innovations have to do with the way that Gramsci envisioned the political side of the rule of capital as the exercise of hegemony through a multitude of institutional and ideological means. But at the same time, Gramsci's adherence to a Hegelian notion of civil society prompted him to sometimes incorporate civil society into an expanded definition of the state, and this, according to Neocleous, resulted in fundamental conceptual confusions:

On the one hand it becomes difficult, if not impossible, to theorize the differences between the kind of domination found in state apparatuses and the kind of domination found in, say, the family or the Church. On the other hand, if one conceptualizes civil society as subsumed under the state then it becomes impossible to theorize the penetration of civil society by the state [emphasis in the original].<sup>29</sup>

Neocleous's proposed solution to these conceptual dilemmas is nothing less than a reiteration of his own theoretical project:

Far more fruitful is an approach that retains the methodological distinction between state and civil society, and rethinks it not through the category of 'hegemony', but through the category 'political administration'. The two fundamental problems with Gramsci's approach...are then overcome. Most importantly, it becomes possible to theorize the way in which political administration develops in response to class struggle; key institutions of civil

---

<sup>29</sup> Ibid., p. 45.

society become politicized, partially absorbed by the state and thereafter administered [emphasis in the original].<sup>30</sup>

This critical, albeit fundamentally sympathetic, take on Gramsci is matched by an altogether more unfavorable reading of Althusser, whom Neocleous faults for rejecting the concept of civil society which in turns paves the way for the regrettable Foucauldian fusion of state and society. Neocleous's brief against Althusser is that in repudiating the concept of civil society as a spurious Hegelian relic, Althusser is compelled to expand his concept of the state to include what really are institutions of civil society. Althusser's rendering of the state as the site of what he calls Repressive and Ideological State Apparatuses is undertaken in a functionalist vein in order to explain how the capitalist relations of production are themselves produced and reproduced. But by investing these institutions with so all-encompassing a role, and by asserting though not theorizing the importance of class struggle to the formation of ideology, Althusser's formulation of the political is, as Neocleous tries to indicate by citing Gregory Elliot: "marked by an unresolved tension between functionalism—an automaticity of social reproduction via state apparatuses – and voluntarism – a contingency of social transformation via the deus ex machina of class struggle."<sup>31</sup> Moreover, by simply designating all ideological conflicts as occurring within generically named Ideological State Apparatuses, Althusser has no way of distinguishing between different forms of states, and therefore no way of discriminating among different political strategies that might be available to the working-class. Ultimately, insists Neocleous, the generic face of ideology present in Althusser's

---

<sup>30</sup> Id.

<sup>31</sup> Greg Elliot, *Althusser: The Detour of Theory* (London: Verso, 1987) cited in Neocleous, *Administering Civil Society*, p. 49.

work, together with his implacable opposition to the idea of a subject of history, paved the way for the even more politically emaciated theory of Michel Foucault.

Neocleous's theoretical attitude to the work of Foucault is ambivalent to say the least. On the one hand, he commends Foucault for his work on the constituted nature of the subject, and the subjected nature of human subjectivity, which Neocleous claims advances our understanding of power in three ways. "First, he points to the way order is maintained through relations of power and structured through power mechanisms; second, he places administration at the heart of the constitution of this order; third, he indicates the manner in which the subject is constructed as part of this order."<sup>32</sup> But on the other hand Neocleous objects to the politically decontextualized and therefore depoliticized representation of power which Foucault offers: "His insights into the centrality of administration to the mechanisms through which order is constituted and maintained are weakened because his concept of administration operates without any account of its role vis-à-vis the state-civil society relation."<sup>33</sup>

Foucault's contemplation of the operation of power within society is deliberately distanced from what he terms the 'juridico-discursive' conception of power that sees it as a right that is possessed and that can be transferred. In place of this 'negative' view of power Foucault proposes one that emphasizes the productive capacity of power, as for example its place in producing knowledge or discourses by which human subjectivity comes to be defined. But this productive face of power is at one and the same time its disciplinary face because the defining and ordering function of knowledge is simultaneously a regulating tool when put to the service of controlling populations. Such

---

<sup>32</sup> Ibid., p.57.

<sup>33</sup> Ibid., p.58.

control is not merely to be conceived in terms of state rule (although Foucault does not dispense entirely with the state), but should be regarded more broadly as an activity in which all participate by inculcating the norms established by the power-knowledge mechanisms that suffuse society. In this sense Foucault provides for a radical decentering of the concept of power by asking not who possesses it but how it manifests itself in the manifold instances of regularized social relations. While this decentering allows for shrewd and highly engaging analyses of the ‘microphysics of power’, Neocleous protests that Foucault is never able to answer the question of what ends the exercise of the techniques of knowledge-power are meant to serve. Put in another way, Foucault avoids the question of agency and therefore can never supply the context by which to assess the functioning of knowledge-power dynamics, much less propose strategies for altering, resisting or otherwise challenging any particular knowledge-power scheme.

To these rather conventional criticisms of Foucault Neocleous adds another that speaks more directly to his own ambition to refine Marx’s theory of the state. Foucault’s disinterest in juridical accounts of power is partly explained by his appreciation of the efficacy of newer forms of social control associated with the rise of modernity: “The juridical system...is utterly incongruous with the new methods of power whose operation is not ensured by right but by technique, not by law but by normalization, not by punishment but by control, methods that are employed on all levels and in forms that go beyond the state and its apparatuses.”<sup>34</sup> For Foucault juridical power, that is, official state power via the medium of law, is seen to be composed of prohibitions and punishments, and not at all actively involved in the process of constituting human subjectivity in any

---

<sup>34</sup> Michel Foucault, *The History of Sexuality: An Introduction*, trans. by R. Hurley (Harmondsworth: Penguin, 1978), p. 144.

day-to-day sense. Hence Foucault's preoccupation with the process of normalization through power-knowledge mechanisms that work at the level of society, and which prove to be the effective media by which subjects are formed and reformed. But Neocleous protests that Foucault is mistaken in his portrayal of law as a passive force that merely proscribes, for it also prescribes, and in this it is intimately connected to the administrative processes that Foucault analyses when looking at the constitution of modern subjectivity. By ignoring this all-important link between law (and therefore the state) and administration, Foucault is guilty in Neocleous's view of a series of analytic displacements and distortions that eviscerate his concept of power:

When Foucault writes that the paradox concerning power is that since the eighteenth century society has created technologies of power that are foreign to the concept of law he is undoubtedly identifying a key problem, which he rightfully attempts to solve by focusing on the nature of administration. But because he develops his account of administration free from an analysis of the law and in isolation from any account of the state, the effect is to dissolve law and depoliticize administration. This is facilitated by his rejection of the state-civil society distinction. Although the initial outcome of this is an ambiguity concerning the state in Foucault's work, the ultimate outcome is that the state is dissolved into power, in turn dissolved into the social [emphasis in the original].<sup>35</sup>

And naturally, Neocleous has a remedy on offer to correct this deficiency by reconfiguring the Foucauldian notion of administration with a more convivial conception of power. This conception, he allows, must be prepared to show power as

...productive, that recognizes the constitution of subjects of right and objects of administration by power and the role of administration in this, but that this needs to be developed through an understanding of state power in its relation to civil society. By making more explicit links between administration and struggle, and linking it with law and the state, we will politicize the concept of administration. This places political administration at the heart of the mediation of struggle, class struggle, and roots it in state power.<sup>36</sup>

---

<sup>35</sup> Neocleous, *Administering Civil Society*, p. 70.

<sup>36</sup> *Ibid.*, pp. 86-87.

## Rethinking State and Class in Britain

In identifying political administration as the key concept which differentiates his own theory of the state from those provided by other Marxists, Neocleous invites the obvious question: just what is political administration? The answer is not straightforward. Conventional accounts of administration identify it with the appearance of a professional bureaucracy and distinguish it from the executive, legislative and juridical branches of the state. The characteristic features of professional bureaucracies are their supposed impartiality and rule-driven behaviour, attributes that are said to derive from the separation of administration from politics. Max Weber, in his path-breaking account of what he designated as the ideal type of rational-legal administration, stressed precisely the rational aspect of its organizational form and its decision-making procedures, a rationality designed to generate ever more efficient means to secure independently arrived at political ends.<sup>37</sup> Neocleous adopts this conventional view of administration up to a point. Thus when describing the development of the British administrative state in the nineteenth century, for instance, he refers to the displacement of older patronage-driven administrative organs by merit-driven professional bureaucratic bodies. But he also points out that the proliferation of administrative boards and tribunals that have come to characterize the welfare state (and which were already incipient in the nineteenth century British administrative state) has meant that administration itself is “quasi-legislative and quasi-judicial.”<sup>38</sup> This observation on its own is unremarkable because it is commonplace among modern students of administration to acknowledge that by

---

<sup>37</sup> See Max Weber, *The Theory of Social and Economic Organization*, trans. A.M Henderson (New York: Free Press, 1947), pp. 328-340.

<sup>38</sup> Neocleous, *Administering Civil Society*, p. 112.

becoming involved in the detailed business of regulation and in assuming adjudicative responsibilities for programs they administer, bureaucratic agencies are not so neatly separable from other organs of the state. But Neocleous hopes to draw from this modern development what he thinks is a more profound point, that when viewed from a functional rather than an organizational perspective, administration plays a role contiguous with law itself in supervising or policing civil society. This point is directed primarily against Foucault whose work implied the displacement of law by administration. Neocleous tries to refute this Foucauldian viewpoint by arguing both that the foundation of administrative power is law, and that the legal system has for all intents and purposes sanctioned the expansion of administrative power. Using these somewhat elementary observations as evidence of a continuum between law and administration, Neocleous argues, against Foucault, that “the modern subject is constituted though both law and administration. The citizen is both a subject of rights and an object of administration and is constituted as such in one and the same historical moment [emphasis in the original].”<sup>39</sup>

While these conceptual moves are designed to preserve a sense of the Foucauldian conception of administration as a process of constituting subjects, while at the same time linking this process directly to the state and hence to repressive power, Neocleous also provides a parallel account of administration as the mechanism by which class conflict is mediated and transformed. In a formulation that at once recalls Marx’s description of capital as the embodiment of ‘dead labour’, Neocleous writes

Political administration is thus the prime example of the constitutive power of the state in bourgeois society, and is simultaneously a major development of that

---

<sup>39</sup> Ibid., p. 164.

power. It is administration because it deals with the fossilized remnants of the dead struggles of the working class and through them seeks to govern the affairs of civil society, carrying through the tasks of state power. It is political because it takes working-class struggles and transforms them into bodies constituted by the state, abstracting them into an administrative form and nullifying their revolutionary potential [emphasis in the original].<sup>40</sup>

In support of this contention that political administration is foremost concerned with the containment of class struggle through the incorporation of the working-class into institutions of civil society and the simultaneous policing of this class through administrative agencies, Neocleous spends some time discussing the rise of the British administrative state, specifically, in the period after the introduction of the First Reform Bill of 1832 and the New Poor Law in 1834. In focusing on this period, Neocleous makes three interrelated claims: that the policing of civil society that was the rationale for the emergence of political administration aimed at fashioning market order by fixing labour power as a commodity; at constituting workers as legal subjects and supplying legal recognition of class as an administrative category; and, through all this, at subsuming class-struggle.

Of the first aim of administration, the constitution of labour power as a commodity that makes possible a labour market and hence capitalism itself, Neocleous furnishes rather conventional observations about the consolidation of a regime of wage-labour through such artifices as the New Poor Law. As for the other two aims, Neocleous's argument becomes more involved. Thus, for instance, he asserts that the constitution of members of the working-class as full legal subjects entailed two interrelated processes, on the one hand, according them the same formal legal and political rights as thitherto reserved for the upper classes, and on the other, supplying the

---

<sup>40</sup> Ibid., p. 165.

working-class as a whole, through the legal recognition of trade unions, a quasi-corporate form of legal subjectivity. These interrelated moves, Neocleous argues, served to domesticate the English working-class, rendering the class struggle manageable through those very administrative bodies that were created to monitor and superintend citizenship rights in the wake of an expanded franchise and the corporate activities of newly legalized trade unions. In a conceptual ploy characteristic of his expository style, Neocleous underscores the mutual dependence of the modern working-class and the modern state induced by these processes: “The working class was both constituted by and constitutive of the structures of political administration and state power. . . . Political administration, then, acts as the fulcrum around which both the working class and the modern state were ordered [emphasis in the original].”<sup>41</sup>

To substantiate this claim of a reciprocal causality between the formation of the British working-class and the British administrative state, Neocleous offers an interpretation of British political history of the early and mid-nineteenth century that begins with him revisiting a forty-year old set of arguments amongst Perry Anderson, Tom Nairn and E.P. Thompson regarding the exceptionalism of the bourgeois revolution in England and the making of the English working-class.<sup>42</sup> Anderson, together with Nairn, proposed that the English bourgeoisie never effected a genuine bourgeois political revolution despite the appearances of such with the passage of the First Reform Bill in

---

<sup>41</sup> Ibid., p. 106.

<sup>42</sup> The exchanges between Anderson, Nairn and Thompson have come to be regarded as exemplary illustrations of the vitality of British Marxist historiography in the 1960s. See Perry Anderson, “Origins of the Present Crisis,” *New Left Review* 23 (January-February 1964), pp. 26-53; E.P. Thompson, “The Peculiarities of the English,” *Socialist Register* 1965 (London, 1965), pp. 311-362; Perry Anderson, “Socialism and Pseudo-Empiricism,” *New Left Review* 35 (January-February 1966,) pp. 2-42; and Tom Nairn, “The English Working Class,” *New Left Review* 24 (March-April 1964), pp. 43-57. See also Nicos Poulantzas’s intervention into this debate: “Marxist Political Theory in Great Britain,” *New Left Review* 43 (June-July 1967), pp. 57-74.

1832. For while this Act removed many of those corrupt practices that had helped buttress the aristocratic hold on political power, it did not result in a dramatic shift of power from the aristocracy to the bourgeoisie in Parliament or other institutions of the state. If anything, aristocratic control of Parliament was consolidated rather than weakened in the immediate aftermath of the Reform Bill. Anderson and Nairn explain this development by supposing a gradual convergence of interests between the aristocracy and bourgeoisie in such things as Britain's imperial ventures, but also and particularly in suppressing the growing working class, and this led to the creation of a fused hegemonic class. As Anderson explained, the political form of this class convergence turned on the aristocracy's willingness to advance the cause of the capitalist revolution: "The aristocracy became-and remained-the vanguard of the bourgeoisie."<sup>43</sup>

In allowing the aristocracy to remain formal political authorities, the English bourgeoisie proved to be more complacent than its continental counterparts. For Anderson and Nairn, the conservatism of British capitalists, their readiness to adapt to aristocratic political and social conventions, meant that they would be unable to present their own revolutionary agenda in the economic field in uniquely bourgeois ideological terms, and this subsequently inhibited the growth of a radical working class. "(A) supine bourgeoisie," Anderson quipped, "produced a subordinate proletariat."<sup>44</sup> This submission of the working-class to the capitalist-aristocratic order in Britain occurred, according to Anderson and Nairn, because no part of the intelligentsia detached itself from the bourgeoisie to help fashion a radical proletarian ideology. In its stead the English working-class was content to equate its own interests principally with improving its

---

<sup>43</sup> Perry Anderson, "Origins of the Present Crisis", p. 15.

<sup>44</sup> Ibid., p. 35.

economic condition within capitalism, accepting for all intents and purposes the aristocratic ideology that portrayed classes as natural and permanent estates.

Neocleous takes issue with the Anderson-Nairn conception of the failed bourgeois revolution in Britain, and in their depiction of the working-class as an acquiescent class readily accepting its incorporation into existing power structures. But rather than follow up on E.P. Thompson's complaint about the schematic and ahistorical account of class formation contained in the work of Anderson, Neocleous opts to reproduce Poulantzas's critique, the burden of which is that Anderson reduces the complexity of class and hegemonic struggles to a functionalist narrative of the imposition of a reigning class consciousness on all of society.<sup>45</sup> Neocleous has two unstated reasons for choosing this line of criticism. First, he wants to argue that the British working-class was not nearly as subordinate as implied by Anderson and Nairn, but at the same time he does not want to engage the detailed historical arguments that Thompson makes. Second, he wants to demonstrate that the bourgeois political revolution actually did take place, but on a terrain not envisaged by Anderson and Nairn, although one that is consistent with the expanded view of the state associated with Poulantzas's work, and by extension, amenable to a suitably radicalized Foucauldian analysis.

Significantly, Neocleous's construal of a bourgeois political revolution in Britain is central to his understanding of that country's working-class formation. To begin with, Neocleous proposes that attempts to discover evidence of a capitalist occupation of the institutions of the state as confirmation of a bourgeois political revolution are ill-conceived because "the bourgeoisie had no need for direct political power [emphasis in

---

<sup>45</sup> See Poulantzas, "Marxist Political Theory in Great Britain", p. 60 and Neocleous, Administering Civil Society, p. 97.

the original].”<sup>46</sup> It had no need because its control of the economy was leverage enough to secure their political interests, as was shown in the successful repeal of the corn laws in the mid-nineteenth century, despite a Parliament dominated by landed interests who were vehemently opposed to forfeiting the advantages they enjoyed under the existing regime of protectionism. That the rising industrial capitalists and their allies in the financial class were able to wrest from the aristocracy this concession on free trade through threats of economic disruption is evidence enough for Neocleous of the real political power of the bourgeoisie. But it turns out that control over the economy proves not to be enough, because Neocleous continues his analysis with a question: “Why, then, did the bourgeoisie have no need for direct political power?”<sup>47</sup> His answer is that the form of political, that is, state power was itself transformed with the advent of the administrative state, and this fact, overlooked by orthodox Marxist analysis, is the key to comprehending bourgeois political power in Britain.

### **Class Struggle and Political Power: A First Critique**

It is important to attend closely to Neocleous’s argument about the form of bourgeois political power because it contains a fundamental ambiguity that resurfaces throughout his work on administration and the state. First, it is important to note what Neocleous is not saying. He does not suppose that the administrative apparatuses that emerged in nineteenth century Britain were the locus of bourgeois political power in the instrumental sense that the personnel of these offices drawn from or ideologically sympathetic to capitalist classes. Rather, his claim is that the rise of administrative

---

<sup>46</sup> Ibid., p. 109.

<sup>47</sup> Ibid., p. 110.

apparatuses signaled a structural transformation in the exercise of state power. This transformation sees traditional state power, as expressed through law and the coercive mechanisms that enforce it, supplemented by the regulatory and compliance mechanisms of administration which operate through the detailed supervision of day-to-day activities of agents and organizations in civil society. It is this structural transformation, Neocleous contends, which heralds the arrival of bourgeois political power because the form of governance involved in administration acts to convert the power struggles that are the backdrop of politics into artfully designated social problems that can be managed with the deployment of appropriate bureaucratic means. And this development is eminently suitable to the political rule of capital because it has the virtue of appearing not as class rule at all but rather as the expression of rational governance

While this latter description of the significance of political administration might seem to be simply a reprise of the Weberian account of the rise of rational-legal authority, Neocleous adds to it both a Marxist and a Foucauldian twist. His Marxist argument is two-fold, and therein lies the source of the ambiguity mentioned above. On the one hand, Neocleous insists that the development of the administrative state is the result of class struggle. Specifically, he refers to an increasingly radical English working class in the nineteenth century as the cause of the rise of administration as the preferred organization of political rule: "The development of new political forms within the state can therefore be seen quite clearly as a response to the collective power of the working class and the crisis-ridden character of capitalism."<sup>48</sup> But when he analyzes one of the first instances of reformed administration in the nineteenth century, the creation of a modern politico-administrative structure through the New Poor Law of 1834, Neocleous allows that it was

strictly a bourgeois initiative rather than working-class radicalism that saw this reform through. The bourgeois imprint in the New Poor Law can be seen both in its purpose, and, even more importantly for Neocleous, in the centralized administrative mechanisms it gave rise to. The purpose of the New Poor Law was to create ways of distinguishing between the indigence that leads to pauperism, and the poverty that induces day labourers to toil for their subsistence. From the perspective of capital, the latter is not only regarded as a natural condition of society, but also essential to the operation of a market economy in which labour power is commodified. To ensure a steady supply of workers, therefore, the old Poor Law had to be modified to discourage the able-bodied poor from relying on parish relief rather than accepting the subsistence wages which typified this era of industrial capitalism.

Accepting that the New Poor Law was but one in an historical series of events that contributed to the growth of capitalism and the formation of the English working-class, Neocleous contends that its true significance for the bourgeois political revolution is to be found in the administrative instruments that were designed to implement it. Hence the creation of a central authority, the Poor Law Commission, with the power to inspect, advise, report and order prosecutions, as well as the power to issue regulations with the force of law, served as the template for the bureaucratization of politics in fields as diverse as welfare, health and sanitation, prisons, asylums, factory inspection, etc. But lest one slide into the Foucauldian view that power has become administration across the whole of civil society, pure and simple, Neocleous keeps insisting on the historical purpose and institutional site of this development: “the emergence of modern

---

<sup>48</sup> Ibid., p. 140.

administration in the building of the capitalist state occurred at a most vital point: the constitution and regulation of wage-labour.”<sup>49</sup>

The trouble with Neocleous’s formulation of this administrative project of constituting and regulating wage-labour is to be found precisely in the ambiguous manner in which he envisages the role of class struggle in the process. Recall that Neocleous time and again refers to the growth of administration as both the outcome of class-struggle and the intermediary by which this struggle is managed. Thus, in one of his most clear-cut assertions on the subject, Neocleous declares: “Far from being supine, in the process of struggle the working class forced the emergence of new state structures—of political administration—and through these a reordering, far more fundamental than that forced by the bourgeoisie in its struggle, of the relation between state and civil society.”<sup>50</sup> But when he actually discusses the institutional innovations produced by the New Poor Law, it is not class-struggle which is said to bring about these new forms of governance but rather the bourgeois ambition to create conditions favorable to a capitalist labour market. The working-class of 1834, it seems, is supine after all, or at least it is not the proto-revolutionary class that Eric Hobsbawm and E.P. Thompson would have one believe.<sup>51</sup> This being the case, it is hard to see how Neocleous can maintain both that the administrative state arose from the class struggle, and that its earliest, indeed if not its defining moment, can be traced to the New Poor Law which was by his own account entirely a bourgeois construction.

---

<sup>49</sup> Ibid., p. 124.

<sup>50</sup> Ibid., p. 106.

<sup>51</sup> Thus Neocleous writes, “The point is that the working class were in no ways organized enough in the early nineteenth century to threaten bourgeois society to the extent claimed by Thompson, Hobsbawm and others.” *Administering Civil Society*, p. 122.

What Neocleous appears to mean, when he talks about the administrative state being formed in the midst of class-struggle is not that the working-class through its conduct compelled a state response in the form of new administrative structures, but rather that the mere existence of a large and immiserated working-class was sufficient reason for capitalist classes to call for new forms of governance. The result was that the working-class became the object of administration, but hardly a subject actively involved in its elaboration.

Neocleous's strong claim about the working-class's co-authorship of the administrative state is eventually scaled back when he concedes that agitation on the part of labour can only be linked to administrative developments from the 1880s onwards.<sup>52</sup> It was the sustained depression of the 1870s and 1880s, and the ensuing working-class discontent culminating in a riot in Trafalgar Square, Neocleous argues, which finally spurred the state to begin to regard unemployment as a political issue in need of regulation and control, and with this recognition came the schemes for unemployment insurance that would spawn the British welfare state. But the point to be noted is that when the working class is finally said to be an actor in its own right post 1880s, the form of the administrative state is already set. Incorporated into the mechanisms of administrative control, the working-class is already co-opted before it can become a revolutionary subject. The legalization of trade unions and the extension of the franchise to the working class are for Neocleous prime illustrations of this process of co-optation. For instance, in according legal recognition to trade unions, including, belatedly, the right to strike and engage in collective bargaining, the state effectively defined the legal terrain upon which the confrontation between labour and capital would take place and also

established the administrative structures that would supervise this confrontation. While it is something of a commonplace to observe that modern labor legislation has served to subdue working-class radicalism by enmeshing trade-unions in a regulatory framework that confines them mostly to seeking settlements on wages and working conditions<sup>53</sup>, Neocleous emphasizes a different feature of this process:

Contrary to those who see unions as spontaneous organizations arising ‘naturally’ from the working class, which the state then regulates and co-opts, it is the constitutive power of the state over the organizations of the working-class that is being stressed here. To the extent that organizations of collective labour are a product of working-class struggle, their specific form is an outcome of their constitution by the state. Their internal workings, the space in which they operate vis-à-vis other unions, employers and the state were structured by the state from the outset.<sup>54</sup>

In according the state so central and effective a role via its administrative offices in circumscribing by institutionalizing working-class politics, Neocleous has effectively eliminated the idea of the working-class as an independent force in the political economy of capitalism. For all his remonstrances against fellow Marxists and Foucauldians for not taking seriously the concrete working class and its role in eliciting the growth of the administrative state, what Neocleous provides is in fact a very perfunctory and schematic portrait of a class said to be “in struggle”. And when all is said and done, it is this abstract idea of class struggle rather than the substantive activities of the working class that performs the causal work in Neocleous’s explanatory scheme.

In making class struggle, not the concrete working class, the subject of his account of administration, Neocleous invites the same criticism he levels against

---

<sup>52</sup> Ibid., p. 136.

<sup>53</sup> See, for example, John Saville, *1848: The British State and the Chartist Movement* (Cambridge: Cambridge University Press, 1987); Ellen Meiksins Wood, *The Pristine Culture of Capitalism* (London: Verso, 1991); and H.A. Logan, *State Intervention and Assistance in Collective Bargaining* (Toronto: University of Toronto Press, 1956).

Althusser and other structuralists to the effect that his own theory is just another version of functionalism whereby every political development of the modern state is said to reinforce the rule of capital, and hence agency can not really be attributed to the working-class (or other classes for that matter) in any meaningful sense.<sup>55</sup> Neocleous is also vulnerable to the reproach he directs at Gramsci when he suggests that the latter's ambiguous portrayal of civil society leaves him with no effective way of distinguishing the rule of capital from the different kinds of domination that are found in social institutions such as the family or religious institutions.<sup>56</sup> Neocleous is persistent in claiming that his theory of state power improves on other Marxist variants because he retains the state-civil society distinction alongside the classic base-superstructure couplet, refusing to reduce the first to the second. Not only is the state-civil society distinction key to explaining the terrain on which the class struggle becomes institutionalized, but it also is useful in deterring the kind of reductionism which equates all forms of social domination with class domination. Oddly, however, the concept of the state is something that Neocleous does not analyze in any depth, content to depict it as a structure that is both stable—in that it is always there to be used by the bourgeoisie, and flexible—in the sense that bourgeois use it all the time, albeit in different ways, to avert the revolution. And ironically the reductionist tendency he so roundly wishes to resist also appears in his own rendering of civil society, most strikingly when he discusses the emergence of the bourgeois ideal of the family as an isolated economic unit and private retreat as the prescriptive norm for all of civil society. Neocleous notes that this bourgeois prescription

---

<sup>54</sup> Neocleous, *Administering Civil Society*, p. 143.

<sup>55</sup> See Neocleous's criticisms of Althusser and Poulantzas at *infra*, fn. 31 and fn. 20.

<sup>56</sup> See Neocleous's criticism of Gramsci at *infra*, fn. 29.

was in fact administered politically: “Far from being a purely ‘private’ moment within civil society, the family is a unit of political administration, constituted as such by the state as part of its development of mechanisms for the policing of welfare and struggle.”<sup>57</sup>

What is most peculiar about this acknowledgement of the role of administration in supporting a certain form of family life is the fact that Neocleous manages to dedicate an entire section of the last chapter of *Administering Civil Society* to discussing state welfare measures that act to regulate the family without once mentioning women. Why this omission is so critical is that by identifying the form of family, including its internal structure of domination, with the functional imperatives of capitalism, not only is Neocleous engaged in the same conflation of the institutions of civil society that he warns against, but he misses the opportunity to explore the fertile and burgeoning literature on the gendering of the welfare state that would allow him to contribute a more richly-textured representation of power relations within capitalism.<sup>58</sup>

While his account of the relationship between administration and class predisposes Neocleous to a functionalist and reductionist view of political power, the issue of historical fidelity looms large. Throughout *Nucleous* argues that the form of the administrative state arose because of the need to incorporate the working-class into politically manageable institutions in civil society. But even if this functionalist premise is allowed, it turns on the historical assertion that the administrative state began with the reform legislation of the 1830s and beyond, notably, with the New Poor Law of 1834.

---

<sup>57</sup> Neocleous, *Administering Civil Society*, p. 136.

<sup>58</sup> See, for example, Jacques Donzelot, *The Policing of Families* (London: Hutchinson, 1980); Julia S. O’Connor, A.S. Orloff and S. Shaver, *States, Markets, Families: Gender, Liberalism and Social Policy in Australia, Canada, Great Britain and the United State* (Cambridge: Cambridge University Press, 1999); Diane Sainsbury, ed., *Gendering Welfare States* (London: Sage, 1994); and Ann Porter, *Gendered Sates: Women, Unemployment Insurance, and the Political Economy of the Welfare State in Canada, 1945-1997* (Toronto: University of Toronto Press, 2003).

But to represent the regulation of labour and the subsequent development of the welfare state as the defining moment in the emergence of public administration may well amount to a repudiation of historical inquiry in order to pursue a priori theoretical deductions.

The reason for this observation is that there have appeared in recent years a number of studies suggesting that the growth of the modern administrative state in Britain began not in the nineteenth but in the eighteenth century with the development of a centralized and efficient bureaucracy overseeing that country's military and especially naval power.<sup>59</sup> To ignore this history in favour of a nineteenth century account of the administration of the working-class under capitalism is simply to assert a functionalist definition of public administration for which evidence is then appropriately adduced.

The circular nature of this conceptualization of public administration is matched, perhaps not surprisingly, with the eviction of class struggle from the contemporary bureaucratically administered capitalist state. If public administration is by definition the pre-emption of working-class radicalism in the interests of the capitalist classes, then its colonization of all areas of the state must effectively mean that the class struggle has been successfully contained. This at least is the impression Neocleous furnishes in *Administering the State*, because any notion of contradictions within and resistance to the rule of capital taking place in the realm of administration itself is entirely absent. Thus any advances the working class may have secured in its material standard of living or civic standing through the legalization of trade unions or the advent of the welfare state is treated by Neocleous as evidence of the degree that this class has come to participate in its own capitalism-sustaining self-governance through the auspices of the administrative

---

<sup>59</sup> See John Brewer, *The Sinews of Power: War, Money and the English State 1688-1783* (London: Unwin Hyman, 1989); and Clive Wilkinson, *The British Navy and the State in the Eighteenth Century* (Rochester,

state. In this depiction of the overwhelming and ubiquitous reach of administration Neocleous shows himself to be perhaps more a Foucauldian archaeologist of unrelenting power mechanisms than a radical Marxist theorist seeking a revolutionary subject. But it is with the radical tradition of Marxism that Neocleous identifies himself and his theoretical project, and it remains to be seen whether in his subsequent writings on fascism, police power, and the symbolism of the state he is able to overcome his ambiguous conception of the role of class struggle in the historical process of state formation.

## Chapter 2

### Fascism

#### Introduction

There is no shortage of Marxist theories of fascism. Particularly because of the fatal underestimation of this political phenomenon by the leadership of communist parties throughout Europe and the Soviet Union in the 1920s, and their monumental error in equating fascist and social democratic parties as but two sides of the same coin in the 1930s, a cogent theory of fascism is something for which Marxists have long argued. Yet as might be expected, Marxists are divided on how to explain the nature or generation of this threatening political form.<sup>60</sup> Some have described fascism as the attempt by monopoly capital to assert its political hegemony over a recalcitrant working-class<sup>61</sup>; others have stressed its character as a mass movement engendered in time of crisis and motivated by bonapartiste-styled demagoguery aimed at increasingly dispossessed petty-bourgeois classes.<sup>62</sup> But whatever the terms used to explain fascism, Marxist writers virtually all share in the conviction that it was a deliberately anti-socialist political movement whose genesis and policies can only be understood against the backdrop of crises in the capitalist mode of production. Mark Neocleous shares in this conviction, though, unlike conventional Marxist analysts, he is less interested in demonstrating precise class affiliations of fascists, the exact nature of the crisis of capitalism that

---

<sup>60</sup> For a survey of Marxist interpretations of fascism, from which the following account is derived, see Dave Renton, *Fascism: Theory and Practice* (London: Pluto Press, 1999).

<sup>61</sup> See, for example, Richard Löwenthal, "Notes on Fascism" in Irving Howe, ed., *Essential Works of Socialism* (New Haven: Yale University Press, 1986).

<sup>62</sup> See, for example, Leon Trotsky, *The Struggle Against Fascism in Germany* (New York: Pathfinder, 1971).

produced this political phenomenon, or the mechanisms by which fascists in power reinforced the rule of capital, and instead concentrates on the philosophical origins of fascist doctrine and its function as ideology.

While a book on fascism might seem a departure from the theoretical problematic Neocleous outlined in *Administering Civil Society*, there are obvious continuities with the themes found in the latter. For example, fascism as an ideology is, if anything, a fetishization of the state, and it is to a Marxist theory of the state that Neocleous dedicates his initial work. Moreover, just as Neocleous was interested in his first book in the ways in which public administration has forestalled working-class radicalism through the constitution of its legal identity and the terrain on which the class struggle takes place, in *Fascism* he is absorbed with the question of how the working-class is decomposed by fascist ideology and recomposed as part of the nation, again as a way of drawing off and transforming its radical energies. In *Fascism* Neocleous takes the view, popularized by Trotsky, that the goal of this political movement was the prevention of communism through the mobilization of the working-class into an aggressive nationalist force. It is this latter process, especially the way in which fascist ideology employs the concepts of war, nature and nation to subvert and redirect the revolutionary potential of the working-class, which forms the core focus of Neocleous's analysis. While the aim of this analysis is to explain the mode of this subversion, Neocleous pays rather more attention to the intellectual lineage and ideological significance of these affective concepts than their actual use in mass mobilization. In this "history of ideas" approach he relies heavily upon

the works of Zeev Sternhell<sup>63</sup> and Roger Griffin<sup>64</sup> for details about the intellectual forbearers and the mythic core of fascist ideology, and on Walter Benjamin<sup>65</sup> (and other authors associated with the Frankfurt School) for a philosophical assessment of its world-historical significance. The result is a study of fascism that vacillates between a narrow interpretation of it as an anti-socialist ideology and a broader interpretation of it as the negation of all Enlightenment values. This vacillation, it will be argued, bears a resemblance to the ambiguity noted in the previous chapter when Neocleous argues both that the administrative state arose in response to working-class radicalism and that it was a bourgeois imposition on a not-yet organized working-class. The resemblance is not accidental for as will be argued in this chapter, it derives from a deeper ambiguity about how civil society and political agency are to be understood that pervades all of Neocleous's work.

### **Perpetual War and the Destruction of Reason**

“The 1890s have been described as the revolt against positivism,” declares Neocleous, “and it is this revolt rather than a straightforward anti-establishment stance that was central to the emergence of fascism.”<sup>66</sup> Choosing not to define positivism, Neocleous proceeds to reduce it to rationalism (and secondarily to materialism) and hence to the Enlightenment project of the rationalization of law and state power which liberalism and subsequently Marxism supposedly came to represent. The roots of the

---

<sup>63</sup> See especially Z. Sternhell, *Neither Right nor Left: Fascist Ideology in France*, trans. David Maisel (Berkeley: University of California Press, 1986). Of course Neocleous does not share Sternhell's depiction of fascism as an ideology that can not be described as either left- or right-wing.

<sup>64</sup> See especially M. Griffin, *Fascism* (Oxford: Oxford University Press, 1995).

<sup>65</sup> See especially W. Benjamin, “Theories of German Fascism: On the Collection of Essays War and Warrior, edited by Ernst Jünger” (1930), *New German Critique* (No. 17, 1979); and “The Work of Art in the Age of Mechanical Reproduction,” in Benjamin, *Illuminations* (London: Fontana, 1973).

anti-liberal and anti-Marxist outlook of fascism are accordingly to be sought in anti-rationalist social and political thought of the late nineteenth and early twentieth centuries, especially as exemplified in the philosophical writings of Nietzsche and Henri Bergson, the study of the psychology of crowds by Gustave LeBon, the elite theorists, Gaetano Mosca, Roberto Michels and Wilfrid Pareto, and the revisionist Marxism of Georges Sorel and Henrik de Man.

The inclusion of Sorel and de Man in this list of the precursors of fascism is significant not just because they were instrumental in the intellectual formation of Benito Mussolini, but because they symbolize the link between fascism and communism which Neocleous aims to clarify. Acknowledging that the language of fascism is parasitic on that of Marxism, particularly in its use of the imagery of revolt, Neocleous emphasizes that this intellectual connection does not indicate a political convergence, but rather the opposite. For while Marxism employed the vocabulary of revolt as part of a larger rationalistic account of the exploitation of the working-class predicated on the relations of economic production, fascists abandoned altogether the notion of class conflict in favour of a classless image of the “nation” girded for the permanent war that defines its existence. And according to Neocleous, this appropriation and revision of the Marxist language of revolt was undertaken deliberately not simply to win over the political loyalties of the working-class from those parties of the left that had begun to mobilize it, but to transform the political energies of this most potent class into a crusade against communism. This transformation was to be effected by a diabolical alchemy that infuses nationalist sentiments with a mythic warrior ethos: “To mobilize the masses in an anti – communist fashion, fascism ‘nationalizes’ the masses, that is in reconstituting the

---

<sup>60</sup> Neocleous, *Fascism*, p. 1.

working class as part of the nation, presenting the struggle of the nation in terms of a mysticism of nature: the nation in motion fulfils its historic role by realizing its natural spirit – the will to power.”<sup>67</sup>

Yet Neocleous also states that the cult of violence and the appeal to the idea of perpetual war had a profound affinity with the hyper-nationalism of fascism in a way that went beyond fascist ambition of mobilizing the masses in an anti-communist campaign. The experience of the collective violence that is war is both celebrated on the personal level as an affirmation of a “metaphysical-vitalist strength shaped by fate,”<sup>68</sup> and posited as the foundation of an aggressive nationalism because it is the nation that is presumed to be the only possible protagonist of modern warfare. Violence and war are in this way glorified not for their instrumental value in obtaining some independently chosen end but as ends in themselves. One could say that the instrumental rationality promoted by the Enlightenment gives way in fascism to an expressive rationality that is nothing more than an aestheticization of brute force. As such, fascism can be seen to be more than just a force that arose to stem the growth of communism but as the very antithesis of the Enlightenment itself.

### **Nationalism and Racism: A Fascist Equation?**

Although ultimately opposed to the political values of the Enlightenment, fascists nonetheless readily attached themselves to certain ideals of modernization, including a fixation on technology, especially that of warfare. That and their apotheosis of the nation, which also is a modern political concept, made fascists appear, on the one hand, to be

---

<sup>67</sup> Ibid., p. 15.

<sup>68</sup> Ibid., p. 18.

heralds of modernism. But the fascist conception of nation also invoked pre-modern mythologies of blood and soil and nativism designed to provide a naturalistic foundation for nationalism. The results were a highly equivocal view of the nation that stressed in turns its biological unity, and its affective unity as subject of history and agent of war. This shifting of definitional boundaries, Neocleous maintains, reflected itself in the differing attitudes to the state found in Italian Fascism and the German Nazism, and in the virulent racism and anti-Semitism characteristic of the latter that was absent in earlier fascist movements.

On the issue of the different attitudes to the state displayed by Italian Fascists and German Nazis, Neocleous offers an explanation popular among contemporary historians of totalitarianism to the effect that the divergent paths to statehood experienced by Germany and Italy accounts for their contrary valuations of the formal state.<sup>69</sup> Thus in the case of Italy, the relative failure of the Risorgimento of the nineteenth century to create an effective state together with a confident sense of pan-Italian identity meant that twentieth century fascists would present themselves as latter-day creators of an Italian nation through the auspices of a strong state. Mussolini's deification of the state as a higher ethical force to which individuals must submit to become free should be understood as a declaration of nation-building where the state is conceived as the only plausible agent of nationalism. On the other hand, the linguistic and cultural unity of the German people had a history that predated the formation of a German state. With the latter becoming associated with the cultural and national decadence of the post-WWI era, the nascent Nazi movement tended to disdain the state proper in favour of a romanticized

---

<sup>69</sup> See, for instance, Jacob L. Talmon, The Myth of the Nation and the Vision of Revolution: The Origins of Ideological Polarization in the Twentieth Century (London: Secker & Warburg, 1981).

image of a collective solidarity experienced in the past. While the state might be useful as an instrument to rejuvenate the German Volk, particularly in its biologically pure form, it was always considered secondary to the Volk itself and the political movement generated in its name.

Although these conflicting appraisals of the value of the state are instructive, it is the pseudo-biological rendering of Volk by the Nazis, and the racial doctrine that underlay it, that most strikingly distinguished the German party from its Italian counterpart. In trying to account for this divergence, Neocleous must directly confront a couple of fundamental questions, each implying the other: is Nazism properly a variant of fascism? Are biological racism and anti-Semitism a natural outgrowth of the hyper-nationalism characteristic of fascism in general? The significance of these questions for the analysis that Neocleous wants to develop cannot be understated. If, for example, it is concluded that Nazism was the product of the peculiarities of German history that displayed a proclivity to biological racism, then the thesis that fascism as a generic political phenomenon that arose in response to the political threat of a newly mobilized and potentially radical working-class is harder to sustain. Because the German case can undermine his thesis about the political role of fascism, Neocleous is at pains to argue that in fact the biological racism and anti-Semitism propagated by the Nazis were outcomes of their commitment to a xenophobic nationalism. It is nationalism, not racism, Neocleous insists, that lies at the core of fascism. That the Nazis conflated the two should not obscure the fact that nationalism was the animating center of the German as well as the Italian version of fascism. The difference in the case of Germany amounts to a

difference in emphasis, with the Nazis more inclined to portray threats to national identity in racial terms. Thus Neocleous writes

In the case of Nazism, as the fear for the nation was transformed from völkisch anxiety to political programme the issue concerned not so much the question of racial intermingling as the threat posed to the nation and national unity by such intermingling. Hitler's concerns about race are in fact concerns over the racial foundations of the nation...Nazism thus consolidates the centrality of fascism by rationalizing the territoriality of some species on the natural basis of the nation-state. In Nazism the nation becomes a unit filled with blood.<sup>70</sup>

If, as Neocleous argues, Nazi racism was but a coded message about the fears of vulnerability that accompany a racially-conceived nationalism, what of the anti-Semitism that became so dominating a feature of that party's political agenda? Neocleous suggests that Nazi anti-Semitism is again best understood through the conceptual prism of nationalism. Jews were portrayed as threats to the German nation because they were themselves nationless and therefore an insidious presence within the body politic. As Neocleous explains: "Since the nation is to be the basis of salvation, the medium through which rejuvenation and revitalization could occur, the Jews' nationless status threatens this salvation from within, so to speak."<sup>71</sup> Unwilling to explore this theme of Jews serving as internal threat to national identity in any way other than metaphorically, Neocleous even casts doubt on the importance of anti-Semitism to the overall growth of the Nazi movement. Without naming sources, he mentions that historical research indicates that among rank-and-file Nazis anti-Semitism "figured as the major prejudice in only a minority."<sup>72</sup> What ultimately may have appealed more to ordinary Nazi supporters than its anti-Semitism, Neocleous contends, was the party's ultranationalism, its anti-communism, its stand on war reparations, its revoking of the Treaty of Versailles, or its

---

<sup>70</sup> Neocleous, *Fascism*, p. 31.

<sup>71</sup> *Ibid.*, pp. 31-2.

general reaction to the politics of the Weimar Republic. Whatever the precise role anti-Semitism played in the political success of the Nazis, Neocleous repeatedly avows that this particular episode of biological racism should be understood against the backdrop of nationalism endemic to all fascism. And pointedly, he suggests, following the early writings of Tom Nairn,<sup>73</sup> that all nationalism contains this same potential: “nationalism is necessarily xenophobic—that is, xenophobia is part of the logic of nationalism—and thus always remains an invitation to anti-Semitism and racism.”<sup>74</sup> Such a disapproving judgment about the latent harm in nationalism allows Neocleous to weigh in again with his claim (again echoing Nairn)<sup>75</sup> that this political phenomenon arose simultaneously with the emergence of a politically significant working-class, and that the object of fascism was to subvert working class radicalism by purposely diverting it into its ultranationalist projects. But to do so, Neocleous argues, required fascists to find a political language that at least superficially had an affinity with some of the more traditional concerns of socialism.

### **Fascism and the Working-Class**

To subdue a potentially powerful working-class meant that it would be necessary for fascists to convince workers that class struggle was at an end or superseded by another social reality. But to do so also would oblige fascists to acknowledge the working-class as a class whose identity and interests call for attention. Hence both in Germany and Italy, efforts were made not simply to incorporate the working-class into an

---

<sup>72</sup> Ibid., p. 33.

<sup>73</sup> See Tom Nairn, *The Break-up of Britain: Crisis and Neo-Nationalism* 2<sup>nd</sup> ed. (London, Verso, 1981), p. 347.

<sup>74</sup> Neocleous, *Fascism*, p. 32.

idealized representation of a classless nation, but also to integrate it into new governance structures that would give the appearance of class harmony. The forms this attempted integration assumed varied in the two countries. In Italy, given the Fascist's commitment to a powerful state structure, the assimilation of workers into a reputedly harmonious labour model occurred through formally corporatist arrangements. To produce the illusion of a concord of interests among capitalists and workers, all were identified as producers contributing to the success of the nation, differing only in the branch of industry they came from and the directive role they played in their respective industries. This classification became the basis of a juridical form of corporatism in which the major economic sectors were provided forums for arranging and reconciling the needs of their relevant "producers", as well as given direct representation in government. Neocleous has no trouble in showing that this corporatist concoction was a sham because "whereas capital still had a great deal of autonomy and freedom, labour was a subjected force."<sup>76</sup> The lesson of this experiment, he concludes, is elementary:

A corporate system forms a mystified veil behind which the process of capitalist accumulation continues unhindered. By incorporating the working class, fascism nullifies the potential political action of the class and, in turn, facilitates the extraction of surplus value.<sup>77</sup>

For German Nazis, a different form of working-class incorporation was envisaged. Instead of adopting the formal juridical structure of Italian corporatism, the Nazis employed the concept of a biological Volk to produce similar integrating effects at both the national and local plant levels. Thus with the creation of a National Labour Front for all German working men irrespective of occupation or trade, the impression was

---

<sup>75</sup> See Nairn, *op. cit.*, p. 41.

<sup>76</sup> Neocleous, *Fascism*, p. 45-6.

<sup>77</sup> *Ibid.*, p. 46.

created that no class divisions existed—all were similarly situated as part of the totality of German people. At the level of the plant, this same emphasis on unity was expressed through the reorganization of industrial relations into “factory communities” where employers were deemed leaders and workers followers, all tied to one another through a shared interest in the success of the firm. The dominant metaphor in these Nazi attempts at reordering the relationship between capital and labour was that of organism or organic, the idea behind which is that there is a natural kinship and connection between employers and employed, and that, properly cultivated, this natural relationship can flourish and enrich the highest organism of all, the nation. Of course, Neocleous adds, just as was the case with the juridical solution to industrial relations offered by the Italian Fascists, so too was this Nazi organic alternative a counterfeit, masking as it did a continuing structure of domination in the symbolism of a redeemed unity associated with a romantically recollected medieval world.

As a “resolution” to the class struggle the institutional arrangements introduced to govern economic relations by the Fascists and Nazis were matched by more-or-less elaborate ideological celebrations of the dignity of work. For instance, the Nazis created a Bureau of Beauty of Labour as part of its leisure organization, Strength Through Joy. The purpose of this Bureau was to promote improvements in the workplace, both of the material variety such as better lighting or washing facilities, and of the aesthetic kind such as beautifying buildings to encourage joy in work. Hitler referred to Beauty of Labour as ‘socialism of the deed’, signifying by the term that the Nazi attentiveness to conditions of work was in fact a true form of socialism as opposed to the exploitation the

proletariat experienced under communism. But as Neocleous underscores, this rhetorical gesture conceals an entirely different purpose

With the *Beauty of Labour*, labour was deproletarianized and domesticated, turned into a beautiful activity far removed from the grubby world of work portrayed in Marxist and Jewish writings. In other words, fascism redefines the problem of the worker as a psychological one and seeks to administer it politically.<sup>78</sup>

In noting fascism's apparent indulgence of labour, Neocleous wants to demonstrate how it could justify itself to the working-class as a revolutionary movement while at the same time serving the reactionary end of bolstering capitalism through the provision of a compliant workforce. This observation is made to counter the claims of interpreters like Sternhell that fascism is a revolutionary third way between capitalism and communism. But while insisting that fascism is in fact very much implicated in capitalism, Neocleous never clarifies its exact relationship other than in either broad functional or vaguely expressive terms. Neocleous resorts to the latter often, as when he writes: "Fascism thus reveals the truth of capitalism."<sup>79</sup> An enthusiast of terminological symmetry, Neocleous also writes: "But if fascism reveals the truth of capitalism, its defense of capitalism also reveals the truth of fascism."<sup>80</sup> While these formulations might seem to express a profound truth, they are in fact less weighty than that. For immediately after claiming that fascism reveals the truth of capitalism, Neocleous declines to enter into the debates over the concrete connection between this political form and specific capitalist classes or stage of capitalist development, and instead offers the rather uninformative remark that industrial capitalism is able to "come to terms with any political regime so long as that regime does not actually expropriate it, and will willingly

---

<sup>78</sup> Ibid., p. 51.

<sup>79</sup> Ibid., p. 52.

and happily come to terms with any regime which solves economic depression, ends political chaos, destroys the revolutionary communist and socialist movement, eliminates workers' institutions, and commits itself to industrial (capitalist) modernization."<sup>81</sup> And as for his claim that its defence of capitalism reveals the truth of fascism, this is no more than a tautological restatement of Neocleous's conceptual starting point: anything that does not fundamentally challenge capitalism is by definition its facilitator.

### **Fascism as Reactionary Modernism**

While Neocleous's account of fascism's subversion of the working-class in the interests of capitalist accumulation begs rather more questions than it answers, his concluding depiction of this political phenomenon as reactionary modernism, which focuses on its myth-making function in a rapidly changing world, raises a different set of problems. For in exploring the equivocal attitude that fascism exhibits towards modernism, Neocleous once again encounters the conceptual difficulty noted earlier of trying to simultaneously attribute to fascism an anti-communist and an anti-Enlightenment rationale.

As a response to modernity, Neocleous indicates, fascism, like all parties of the right, was faced with a central question: "how to maintain order in a world of constant change and thus disorder."<sup>82</sup> Erecting a strong state based on the leadership principle is one way that fascist and non-fascist parties of the right tried to counter the social dislocations of modernity. Employing ideological gambits to assuage an alienated working-class is another. But one of the things fascists proved most adept at was

---

<sup>80</sup> Ibid.

<sup>81</sup> Ibid.

invoking nostalgic images of the past to reinforce national sentiments and to project a revolutionary future worthy of ancient glories. Alternatively, fascists, particularly the Nazis, mined images of nature, both to invest it's politics with a naturalistic gloss and to intimate the path to national deliverance through the recovery of a repressed nature. In both instances fascists resorted to elaborate mythologies, as in the cultivation of the myth of Rome by the Italian Fascists and the recurrence of Teutonic imagery in Nazi propaganda. The political cosmology these symbols were meant to express involves a syncretic amalgamation of the archaic within the modern. Thus they at one and the same time appealed to a sense of lost order and national splendour, but also pointed forward to a new heroic age where might and the will to power promise a renewal of national unity and purpose.

According to Neocleous, the key to understanding the mobilizing effects of this symbolism is to attend to the self-understanding of human temporality, or the politics of time, that fascists entertained. The fact that ancient imagery is exploited to signal the possibility of future renewal reveals a fundamentally future-oriented politics that is at one with modernity. But the fascist manipulation of the modern fascination with projecting a future utopia was fated to fail, Neocleous argues, because it could never be fully revolutionary:

It captures human desires for a different--and radically better—world but, abandoning the political and philosophical project of the Enlightenment and emancipation, it refuses to let rationalization become truly rational. Fascism has to resist the realization of the emancipatory potential implicit in modernity, as this would mean the end of fascism.<sup>83</sup>

---

<sup>82</sup> Ibid., p. 71.

<sup>83</sup> Ibid., p. 74.

Unable to fully realize the emancipatory promise of the Enlightenment, fascism has no choice but to confront the misery engendered by modern industrial capitalist societies with a temporal sleight-of-hand that imagines a future modeled on an ancient past, but also to posit nature as the redemptive grounds of politics, though a nature that is rescued and revived from its modern utilitarian representation. This was especially true of Nazi ideology which made abundant use of the idea of nature as the ground of the nation and the guide to national health. The way in which fascists utilize nature to inform politics is by first proposing an elementary identity between the two: “the social body is a natural body.”<sup>84</sup> By naturalizing the body politic, fascists are able to resist the Enlightenment tradition of treating politics as an artificial sphere dependent upon the development of reason, and instead locate its source in a mythologized nature that has a pseudo-spatial presence. For instance, Neocleous argues that the Nazi emphasis on agriculture and the land as symbols of the natural foundation of the nation fostered a sort of synthesis of “nationalism and naturalism, a ‘life-bound’ nationalism.”<sup>85</sup> Moreover, because the living and non-living natural entities within the country were seen to represent the nation, the Nazis were concerned with both the preservation of the German land and with the enhancement of the German people as a natural stock. Hence Nazis devoted considerable attention to agricultural industries and the protection of natural resources and landmarks, parading as environmentalists before there ever was such a movement. Likewise their obsession with healthy bodies, both physically (thus an emphasis on exercise and physical discipline) and genetically (thus eugenics, and ultimately racism) made them into heavy-handed fitness fanatics. For Neocleous, this

---

<sup>84</sup> Ibid., p. 75.

<sup>85</sup> Ibid., p. 77.

excessive interest in the body denotes a truly perverse inclination: “Those who extol the body above all else invariably have the closest affinity with killing; the lovers of nature are often also the most vicious killers.”<sup>86</sup>

Whether or not he is right in his own assessment of devotees of physical fitness, Neocleous’s highlighting of this aspect of Nazi ideology is instructive because it forms part of the evaluative categories Nazis employed for their political ends. The body, both social and individual, that was worshiped in Nazi ideology needed to be virile, healthy, strong and pure. The corollary is that those deemed not to have these characteristics are expendable subhuman types. Thus it is that Nazi propaganda is full of references to weeds that need to be exterminated or germs that must be purged from the social body. Ideas of normalcy and abnormalcy are not restricted in Nazi ideology to bodily attributes. For example Neocleous points to the fascist obsession with a natural sexual division of labour and their mistaken view that that the artificial structure of male power was actually the normal order of things. He relates how fascists conceived of the two sexes as complementing each other, with men tending to war, and women tending to the duties of motherhood. Women’s roles were seen primarily in terms of producing the nation’s future soldiers. “Hence” writes Neocleous, without any indication he is aware of the irony of his own chauvinism, “the emphasis on Mother’s Day as a celebration of the place of mothers in perpetuating and defending the nation rather than a chance for a sentimental ‘thank you’ to be made to mums everywhere.”<sup>87</sup> The essentialism that undergirds the fascist’s crudely instrumental view of women is not actually repudiated by Neocleous but reproduced in a sentimental way with his reference to their motherly role.

---

<sup>86</sup> Ibid., p. 87.

<sup>87</sup> Ibid., p. 80.

Again what is missing in this analysis of the place of women in fascist society is any sophisticated examination of the gendering of the state and its administrative organs, much less the exclusions and opportunities women experienced in civil society and the domestic sphere. It is the symbolism of their oppression rather than its actual manifestation that Neocleous seems interested in capturing. And this expository trait is not restricted to his diagnosis of gender relations. It in fact saturates his entire analysis of fascism because the overall thrust of his book is to explain what fascism signifies rather than what exactly caused this political phenomenon to arise, or how it operated once in power.

In searching for different ways to illustrate the meaning of fascism, Neocleous is always on the lookout for signifiers that could be said to encapsulate the fascism. This constant search for the telling iconic feature of fascism leads Neocleous to the conclusion that fascism has but one end-point:

the brutalization of the human body and desire, and, ultimately, slaughter - the first because the bureaucratic high point of the identification of the unnatural and the pathological must be the elimination of the enemy; the second because the existential high point of the identification of war as a perpetual phenomenon of the social body is the death of the enemy. Fascism is an ideology obsessed with death; 'I kill therefore I am. I die, therefore I was' its central philosophical principle. The highest achievement of fascism, then is a pile of corpses, its history a catalogue of human destruction.<sup>88</sup>

Dramatic as this conclusion may be, it once again points to the bifurcation that is found throughout Neocleous's analysis of fascism. For in this final description of its underlying motivation, Neocleous returns to the theme of fascism as the negation of reason, and in this he yet again implies that as a political phenomenon fascism is about more than just the destruction of communism.

---

<sup>88</sup> Ibid., p. 88.

The wavering between a narrower economic and a broader ideological account of the origins of fascism leaves Neocleous's analysis rather inconclusive. Inconclusive too is his depiction of the subsumption to the dictates of capitalism of the working-class under fascism. A large part of the problem here is that Neocleous does not furnish much in the way of detailed analysis of the actual relationship between fascist parties and their working-class supporters or opponents, nor does he examine concretely how fascists were supported by capitalist classes or whether fascist policies in any way introduced contradictory effects for capitalism. Consequently, Neocleous must fall back on the broad though ultimately unprovable functionalist claim that fascism was a pro-capitalist movement because its policies were amenable to the continued extraction of surplus labour.

Not only does this functionalist perspective fail to provide a genuine explanation of the phenomenon of fascism, it also renders problematic the very concept of civil society which Neocleous in his previous work had laboured so mightily to restore for Marxist analysis. The problem can be seen most clearly when one compares Neocleous's account of the liberal extension of the franchise in *Administering Civil Society* with the various methods he describes in *Fascism* by which fascist parties tried to incorporate the working-class into an ultra-nationalist and virulently militaristic movement. In the case of the former, Neocleous argues that the enfranchisement of the working-class served to deradicalize it by reclassifying workers as members of a nation, of the whole, rather than as belonging to a class in itself and for itself. The resulting conflation of class and community meant that collective class demands are to be inhibited and class agency denied:

The idea of the nation or community further operates to contain working-class action, conceived as selfishness by a particular group against the whole. Moreover, in being evacuated of class the idea of community jettisons any idea of agency: the community becomes a passive object, a collection of numbers unable to articulate any collective demands.<sup>89</sup>

The trouble with this description of the integrating and pacifying effects of the enfranchisement of the working-class is that not only is it a decidedly one-sided report of an historical phenomenon that had in fact produced significant contradictory effects for capitalism, but equally if not more importantly, it makes it conceptually impossible to distinguish liberal reforms from fascist political innovations. Since both serve to subordinate the working-class to the rule of capital, they must in some sense be regarded as morally comparable. Unwittingly, it seems, Neocleous has reproduced the regrettable equation between fascism and social democracy that the Comintern had so recklessly promoted in the 1930s. More than that, by depicting the working-class as an object that is worked upon by fascists and liberals alike to produce a docile labouring force, Neocleous appears to rule out of his analysis from the start a dynamic picture of civil society as a domain where politics is fought out and where victories are forever contingent, fraught as they are with internal contradictions and tensions. In its place he offers instead illustrations of the ways in which ideologies and administrative structures acted to interpolate workers as particular kinds of subjects according to needs of capitalism. Since capitalist relations of production are, for Neocleous, the backdrop that always defines the scope of meaningful political activity in civil society, he must of necessity always refer to the functional imperatives of capitalism when describing these activities. Thus it is with fascism which is portrayed as but the most extreme variant of pro-capitalist politics. With such a staunch Marxist position Neocleous finds himself gingerly trying to account for

---

<sup>89</sup> Neocleous, *Administering Civil Society*, p. 128.

things like Nazi anti-Semitism in rather implausible terms, i.e. that in the final analysis biological racism is nationalism writ in the extreme, and as such serves the capitalist project of making over the working class into a willing agent of its own subordination. Yet when forced to acknowledge the evil and utter irrationality of the Holocaust, Neocleous can only fall back on a decontextualized narrative about the perils of aestheticized violence and the revolution against reason it represents. In this last take on fascism Neocleous lets historical subjects disappear entirely and leaves on the stage only contending ideas playing out a tragic drama authored by a relentless history.

## Chapter 3

### The Fabrication of Social Order

#### Introduction

Whereas in his study of fascism Neocleous focused on the ideas behind ideological formations and their role in reproducing capitalist order, in his subsequent work, *The Fabrication of Social Order*, he returns in a more straightforward fashion to themes initially raised in *Administering Civil Society*. Central to that first book was the contention that political administration is a vital yet largely unexamined category that helps explain how capitalist order is both enforced upon and consented to by a potentially resistant working-class. In *The Fabrication of Social Order* he directs his attention to police and policing as an essential element in political administration. When talking about police he does not restrict the meaning of the term only to its present-day connotation of a professional constabulary charged with enforcing laws and maintaining public peace, but rather tries to link this familiar definition to a broader conception of policing as the overall application of social policy. This broader conception recalls the Foucauldian treatment of police as a mode of governance associated with the rise of the modern state and aimed at overseeing both a political and moral economy.<sup>90</sup> To this Foucauldian perspective Neocleous adds his own Marxist reading of the class-motivated

---

<sup>90</sup> See, for instance, Michel Foucault, "Governmentality," in G. Burchell, et al, eds., *The Foucault Effect*, pp. 87-104. See also Pasquale Pasquino, "Theatrum Politicum: The Genealogy of Capital--Police and the State of Prosperity," in *ibid.*, pp. 105-118; and Giovanna Procacci, "Social Economy and the Government of Poverty," in *ibid.*, pp. 151-168. It should be noted that despite his disagreements with the political cosmology of the Foucauldians, Neocleous nonetheless relies a great deal on their work. And he depends not only on the insights provided by Foucault, Pasquino, and Procacci, but also and especially on arguments made by Richard Ericson (who contributes his own Foucauldian perspective on the role of police in reproducing order in society) in *Reproducing Order: A Study of Police Patrol Work* (Toronto: University of Toronto Press, 1982).

function of policing, thus seeking to anchor in a materialist analysis the discourse-theoretic method of the former.<sup>91</sup>

Whether Neocleous manages to integrate this combination of Marxist and Foucauldian theoretical viewpoints in a more seamless manner than in his initial attempt is something that will be addressed in this chapter. What can be said from the outset, however, is that his book on policing is stylistically an improvement on *Administering Civil Society*, mainly because the argument is more clearly enunciated and the order of presentation more sensibly laid out. It is also a theoretically more ambitious book because Neocleous works with an expanded view of capitalism and tries to relate policing to the rise of capitalism in a detailed historical fashion. Finally, the book is appealing because, aside from studies done by professional criminologists, policing is a function of the state that is lacking in systematic study by sociologists and by political scientists, yet one so crucial to its very existence and *raison d'être*.<sup>92</sup>

### **Origins of the Police: Preliminary Observations**

Conventional accounts of the origins of the police usually point to the creation of London Metropolitan Police in the early nineteenth century as the historical moment when a truly professional constabulary emerged.<sup>93</sup> Neocleous objects to this characterization of police. While agreeing that indeed one could think of the Metropolitan

---

<sup>91</sup> As far as Marxist sources for his views on policing, Neocleous draws heavily on left-wing criminology of the 1960s and 1970s, especially the works of Richard Quinney, *Class, State and Crime* (New York: David McKay, 1977); Steven Spitzer, "Towards a Marxian Theory of Deviance," *Social Problems* (Vol. 22 1975), pp. 638-51; and Sidney L. Haring, "Class Conflict and the Enforcement of the Tramp Acts in Buffalo, 1892-94," *Law and Society Review* (11:5 1977), pp. 873-911.

<sup>92</sup> David Smith, "The Police and Political Science in Canada" in R.C. Mcleod and D. Schneiderman (eds.), *Police Powers in Canada: the Evolution and Practice of Authority* (Toronto: University of Toronto Press, 1994).

Police force as 'new' and 'modern' in the sense that it adopted formal rules of conduct and standardized uniforms bearing the official imprint of an established political authority, he maintains that in reality this 'new' police force was not a break with the older conceptions of policing, but rather represented "an institutional elaboration of the old police idea."<sup>94</sup> This older police idea revolves around the imperative to preserve a 'good order,' and it was the latter, Neocleous contends, which underwent reformulation as capitalism emerged and matured as an economic system.

Intent on linking the historical evolution of the police to the development of capitalism and the modern state form, Neocleous is critical of both Foucauldian and liberal conceptualizations of state power and police. For instance, he argues that although Foucauldians are more than eager to analyze police as an instantiation of official power, they are reluctant to examine in any detail the state that is the grounds of that power. Liberal police science, on the other hand, by uncritically accepting the view that the goals of police consist of maintaining law and order, misunderstands the nature of police power and refuses to "specify the precise nature of the dynamics of state power."<sup>95</sup> According to Neocleous, comprehending the nature of police power and its place within the dynamics of state power means that one must look beyond the men in uniform to the fabric of social order which it is their special charge to keep (or create as he will argue). Looking at this larger issue of social order leads Neocleous to propose that "the core of the police project remains the question of poverty and thus the constitution of the class of poverty, and since state institutions for the administration of poverty are generally understood by

---

<sup>93</sup> See, for example, Egon Bitner, The Functions of the Police in Modern Society: A Review of Background Factors, Current Practices and Possible Role Models (New York: Jason Aronson, 1975).

<sup>94</sup> Neocleous, Fabrication of Social Order, p. 65.

<sup>95</sup> *Ibid.*, p. xiv.

the term 'social policy' and administered through the institutions of the welfare state, the expanded concept of police shall be thought of as social police and presented as the project of social security.”<sup>96</sup>

To substantiate this expanded concept of police as social police, Neocleous presents a history of police which stipulates that the institution emerged at a time when feudalism began to break down, and became ever more specialized and integral to the functioning of national economies as capitalism came into its own. According to Neocleous, the phenomenon of police power is linked specifically to the growth of European cities and townships. These in turn depended on the emergence of a new class of autonomous workers that resulted from the disintegration of older feudal relations of personal servitude. Traditionally the feudal lord or the Church had supervised the running of the towns. However, with the growth in the population of these towns, and with the changing nature of socio-economic relations exemplified by the increased mobility of labour, the governance of day-to-day affairs in urban locales began to be shifted to local authorities. It is in this context, Neocleous argues, that “police emerged as part of an overall concern with the increasing ‘social disorders’ that were said to be plaguing the state.”<sup>97</sup>

Anxieties about social disorders were nourished by the recognition that these one-time serfs who were now moving to the towns to look for work were in fact ‘masterless men’ for whom the traditional prescriptions and sanctions of the decaying feudal order no longer had the same force. The breakdown of the old feudal basis for social order thus necessitated the fabrication of a new foundation adequate to the social reality of the post-

---

<sup>96</sup> Ibid., p. xi.

<sup>97</sup> Ibid., p. 2.

feudal world. That new foundation included a new enforcement mechanism, in the form of officers of the town responsible for regulating the conduct of its population.

Significantly, as this new police emerged, almost all human conduct, including domestic affairs, came to be under their jurisdiction, and their primary concern was not so much the prevention of crime as with the maintenance and enhancement of order. The guiding assumption underlying this mode of governance was that social discipline and harmony were necessary to the creation not simply of order, but good order, and for this the detailed supervision of social relations was warranted. This observation leads Neocleous to conclude that “police from its origins has been a form of governing rather than the exercise of law,” and thus “the best way to understand police is as an activity rather than an institution, a function rather than an entity.”<sup>98</sup>

For the purposes of his analysis Neocleous divides his account of the function of policing into three stages, with the first two separated by the Thirty Years War (1618 – 48), and the third stage dated to the late eighteenth century and consolidated in the nineteenth century. In all of these stages, he insists, the police were not simply concerned with the preservation of order. Rather, and more importantly, they played a direct role in the fabrication of what was to be considered good order. To illustrate this point Neocleous tries to trace the concepts of order throughout this history and show how these shaped the self-understanding of the policing role. In the first stage, for example, policing was aimed at “the re-formation of the social body via an attempt to regulate everything which went unregulated.”<sup>99</sup> This meant devising means to maintain the structure of manners that the increasingly obsolete feudal Estates were no longer capable of

---

<sup>98</sup> Ibid., pp. 4-5.

<sup>99</sup> Ibid. p. 6.

upholding on the basis of their own authority. Such a reactionary objective was displaced, in the second stage, with a more positive role for the police in shaping the social body, but now in the service of wealth production and accumulation. In the transition from the first to the second stage of policing, a transformation in the understanding of social order took place. Prior to the 16<sup>th</sup> century order was understood as something that was made by God. Towards the end of 16<sup>th</sup> century, however, it became more commonplace to understand order as man-made, not divine. With order thus seen as a social fact that could be structured politically, made as well as enforced by the sovereign, it was but a small step to conclude that just as the state had the “power to fabricate order, so the key institutional mechanism through which this fabrication was achieved – police, policy – became legitimated.”<sup>100</sup>

Acknowledgement of the sovereign state as the source of order also coincided with a re-evaluation of the content of good order. This re-evaluation meant first a reformation of the idea of the state whereby it, rather than the Church, is seen to be the medium through which the needs of the common good could be articulated and met. Once the state is considered the provider of the common good or general welfare it becomes customary to identify the interests of society with that of the state<sup>101</sup>. The identification of the good of society with that of the state led to the appearance of new doctrines of state power and political administration, sometimes known as cameralism, and proclamations of a new police science attuned to the administrative needs of this amplified political authority. The changed view of politics which these doctrines and professions of a new police science represent is plainly evident during the period of

---

<sup>100</sup> Ibid., p.8.

<sup>101</sup> This is the theme he takes up in *Imagining the State*. See the discussion in Chapter 4 of this thesis.

European mercantilism when an orderly society came to be associated with a prosperous state. What was especially significant in the development of the mercantilist state, from Neocleous's perspective, was the attendant growth of "policing mechanisms designed to facilitate growth of the money supply, population, foreign trade and mining (p. 14).

While noting that the central concern of policing during the mercantilist era became that of ensuring the conditions conducive to prosperity, Neocleous insists that this function can be more fruitfully understood as administering poverty. As a case in point, he refers to the policing of grain production, handling, distribution and sales in France in the eighteenth century. On the one hand police were thought to look out for the general good because they were ensuring that there would be as little of market fluctuation in the price of grain as possible. But on the other hand, policing the production and sale of grain also amounted to maintaining order, because as Leray de Charmont, a French grain merchant of the era, stated, "if 800,000 people [in Paris] were to lack bread for six hours, everything would blow up."<sup>102</sup> For Neocleous this admission constitutes proof that already during the mercantilist era policing has as its chief object the administration of poverty, in the sense of defending against its ominous social effects: "the science of police can be traced to the fear that the forerunners of the proletariat would invade property."<sup>103</sup>

By contrast with this protective stance against the perceived ill-effects of poverty in general, the third stage of policing was concerned, according to Neocleous, with actively mobilizing the workforce and fabricating wage labour as a social norm. Thus there began to be a differentiation between two types of poor – idle vagrants and the poor

---

<sup>102</sup> From Geoffrey Kay and James Mott, *Political Order and the Law of Labour* (London: MacMillan, 1982), p. 126 cited in Neocleous, *Fabrication of Social Order*, p. 16.

working class. Because idle vagrants were not part of the class of wage labourers involved in the productive economy, they represented a threat to social order. At the same time it was generally realized by those who owned property that poverty was the source of wealth because the poor would work at wage-rates below the actual value of their labour. For this reason the propertied classes had no interest in eliminating poverty, but only in ridding society of unproductive vagrants by either transforming them into 'voluntary' labourers or putting them into workhouses. In stressing this inculcation of the routine of wage labour, Neocleous distinguishes the police project of proletarianization underlying the institution of the workhouse from Foucault's account which depicts this institution as a means of interring social misfits:

The primary aim of this policing was not to confine persons under some great scheme of incarceration or 'great confinement', as Foucault calls it, however productive this might be, but to help fashion a labour force outside the institution by making the able bodies beggar and vagrant offer their labour power for sale on the market. This was the process by which the feudal workforce was 'forcibly expropriated from the soil, driven from their homes, turned into vagabonds, and then whipped, branded and tortured by grotesquely terroristic laws into accepting the discipline necessary for the system of wage – labour.'<sup>104</sup>

### **Liberalism and the Police Project**

In describing the third stage of policing in terms of fabricating a working-class habituated to toiling for a wage, Neocleous is aware that the process was not without its own contradictions. The problem was that the very motivation for individual self-aggrandizement that needed to be instilled in workers under a system of wage-labour seemed to go against the idea of a common good to which the state is nominally dedicated. According to Neocleous, this contradiction is: "best captured in the Latin

---

<sup>103</sup> Neocleous, *Fabrication of Social Order*, p. 16.

phrase used by Foucault when grappling with the idea of police: omnes at singulatim – everyone together and each individually. The project of imposing work meant rationalizing individual material activity, but this undermined the demand that all work together under some common good.”<sup>105</sup> The underlying tension between the image of the rational calculating economic man that was increasingly being heralded in the eighteenth century and vestigial images of the common good that continued to be used to justify police power was compounded by the emergence of liberalism as both economic and political doctrine.

Liberalism turned out to pose the greatest threat to received notions of the police by presenting an ideological defence of another sort of order than hitherto imagined in the age of mercantilism. The new order prescribed by liberalism involved both a different conception of the conditions necessary to generate prosperity, and a reconfiguration of the relationship between law and police characterized by the liberal allegiance to the ideal of the rule of law. As far as the different conception of conditions essential to prosperity, it is the writings of Adam Smith which present most clearly the new liberal worldview in the making, and the implications this had for comprehending police power. Smith’s contribution to debates on the role of the police is directly related to his view of commercial society as self-regulating via the invisible hand of the market that allegedly reconciles individual self-interest. For one thing, this means that the “state of prosperity is therefore rethought as a condition of the social rather than the state itself.”<sup>106</sup> The implication this has for a concept of police is that a self-regulating society needs no close

---

<sup>104</sup> Ibid., p. 20.

<sup>105</sup> Ibid.

<sup>106</sup> Ibid., p. 25.

and continual supervision of individual industry, but only what is necessary to ensure the smooth operation of the market.

This narrowed vision of police power was reinforced by the liberal preference for the rule of law over the rule of the police. The contrast was posed by liberal thinkers not simply to endorse abstract rules of justice over the discretionary power of agents of the law, but more fundamentally, to indicate the superiority of liberal constitutionalism over mercantilist conceptions of the common good as the active management of wealth creation and distribution. Liberal constitutionalism presumed that the best state is one with optimal individual liberty consistent with the liberty of all, something that could be institutionalized through a system of legal and political rights that confer on individuals a prized sphere of freedom appropriate to their moral autonomy. The liberal political ideals of limited government and individual rights, just as the liberal economic ideal of the self-regulating commercial society, stood as direct challenges to the older conception of the police as an interventionist arm of the state whose purpose is to help realize the good order necessary to the prosperity of the state. In order to reconceptualize police in a way that would be compatible with this inversion of the moral hierarchy of individual (and by extension, society) and the state, liberals would need to find a different normative language to describe social order and the role police had in protecting it. In so doing, Neocleous points out, they had to contend with both the positive and negative connotations police had acquired: “‘Positive’ in the sense that it connoted general well-being, health and welfare and thus the presence of order; negative in the sense that it connoted spying, censorship, the excessive management of trade and thus the absence of

liberty.”<sup>107</sup> The liberal solution to this dilemma was to radically recode the politics of order in such a way as to provide an alternative image of security, and hence of order, that would come to define the role of police. And the concepts that made possible such a recoding were those essential to the emergent bourgeois belief system: interest, independence and property.

The transformation of the idea of interest from a purely political concept connoting the will of the sovereign or benefit accruing to the state to an economic concept denoting a private concern for material benefit marked one of the major ideological triumphs of the ascendant bourgeois order. To be able to conceive of individuals motivated primarily by their own material self-interest constituted something of a revolution in social thought. According to Neocleous, this ideological makeover of the idea of interest went hand in hand with a moral renovation of the idea of independence. Whereas in pre-capitalist society dependency was taken to be part of the normal state of human affairs, woven as it were into a natural hierarchy of being, the prevailing view of commercial society as it evolved in the nineteenth century was that independence in the sense of freedom of economic decision-making was a moral accomplishment of the highest order. And as the idea of political sovereignty shifted from its traditional identification with the will of the ruler to its liberal association with the civic body, the independence of the citizen who has an interest and is prepared to use political means to secure it turned out to be of paramount importance.

But for the liberal normative emphasis on individual independence to actually become politically distinctive, an enlarged and morally deceptive conception of property was required. Property needed to be conceived in an expanded fashion because

---

<sup>107</sup> Ibid., p. 34.

independence had always been associated with its possession. Thus if individual independence were to be regarded as a general condition of commercial society rather than the preserve of the few, it would be necessary to reconceive property in such a way that everyone could in principle be regarded as the owner of property. The theoretical solution to this problem that liberal thinkers such as John Locke and Adam Smith arrived at was to declare labour power to be a form of property which everyone possessed. This novel view of property permitted liberal thinkers to indulge in a conceptual sleight-of-hand in which the power differential between those who own real property and those whose property consists of their own person is conveniently concealed under the rhetoric of legal equality founded on an abstract idea of property. The design of this liberal argument had important consequences for ideas of the police, Neocleous contends, because it disguised a crucial fact about order that older police science took for granted:

The feudal and early modern conception of order as part of a great chain of being accepted the inherently hierarchical meaning of order, even when social order came to be understood as politically constituted.... Thus to say that the 'police beget good order', or that the police fabricate order, was to say that the police ensured that things took their place within a hierarchy. Police regulations were often based on the understanding that the order to be made and maintained was of a hierarchical nature, down to the sumptuary regulations concerning dress. In contrast, in its presentation of a system of independent property-owning individuals pursuing their own self-interest, liberalism glossed over the fact of hierarchy connoted in one of its central concepts.<sup>108</sup>

In obscuring the fact that property in the form of capital is an exercise of power and an instant of hierarchy, liberalism is able to complete its ideological recoding of the politics of order by presenting a revised vision of security. This revision follows the same logic as displayed in the transformation of the concept of interest from a public and institutional trait to a private and activity-oriented attribute. Thus it was that a gradual

---

<sup>108</sup> Ibid., p. 38.

transformation in the meaning of security took place, its locus shifting from the safety, defence, and independence of the state to the protection of private transactions in the marketplace. Indeed, as Neocleous argues, security comes to be seen as the essential precondition of commercial, and by the same token, political freedom. Quoting a number of eighteenth and early nineteenth century thinkers from Adam Smith to Montesquieu, Bentham, Paine, Priestly, Paley and Humboldt, Neocleous illustrates the tendency for these theorists of an increasingly hegemonic liberalism to identify liberty with security, and from this referencing exercise he reaches a somewhat startling conclusion:

The concept of security thus becomes the ideological guarantee of the egoism of the independent and self-interested pursuit of property within bourgeois society. In doing so, security becomes the supreme concept of bourgeois society.<sup>109</sup>

By asserting security, not liberty, to be the supreme concept of bourgeois (i.e. liberal) society, Neocleous wants to emphasize in the strongest possible terms that the liberal equation of liberty and property is both contingent upon security in the form of an organized force designed for its protection, but also reflective of the fundamental insecurity which continually attaches to the regime of private property: “the liberal identification of security with liberty and property in fact masks an underlying insecurity at the heart of the bourgeois order—the insecurity of property—which is deeply connected to the question of class.”<sup>110</sup> Raising again the spectre of a perilous proletariat waiting in the wings, Neocleous returns to the theme made familiar in *Administering Civil Society* that the subjection of the working-class is the subtext of public policy in bourgeois society. This time, however, it is the police who are the protagonists of public policy, though in the liberal incarnation of this institution their role in governance is

---

<sup>109</sup> *Ibid.*, p. 43.

<sup>110</sup> *Ibid.*, p. 44.

veiled by their seemingly neutral, professional mission of enforcing law and order while being subject to the rule of law themselves. What the liberal depiction of a professional police force restricted in its activities to enforcing law and order leaves out of account, of course, is that its conception of law and order remains regime-specific, conceived as that which is suitable for the functioning of the private market. Moreover, the liberal portrayal of market order also conceals the active process of order-creation which of necessity involves the state and especially the police. Hence to understand the real undertaking of police in the liberal era it is imperative to go beyond liberal platitudes about law and order and to observe their role in the fabrication of a market order.

### **Hegel and Colquhoun: Liberal Realists or Apologists?**

As a preliminary to his concrete investigation of the police role in fabricating market order, Neocleous offers a brief theoretical digression by discussing the views of Hegel, and the English economist and statistician, Patrick Colquhoun, on policing. Neocleous focuses on these two writers because he regards them as realists who had the acumen to link the modern policing project of liberal society to the administration of poverty. In remarking on Hegel's contribution to a modern understanding of police, Neocleous acknowledges that while the concept of police is central to his political thought, it is almost completely ignored in the secondary literature on his philosophy, nor does it appear in contemporary police studies. The writings of Colquhoun, on the other hand, are well represented in modern police studies, though not necessarily contextualized in a way that brings out their historical significance. Neocleous treats

these two writers together because he thinks they shared a profound understanding of the “the insecurity of private property within civil society.”<sup>111</sup>

Hegel, it will be recalled from the first chapter of this thesis, insisted on distinguishing a level of social reality called civil society from the spheres of family and the state. In his view, commercial activities comprise one of the most active forces in civil society. The significance of these theoretical distinctions, according to Neocleous, is threefold. First, although Hegel discusses police in the section on civil society in his best-known political work, *Philosophy of Right*, he is actually referring to those activities by which civil society is organized and administered through the state, more specifically, through its executive offices which include the police. Second, this discussion of police within civil society departs from most liberal depictions of the latter because for Hegel the viability of civil society is seen to be dependent upon the vigorous exercise of extensive state power. And third, given the importance that market relations play in Hegel’s understanding of civil society, its administration by the state is necessarily geared to the problem of poverty. On this last point Neocleous is insistent that Hegel fully comprehended how central poverty is to the operation of bourgeois society, and how the insecurity it produces calls for the active solicitude of the state. Thus unlike the optimistic Adam Smith, whom he admired as a prescient theorist of the division of labour under modern capitalism, Hegel was not inclined to see a market-dominated civil society as a largely self-regulating entity but rather as something “which is constantly on the verge of going wrong and which therefore needs policing.”<sup>112</sup> Most importantly, from Neocleous’s perspective, Hegel understood that it was not poverty itself but the potential for a

---

<sup>111</sup> Ibid., p. 47.

<sup>112</sup> Ibid., p. 48.

dangerous class of malcontents to arise from within the class of the poor that poses the greatest threat to order in civil society, as evidenced by his observation in the *Philosophy of Right*:

When a large mass of people sinks below the level of certain standard of living...that feeling of right, integrity, and honour which comes from supporting oneself by one's own activity and work is lost. This leads to the creation of a rabble... Poverty in itself does not reduce people to a rabble; a rabble is created only by the disposition associated with poverty, by inward rebellion against the rich, against society, the government, etc.<sup>113</sup>

Neocleous takes this quote as evidence both that Hegel recognized the distinction between the labouring poor and the seditious poor, and that he implicitly understood the policing role as one that can only hope to contain the dangers of the latter: "Since it cannot abolish poverty because to do so would be to abolish civil society, all the police can do is prevent the poverty-stricken class from becoming a criminalized and pauperized rabble."<sup>114</sup>

Where Hegel is presented as a theorist of civil society who had the foresight to perceive the vulnerability of capitalist relations of production and the inescapable need for policing of the poor, Patrick Colquhoun, author of the influential *Treatise on Police*, is depicted as a pioneering police theorist who did not simply accentuate the importance of crime prevention, but worked "to integrate the general idea of prevention into a theory of police."<sup>115</sup> To this end Colquhoun publicized the connection between crime, indigence and poverty. It was, he argued, indigence rather than poverty itself which nourished crime. Accordingly, the key to Colquhoun's argument about policing is that the

---

<sup>113</sup> G.W.F. Hegel, *Elements of the Philosophy of Right*, ed. by Allen Wood and trans. by H.B. Nisbet (Cambridge: Cambridge University Press, 1991), para 236, cited in Neocleous, *Fabrication of Social Order*, p.48.

<sup>114</sup> *Ibid.*, pp.48-49.

<sup>115</sup> *Ibid.*, p.50.

prevention of crimes was not just about preventing the acts themselves, but more generally and more importantly about preventing the working-class poor from sliding into indigence. As Neocleous describes it, this concern for pre-empting idleness and indigence led Colquhoun to make the case for an extended conception of policing:

Colquhoun's interest lay in the problem of idleness outside the factory. The task of police is to employ a whole panoply of measures and techniques to manage idleness, extending well beyond administration of relief into the morality, profligacy and propriety of the working class. The working class needed to be taught the morality of work and thus the immorality of idleness and related activities such as drinking, gambling, cohabitation, prostitution, political subversion, trade unionism and....appropriation of property from the workplace, as well as 'crime' more generally.<sup>116</sup>

Unlike most eighteenth century legal theorists, who distinguished between public and private wrongs, Colquhoun insisted that private wrongs involving the marketplace are public. By insinuating that crimes against property have a critical public effect and should be treated as such, Colquhoun's theory of policing was very much a piece with liberal political economy insofar as it underscored the legal sanctity of property for a viable commercial society. But more than that, Neocleous declares, Colquhoun's insight that the commodification of labour requires a policing mechanism makes him a prophet of the modern welfare state:

...since the heart of Colquhoun's proposals is the overseeing of the condition of labour through the political management of poverty, he should be remembered for being the forerunner of the new poor law, as much as a forerunner of the new police, a forerunner of preventative social policy as well as preventative criminal policing. Those figures and institutions which emerged following the 'birth of the welfare state' and which became central to social policy—poor law and social security officers, social workers, probation officers, and 'official' administrators of policy, and the public health system—are on this view as much a part of the policing of the system as uniformed police officers.<sup>117</sup>

---

<sup>116</sup> Ibid., p. 55.

<sup>117</sup> Ibid., p. 58.

While Hegel and Colquhoun may have had a more realistic understanding than their liberal counterparts of the requirements of order in an emerging capitalist society, and hence the need for a strong state apparatus dedicated to its attainment, their own commitment to an economic system based on private property prevented them from going much beyond the liberal vision of security as the pledge of individual liberty. In order to progress beyond this liberal vision of security, Neolceous proposes, in a turn of phrase that reflects a post-modern sensibility, that it is essential to recognize that ‘securing’ is what is “what is done to a condition that is insecure.”<sup>118</sup> In support of this rather hackneyed abstract definition of security in terms of its opposite, Neocleous cites the well-known post-modern international relations theorist, James Der Derian, who describes the so-called paradox of security as one in which the language of security contains traces of insecurity. Escaping this paradox, Der Derian advises, is futile: “...originating in the contingency of life and the certainty of mortality, the history of security reads as a denial, a resentment, and finally a transcendence of this paradox. In brief, the history is one of individuals seeking an impossible security from the most radical ‘other’ of life, the terror of death.”<sup>119</sup> Applying this figurative tale to policing, Neocleous suggests that the “history of police as a security project is a history of private property’s fear of its most radical ‘other’ (communism).”<sup>120</sup> Securing the continued conditions for the private appropriation of wealth in a property-based system thus becomes the pre-eminent concern for police in the bourgeois age, and in pursuit of this end policing slides imperceptibly into the larger project of social security that has become

---

<sup>118</sup> Ibid., p. 61.

<sup>119</sup> James Der Derian, *Antidiplomacy: Spies, Terror, Speed, and War* (Oxford: Blackwell, 1992), p. 75, cited in op. cit

<sup>120</sup> Op. cit

the leitmotif of modern capitalism. The details of this merging of police and welfare functions occupy the empirical chapters of *The Fabrication of Social Order*, which contain some of Neocleous's more original observations about the state's role in the formation of class as well as the sustaining of particular relations of class domination.

### **Policing Wage Labour**

Both in *Administering Civil Society* and in *The Fabrication of Social Order*, Neocleous tries to show how in the eighteenth and nineteenth centuries a generalized fear among the ruling class of a recently created working-class led to policy innovations aimed at enhancing the power of capital over labour. This enhancement of bourgeois power operated through mechanisms that were meant both to integrate workers into the new political economy of capitalism and at the same time subordinate them to the dictates of wage-labour in an industrializing world. The fact that the liberal state took such pains to introduce diverse institutional reforms to achieve this integration/subordination is evidence, Neocleous claims, that workers resisted their new form of servitude in a wage-economy. Rather than dwell on instances of resistance, however, he proceeds to argue that the working-class, as an entity with a socio-political identity, was in very important respects a subject created by the state as it tried to distinguish between the labouring poor and the idle poor. As already indicated earlier in this chapter, this ideological undertaking would come to involve the police as active participants in the inculcation of positive norms for wage labourers and in the deterrence of behaviours thought to lead to idleness and vagrancy. The line between keeping and shaping order thus becomes blurred in the

larger political project of subjecting the working-class to the rule of capital while also safely incorporating it into the body politic.

A crucial early step in this ideological enterprise of constructing a model of working-class propriety, according to Neocleous, the discursive efforts of the late eighteenth and especially of the early nineteenth centuries to transform vagrants into criminals, both in law, but more importantly, in the minds of people. This transformative work is clearly evident, he claims, in the New Poor Law (1834) and in its relationship to the new police that were being formed at about the same time. What is especially revealing of the evolving view of policing in the nineteenth century, Neocleous argues, is that the understanding of poverty reflected in the New Poor Law is shared as well by the dominant personnel of the new police. This can be seen, he continues, in the fact that the Report on the Constabulary Force (1839), which consisted of a government-initiated study of the most efficient way to create a professional constabulary in England, reproduced the main presuppositions of earlier official documents on the poor law. Thus, observes Neocleous, both the police study and poor law reports “made a conscious attempt to dissociate poverty from pauperism and criminality” in such a way that “the problem of crime was defined in terms of its relationship to pauperism rather than poverty.”<sup>121</sup>

Concretely this process of differentiating the working poor from dangerous idlers can be seen in the way the new police of the nineteenth century were assigned to the task of reinforcing a wage economy over alternative methods of appropriating the means of subsistence. Neocleous notes that prior to the advent of a purely wage-labour economy it was commonplace for workers to rely on ancient entitlements such as payment in kind, a

practice that continued in some workplaces until the eighteenth century. Thus the thresher received part of his compensation in harvested grain, the coal miner in coal, the ship's carpenter in spare timber, the dockworkers in spilt commodities, and cloth workers in scraps of cloth. This custom of payment in kind, however, presented a challenge to the freshly minted bourgeois conception of order. The reason is that when workers relied for their livelihood in part or whole from the direct appropriation of what was termed "leavings" or "perequisites", it was difficult to prevent them from deliberately enlarging their share of the product through pillage and willful breakage. In short, Neocleous argues, "the line between established rights and theft was difficult to draw, since the legal status of such items was uncertain or at least was regarded by many as uncertain."<sup>122</sup> Because customary rights so threatened the bourgeois sense of order predicated on a wage-labour economy, there began to be enacted by the late eighteenth century a whole range of new measures designed to criminalize hitherto accepted practices of subsistence such as gleaning and the like. In an historical process that paralleled the enclosure movement of the previous century, Neocleous asserts that the gradual reconceptualization of what had been custom as crime was nothing more than an attempt to impose a money wage on workers by cutting them off entirely from alternative sources of the means of subsistence.

However, this change from customary rights to wage labour was not uncontested by workers. The resulting tension between customary usage and the money wage, Neocleous indicates, "could only be settled by a massive police operation."<sup>123</sup> As evidence of this "massive" police operation, Neocleous points to the creation of the

---

<sup>121</sup> Ibid., p. 68.

<sup>122</sup> Ibid., p. 71.

Thames River police under the auspices of Patrick Colquhoun, a force that was specifically charged with protecting against the pilfering of goods by dock workers, as well as ensuring that recognized rates of pay for dock workers were instituted. The pattern established by the Thames River police and reproduced elsewhere in England was thus to consolidate the norm of the money wage and by extension, the commodification of labour. Neocleous summarizes this process as an exercise in class formation undertaken by the state:

One should see the street powers granted to the police as an expression of the state's contribution to class formation as well as class domination. The new forms of police operation coming into existence were fundamental to the imposition of the money wage as means of making the working class, and thus need be seen in the broader context of the role of police in the fabrication of a new, bourgeois, order. The attack on the non – monetary form of the wage and its transformation into a fully – fledged money form mean criminalizing a range of traditional working class activities, bringing them into the orbit of police power and thus legitimizing their oppression, a project designed to stamp the authority of private property over the living conditions of the majority of the population and confirm the power of capital as the new master. In other words, the order of the new industrial workplace was brought about in part by the ordering power of police.<sup>124</sup>

### **The Dirty Criminal Vagrant**

As the effort to constitute labour-power as a commodity progressed, it became increasingly important for proponents of bourgeois order to isolate those who would not willingly accept the norm of the money wage. Hence campaigns portraying the idle poor as debauched and immoral became more frequent. And as discussed previously, the new Poor Law of 1834 explicitly sought to enforce not simply a discursive but a legal demarcation line between the working poor and the vagrants. It is easy to understand why the vagrant was seen as threatening from a bourgeois point-of-view, because their refusal

---

<sup>123</sup> Ibid. p. 72.

to accept the discipline of wage-labour represented nothing less than a revolt against the new economic and social order that was being constructed. What Neocleous emphasizes in this bourgeois reaction to vagrancy is the fact that even as campaigns against the practice were launched, a clear conceptual separation between the working and idle poor was not readily available because, given the nature of early industrial capitalism, large numbers of people routinely went through cycles of full employment and vagrancy or crime. This means, Neocleous continues, that the figure of the incorrigible vagrant itself had to be created as part of the process of constituting a socially acceptable working-class. Criminalizing activities associated with pauperism and vagrancy was one way of distinguishing the respectable working poor from corrupted idlers. Segregating the idle was another tactic. The pauper was after all more than just a criminal, s/he was also a claimant on the largesse of society. As such, Neocleous argues, her/his status as citizen was diminished and justifications were formulated to grant her/him fewer rights, as for example, through the workings of the New Poor Law.

Another approach to vagrants was to stigmatize them not only as criminals and encumbrances on society, but also as subhumans who embodied the unclean part of the social body. This representation fed into the popular nineteenth century concern with sanitation, especially of the city, but also the social body. As Neocleous tries to show, hygiene is very much associated with class in this era: “that property is intimately connected to cleanliness is illustrated by the converse assumption that poverty is intimately connected to dirt and disease.”<sup>125</sup> Neocleous refers to the arguments of Norbert Elias about the role of new forms of social technology in transforming human behaviour

---

<sup>124</sup> Ibid., p. 76.

<sup>125</sup> Ibid., p. 84.

to illustrate just how class figured in nineteenth century attention to the problem of hygiene.<sup>126</sup> New forms of social technology, Neocleous avers, increasingly came “to mediate between the physical productions of the body and interactions with others...” He further argues that “the buffer provided by these forms of technology – such as the handkerchief and fork – were thus first and foremost a means of social differentiation and, as such, a means of denying humanity to others. These others could then be thought of in terms of ‘dirt’, ‘garbage’, ‘scum’, ‘waste’, ‘slag’ and so on.”<sup>127</sup> Tellingly, these same terms also were used to describe sewage waste. From this Neocleous concludes that the “logic was that the task of cleaning dirt and filth from the street was the task of cleaning moral filth and social dirt from those same streets; the ideal city is not only physically clean, but socially clean too.”<sup>128</sup> It was no small leap then to associate sanitation measures with those aimed at preventing crime. Because crime and filth were both regarded as instances of disorder, cleaning up the garbage or getting rid of crime were seen alike as removing disorder from the social body. Not surprisingly, many of the reformers who pushed for public sanitation projects also had fought for the new Poor Law and for a professional police force. The point of this convergence, Neocleous suggests, is that all were part of the project of imposing order on civil society by the state. But he insists it always remained a bourgeois project. Even the drive for sanitation was ultimately linked not so much to public health or general social improvement, Neocleous asserts, but to the requirements of labour discipline:

The water closet and the sewer do not ensure the end of crime, or, for that matter laziness. Their contribution to order lies in the way they underpin and strengthen the

---

<sup>126</sup> See Norbert Elias, The Civilising Process, Volume 1: The History of Manners, trans. Edmund Jephcott (Oxford: Basil Blackwell, 1978).

<sup>127</sup> Neocleous, Fabrication of Social Order, p. 86.

<sup>128</sup> *Ibid.*

new industrial discipline in a wider environment. In the context of the consolidation of industrial capitalism this meant making workers learn ways of behaving which they would repeat on daily basis without thinking.<sup>129</sup>

### **Pigs, Crime and Order**

The close association of the new nineteenth century police with the nascent projects of public sanitation meant that they were seen as more than just agents of order; they were also seen to be cleansing the social body by getting rid of crime and thus disorder. This connection between social and physical cleansing explains the popularity of the nickname 'pig' that police officers began to acquire in the Victorian era. As Neocleous points out, many urban families at the time owned a family pig that was used to clean up garbage. It was apt, then, for the pig metaphor to be extended to police because they were "situated between ordered domestic society and the wild criminal and expected to clear up the dirt and refuse identified as such by its masters."<sup>130</sup>

As they became more professionalized, however, police increasingly began to resist this association with sanitation which they regarded as inferior to their rank as officers of the law. For example, Neocleous cites a case in 1902 in England, where police officers rebelled against performing such duties as turning off gas and water in public urinals at night. This case, he submits, was "representative of what appears to be a trend within policing in which what were previously widely understood as police functions were slowly transferred to other institutions of state."<sup>131</sup> As police institutions developed into more clearly identified professional bodies, they began to disengage from the broad 'collateral services' that they originally performed. These were in turn now passed over

---

<sup>129</sup> Ibid., p. 87.

<sup>130</sup> Ibid., p. 88.

<sup>131</sup> Ibid., p. 89-90.

to the local governing authorities as state bureaucracies multiplied and diversified. While this shift in responsibility for what broadly can be called social services from police to other administrative offices of the state might seem to confirm the prevailing liberal view of police as purely a law-enforcement body, Neocleous declines such an obvious conclusion. Instead he proposes that the reallocation of institutional responsibility for various social security functions merely underlines how the welfare state in general is thoroughly implicated in the policing of the working-class. Thus the fact that what was once the explicit charge of the constable is now managed by other state functionaries is itself taken as evidence by Neocleous that the provision of social services is at heart a policing exercise, and that rather than accept the liberal identification of police with law-enforcement, it is theoretically more sensible to analyze police in broader functional terms.

### **The Rule of Law versus Police Rule**

This resolve to provide a functionalist analysis of police allows Neocleous to pursue two lines of argument simultaneously. On the one hand, he is able to argue that because the inducement, preservation and reproduction of bourgeois social order is generically a police function, all institutions of the state that participate in this function are definitionally part of that genus called police. And he also is able to argue that the more familiar institution consisting of professional police officers is likewise engaged in propping up bourgeois order in spite of appearances that it is concerned only with issues of law enforcement. It is this latter argument that occupies the remaining part of *The Fabrication of Social Order*, and it is here that Neocleous indulges in a sometimes

fractious critique of the ideal of the rule of law which in liberal police science is presented as the great disciplining instrument restraining contemporary police power.

Neocleous's critical assessment of the liberal ideal of the rule of law follows some predictable paths. He begins by reiterating the view developed throughout *The Fabrication of Social Order and Administering Civil Society* that law is not a neutral mechanism serving abstract justice but is rather a class-based arrangement meant to secure a particular conception of order and right. Thus the near invisibility within a liberal legal system of corporate crime as opposed to so-called blue-collar crime underscores the class-based objectives of this legal regime. Neocleous argues that the most common misconception about police is that their principal concern is the prevention of crime. This myth is so pervasive, he allows, that even many on the Left believe that police are essentially crime-fighters, and get caught up in debates about how police enforcement can be made more transparent and accountable. Absent from these discussions is an appreciation of the inherently repressive nature of the police as co-engineers of a specific social order, and a naïve acceptance of the crime-fighting image of police that is belied by actual experience. Citing studies primarily of North American police forces, Neocleous indicates that in fact police spend little of their time on crime related work, but rather are mostly involved in ancillary services including providing support for other social agencies.<sup>132</sup> Not only do police spend precious little time actually performing the crime prevention duty they profess as their specific task, Neocleous persists in claiming that it "could not be the primary activity of the police [emphasis in the original]" because their participation in the larger social project of order-maintenance

---

<sup>132</sup> Ibid., p. 93, fn. 4.

positively requires them to act as social service agents as well as law enforcement officers.<sup>133</sup>

One of the main reasons why the image of the modern police as crime-fighters is so unremitting is that liberal mythologizing has successfully portrayed police as intimately connected to the broader institutional field of the law. And the law in turn has been so reified under liberalism that it is thought to be incontrovertibly the foundation of justice. This fixation on law as the ultimate standard of right has meant, Neocleous contends, a corresponding obsession with the police: “The assumptions present in legal fetishism—that legal order is necessary for social order and that law is a unique phenomenon, the solution to all problems—are thereby replicated in a fetishism of the police [emphasis in the original]”<sup>134</sup> To counter this fetishism and demystify the police’s role in the maintenance of social order, Neocleous directly challenges the modern liberal self-understanding of this institution. What appears to make police so unique an institution in the liberal political constellation is that they are overseen by, though ostensibly independent from, the executive of the state, even as they act to enforce the laws which is a prime executive function. They are likewise separate from the judiciary, even though in their law enforcement role they are inextricably involved in the operation of the judicial system. Liberal political theory acknowledges this anomaly by stressing that however one defines the in-between position of the police, their observance of the principle of the rule of law ensures that their quasi-autonomous status as the coercive arm of the state within civil society is compatible with liberal governance principles. What this means in particular for the day-to-day conduct of police is that so long as they apply

---

<sup>133</sup> Id.

<sup>134</sup> Ibid., p. 110.

the laws equitably, and subject themselves to those same laws, and so long as they exercise due process when enforcing laws on individual citizens, then it could be said that the power of the police is constrained and directed by the law.

Neocleous rejects this view. First, he intimates that the rule of law is observed more in the breach by the police, alluding to, though not citing, studies in support of this contention: “research suggests that most officers believe that to fully impose the rule of law on police work would render it impossible.”<sup>135</sup> As far as the law which police enforce, Neocleous makes the sweeping statement: “rather than police carrying out law as made by Parliament, Parliament has made laws which have legitimized existing police practice.”<sup>136</sup> This same rather crude instrumental view of law is reflected in his observation that law reform designed to curb arbitrary or illegal police practices often merely reinforces police power:

‘Law reform’ is often little more than a product and legitimation of police operational practices. The law has been formally rewritten to suit the exercise of police power. And in being rewritten to suit police practice, the law has mystified, legitimized and rationalized the exercise of police power...<sup>137</sup>

But it is the power of discretion which Neocleous thinks reveals most unmistakably the true nature of the police. Discretion is a compelling tool of the police in the fabrication of order, he argues, not only because “by definition the exercise of police discretion defines who is deviant in any social context and how that deviance is controlled”, but more pertinently, because “‘discretion’ in practice involves discrimination in the form of selective law-enforcement and order maintenance.”<sup>138</sup> What needs to be understood about the practice of police discretion, Neocleous insists, is that it does not represent a variation

---

<sup>135</sup> Ibid., p. 97.

<sup>136</sup> Ibid., p. 98.

<sup>137</sup> Id.

from the norm of rule-application but rather it exposes the inherent duplicity in the exercise of police, and by extension, every other state power. The basis of this wholesale judgement about state power is Neocleous's observation that because all administrative bodies of the state including the police indulge in discretionary decision-making, they are able for that reason to shape the law at will rather than simply apply it. This administrative capacity for flexibility in turn allows the "state in general and government in particular to appear to stand at arm's length from the process of administration, and thus the policing of society."<sup>139</sup> In other words, while the government makes general laws of general application, the real work of governance is done by police and other administrators whose discretionary application of the laws constitute the actual fabrication of social order. And this truth of liberal governance is concealed, according to Neocleous, by the way in which discretion is problematized in liberal political theory: "while liberal jurisprudence tends to treat discretion entirely in terms of its place in juridical relations, police discretion can in fact be understood only by considering policing less as a form of juridical power and more as a form of political administration."<sup>140</sup> Thus while liberal jurisprudence attends to the legal foundations of the discretionary power of police and other state administrators, and legal mechanisms for its regulation, a more realistic account of this phenomenon would conclude that its exercise merely discloses the true arbitrary nature of the power of the state.

What prevents this obvious conclusion from being drawn within liberal theory is that in it the idea of discretion functions discursively to remove administration and policing from the realm of politics. This means, Neocleous announces, that particular

---

<sup>138</sup> Ibid., pp. 99-100.

<sup>139</sup> Ibid., p. 104.

discretionary actions or decisions deemed to be regrettable, rather than signaling a structural fault in the constitution of state power, can safely be attributed to their individual practitioners:

Thus criticisms of and challenges to the welfare system become focused on questions of maladministration in the exercise of discretionary power, while criticisms of and challenges to the police are turned into debates about individual acts of individual officers and whether they used their discretion in the most 'reasonable' way.<sup>141</sup>

If the use of discretion by police and other administrative bodies is indeed a sign of the reality of state power where legal forms are used to legitimize though not constrain or dictate the manner of its exercise, then Neocleous may well be right in doubting the value of such ideals as the rule of law. In the concluding pages of *The Fabrication of Social Order* he takes one last direct aim at this legal ideal by way of a critique of E.P. Thompson's well-known defence of its political value. Thompson, it may be recalled, claimed that the rule of law is an unqualified good because it is always and everywhere preferable to arbitrary power.<sup>142</sup> Neocleous counters by saying that the rule of law cannot be thought of as unqualified human good, because to do so would be to "abstract the rule of law from its origins in class domination and oppression and obscure the ideological mystification of these processes in the liberal trumpeting of the rule of law."<sup>143</sup> Mistakenly attributing to Thompson the argument "that when the law does act in class terms this is a deviation from its ideal standards," he resolutely maintains that "[as] much as the rule of law has been used against state power, it is also in the name of the 'rule of

---

<sup>140</sup> Ibid., p. 101.

<sup>141</sup> Ibid., p. 104.

<sup>142</sup> E.P. Thompson, *Whigs and Hunters: The Origin of the Black Act* (Harmondsworth: Penguin, 1977), p. 265.

<sup>143</sup> Neocleous, *Fabrication of Social Order*, p. 108.

law' that the authoritarianism of the state and the power of capital have been deepened and strengthened."<sup>144</sup>

In order to fortify this last point Neocleous notes how liberalism has managed to produce such a close identification in the popular consciousness between law and the police that police slowly came to be seen to embody law. With this symbolic identification in place the distinction between the rule of law and police has for all intents and purposes collapsed, something, he maintains, that discloses the genius of the ruling class:

Part of the triumph of liberal recording of the police concept was not only to make police appear consistent with the rule of law, but also transform the police into the thin blue line between the rule of law on the one hand and widespread disobedience (lawlessness and disorder) on the other. The thin blue line, in other words, between order and chaos. The outcome was even further encouragement to equate police with 'Law' in its most general, abstract and mystified terms.<sup>145</sup>

By making out the law and the police to be such unmitigated (and unmediated) forces of bourgeois order, Neocleous slides into what might be considered the opposite error of Thompson's supposed naïvete. Thompson at least had tried to explain his devotion to the principle of the rule of law in terms of the dynamics of class conflict, arguing not that it fully realized its normative ideal in any actual liberal society but that it contained a genuine normative dimension which the working-class and other oppressed groups could try to exploit for their own political struggles. To summarily dismiss the ideal of the rule of law, Thompson warned, would be "to disarm ourselves before power."<sup>146</sup> Neocleous, on the other hand, tends to see no redeeming value in this ideal. Moreover, he is reluctant to distinguish its ideological effects from other forms of state

---

<sup>144</sup> *Id.*

<sup>145</sup> *Ibid.* p. 110.

<sup>146</sup> Thompson, *Whigs and Hunters*, p. 265.

power. This can be seen when he declares that a “construction of order through the varied forms of law and administration is a central feature of all states.”<sup>147</sup> Noting this ubiquitous process, Neocleous proceeds to criticize liberal scholars and ideologues for generating a dubious concept of the ‘police state’ as a normative foil for the liberal project of political administration: “part of liberalism’s need to develop the concept of the police state in the 20<sup>th</sup> century was rooted in the desire to conceptually differentiate between the welfare mechanisms of liberal democracies and those of either the 18<sup>th</sup> century *Polizeistaat* or 20<sup>th</sup> century ‘police states’.”<sup>148</sup> He continues this line of argument by suggesting that “the ‘police state’--generated by liberal ideological delusion and sustained by cold war hysteria--is one of the most misleading categories of political thought. Misleading because it fails to grasp the intimate connection in practice between state power and police power, and thus obliterates the need to grapple with this connection theoretically.”<sup>149</sup> That connection, he concludes simply, is nothing other than class rule: “The ultimate truth of police is that it deals in and dispenses violence in protection of the interests of the state. In class society, this means no more than the police dispense violence on behalf of the bourgeois class.”<sup>150</sup>

---

<sup>147</sup> Neocleous, *Fabrication of Social Order*, p. 116.

<sup>148</sup> *Id.*

<sup>149</sup> *Ibid.*, p. 117.

<sup>150</sup> *Ibid.*, p. 118.

### **All Roads Lead to Class**

Neocleous's submission that the eighteenth century Polizeistaat, no less than the twentieth century police state, is conceptually indistinguishable from liberal democratic political administration because all are instances of police power acting at the behest of the state replicates the fundamental problem that reappears in all his books. In Chapter One it was noted that in subscribing to a relentless functionalist account of administration Neocleous has no effective way of distinguishing between the different forms of authority within civil society. In Chapter Two it was further observed that his analysis of fascism as another variant of class rule inadvertently led him to a theoretical stance which affirms the ill-starred identification of fascism and social democracy that orthodox communists clung to in the 1930s. In both these cases the problem is that the analytic categories Neocleous employs are so irremediably embedded in a Marxist version of structural-functionalism that they allow little room for discriminating among different political forms or ideological effects. This same difficulty resurfaces in *Fabrication of Social Order* when he disclaims the ideal of the rule of law as just another ideological mystification disguising the brute exercise of political power. Unwilling, because his theory gives him no opportunity, to acknowledge that there is any real difference between arbitrary power and the rule of law, Neocleous can only fall back on the ultra-leftist position that liberal political administration is as coercive as other forms of political rule.

This crudely reductionist and politically problematic conclusion is reinforced by a relatively static picture of the process of politics itself which contradicts Neocleous's stated intention of explaining the dynamics behind the fabrication of social order. For instance, it has already been remarked upon in previous chapters that despite his

continual allusions to the class struggle as being the cause of political developments like the rise of the administrative state or fascism, his depiction of the working-class is more often than not given in the passive voice. It is thus an object of administration and manipulation, assiduously acted upon by various apparatuses of the state because of a perceived as opposed to an actual threat. This same image of an essentially docile working-class emerges again in *The Fabrication of Social Order*, for despite Neocleous's references to the working-class's opposition to the imposition of wage-labour as a proximate cause of the proliferation of police and their institutional transformation in the eighteenth and nineteenth centuries, his only real evidence for this assertion is a footnote citing the young Marx's discussion of the theft of wood as a symbol of the troubled transition from feudalism to capitalism, and a somewhat more detailed description of the problem of pilfering on the London docks that led to the creation of the Thames River police.<sup>151</sup> Thus it is that the rebellious working-class shuffles on the stage in Neocleous's explanatory scheme when he wishes to emphasize the orthodox Marxist point that all politics is class struggle, but then becomes a more-or-less passive object of supervision when he expands on the Foucauldian theme of its constitution through the disciplining techniques of the state.

Not only is the working-class in this way drawn only in outline, but so too are the police, the main subject of Neocleous's study. Curiously, he begins his book by complaining that "one searches high and low in Foucauldian texts for police officers themselves to appear and play a central part in the exercise of power or the disciplinary project."<sup>152</sup> But the same can be said of Neocleous's analysis because it also lacks for the

---

<sup>151</sup> See Neocleous, *Fabrication of Social Order*, pp. 72-74.

<sup>152</sup> *Ibid.* p. x.

most part any sense of the complex sociological and political dynamics at work in actual police forces. Rather, he tends to categorize the police as a uniformly constructed institution, the behaviour of which can be discerned from its function. This type of analysis not only denies police any real agency of their own, but also makes the mistake of presupposing a social cohesion and homogeneity to the police institution which is questionable given empirical studies of actual police forces. For example, Sydney L. Haring, in his seminal article, *Policing A Class Society*, has demonstrated the persistence of tensions along ethnic lines in police departments throughout the United States during their formative years at the turn of the last century.<sup>153</sup> Another source of tension, according to his evidence, had been the abiding tendency for many in the police to identify with the very working class that they so often were ordered to repress. Because police forces were largely drawn from the working-class to start with, there was a deliberate design to indoctrinate them with a sense of professional norms which really amounted to an attempt to disconnect them from their working-class origins. Despite these efforts to ‘neutralize the working class bias’ present in turn-of-the-century police forces, many officers continued to resist their assigned roles, as Haring documents:

Direct mutinies, while not everyday occurrences, did occur, and police administrations greatly feared them, often discharging men wholesale at any sign of resistance to administrative authority. Thirty – three Indianapolis patrolmen were suspended for refusing to ride on streetcars driven by scabs during a 1913 strike (*Indianapolis Star*, Nov. 14, 21 – 24, 1913). During a similar strike in Columbus in 1910, 32 patrolmen mutinied (*Ohio State Journal*, Aug. 13 – 14, 1910). Both the mayor and the police commissioner made speeches reminding the men of their duties, but to no avail. One patrolman put the issue succinctly in his speech: “I would rather lose my job and take another which made me work 24 hours a day that to be called a scab and lose the respect of the workingmen” (*Ohio State Journal*, Aug. 13, 1910). In Chicago’s Pullman strike and in Buffalo’s

---

<sup>153</sup> See Sydney L. Haring ‘Policing A Class Society: The Expansion of the Urban Police in the Late Nineteenth and Early Twentieth Centuries,’ in David F. Greenberg, ed., *Crime and Capitalism: Readings in Marxist Criminology* (Philadelphia: Temple University Press, 1993), pp. 546 – 567.

switchmen's strike, in 1892, smaller numbers of police officers were suspended for failing to carry out their orders (Myers, 1927: 246 – 48; Buffalo Express, Aug. 19 -21, 1892). Two Cleveland officers were fined for refusing an order to arrest bystanders in the Brown Hoisting strike of 1896 (Cleveland Plain Dealer, Aug. 9, 1896).<sup>154</sup>

If Neocleous's account of the police as an institution of administration fails to do justice to its complexly-articulated internal structure and contradictory social and political dynamics, he can also be faulted for simplifying its functional role in a class society. This is true both of his historical explanation of the rise of a professionalized police force coming to serve the needs of bourgeois order, and in his overall depiction of the mystification of contemporary police power. In the case of the former, what Neocleous leaves out of account in his narrative about the development of a professional police force in England, initially in London, then in other urban centers, is the intricate negotiations between the provincial gentry who preferred to retain local control of police affairs under traditional parish offices, and the champions of centralized authority who advocated for a uniform system of paid police across the country.<sup>155</sup> Bringing the gentry back into the picture does not, as Phillips and Storch show, fundamentally alter the story of the development of a police force defined in terms of modern conceptions of crime prevention, but it does allow one to observe those interstitial moments where protracted sets of class negotiations led to uneven and at times contradictory institutional experiments, which in turn opened up diverse spaces for resistance to or sublimation of the new bourgeois order. Moreover, attention to the details of policing in this period modifies in one important respect Neocleous's emphasis on the ideological construction of the modern idea of policing in Britain. Phillips and Storch are able to convincingly

---

<sup>154</sup> Ibid., p. 556.

demonstrate that it was not reformers like Chadwick and his fellow commissioners, authors of the famed Report on the Constabulary Force, who were responsible for the legislation of the mid-nineteenth century that laid down the foundations of a nation-wide professional police force, but rather the old-style Whig politicians of the day who responded amongst other things, to the Chartist disturbances of the 1840s. So paradoxically, it seems an insubordinate working-class did after all precipitate the move towards a professional police force in England, though at least in the hands of historians like Phillips and Storch, this is demonstrated by a careful perusal of the historical record rather than hypothesized as part of a theory of the advent of political administration under capitalism.

While more attention to historical detail might have enriched, rather than undermined, Neocleous's portrayal of the police as engineers of order, his recurrent claim that their association with law mystifies police power is conceptually more vulnerable. This can be seen in the selective way he relies upon and some instances appropriates arguments made by Richard Ericson in *Reproducing Order*.<sup>156</sup> Ericson, who himself works within a largely Foucauldian framework, uses an empirical study of patrol officers in a Canadian metropolitan force to reflect on the role of police in reproducing order in society. While acknowledging that the police officer's mandate is to reproduce order, he concedes that "the term 'reproduction' implies that order is not simply transmitted in an unproblematic manner but is worked at through processes of conflict, negotiation and

---

<sup>155</sup> For an exacting historical study of these political negotiations and compromises, see David Phillips and Robert D. Storch, *Policing Provincial England, 1829-1856* (London: Leicester University Press, 1999).

<sup>156</sup> Richard Ericson, *Reproducing Order: A Study of Police Patrol Work*. (Toronto: University of Toronto Press, 1982).

subjection.”<sup>157</sup> He further argues that what complicates the role of policing at the street level is the relationship with the public that police officers necessarily have to manage. Because citizens of liberal democratic states generally do not like to have their liberties interfered with, police need to constantly attend to the question of the legitimacy of their coercive powers. One way they do so, he suggests, is to internalize (admittedly imperfectly) the norms of law they are expected to enforce: Their sense of order is reflexive: they want to think they are doing what the powerful and respectable want at the same time as they see this as something they support, but in a way that sustains their own sense of autonomy and purpose.”<sup>158</sup>

The type of transactional analysis Ericson develops offers the possibility of moving beyond Neocleous’s instrumental theory of police as agents of discipline, in the last instant, for bourgeois society. And likewise, it can help rescue his view of the ideological role of the principle of the rule of law from a dubious equation of all law with coercion. Ericson intimates that police are also citizens and workers, and that this means the rules they implement are part of the lived ideology that nourishes their own social self-understanding. Contradictions and conflicts in this ideology contributes at different times and in different places to ambiguities in this self-understanding that result variously in the development of a cult of violence, a culture of camaraderie or a bureaucratic concern for rule-justification, or alternatively, in acts of defiance, dissent or outright rebellion. The point is that one can simultaneously say of police that they are the agents of state repression in the service of bourgeois order, and the embodiment of that sense of right that rails against injustice, and that the contradiction between these two

---

<sup>157</sup> Ibid., p. 7.

<sup>158</sup> Ibid., p. 9.

understandings is circumscribed in the institutional role and lived experiences of police officers. In a similar vein, one can simultaneously assert that the principle of the rule of law is an ideological mystification that disguises power relations in liberal society, and an ideal that motivates struggles against the injustice of this very hierarchy. It remains to be seen whether Neocleous, the self-proclaimed admirer of Hegel, can, in his more overtly philosophical reflection on the state, *Imagining the State*, entertain the possibility of assenting to such contradictory yet equally plausible claims.

## Chapter 4

### Imagining the State

#### Introduction

Administering Civil Society and The Fabrication of Order are of a piece, both trained on the question of how the power of the state is deployed in the capitalist age through its administrative organs. The presumed technical expertise and rule-driven behaviour of these state agencies allow for a fabrication of a specifically bourgeois social order, presented as a norm to which all, and particularly the working-class, should assent. In *Fascism Neocleous* treats this early twentieth century political phenomenon as an exceptional form of the capitalist state, illustrating how, while in its ideological manifestation very different from the liberal democratic state it opposes, it is in its functional capacity as the political intermediary between capital and labour largely indistinguishable from its liberal counterpart. In each of these books the state is the subject of analysis, its relation to and representation in civil society the focus of his explanatory theory.

In *Imagining the State*, Neocleous revisits the subject again, but this time from a theoretical perspective that remains fixed on the representational form of the modern state. His purview now expanded to an historical epoch identified as 'modernity', and his exposition aimed primarily, though not exclusively, at conventional philosophers of the state, this book is more recognizable as an example of the genre of 'history of ideas'. Except that Neocleous's methodology does not exactly conform to any of the familiar representatives of this field. Citing the influence of the Russian philosophers Valerii

Podoroga and Elena Petrovskaia, and more particularly of their English exponent, Susan Buck-Morss, Neocleous explains his own approach as one that is concerned with the ‘statist political imaginary’ understood not as a “political logic but a political landscape, a concrete visual field in which political actors are positioned.”<sup>159</sup> Noting the early modern discursive tendency to depict the state in corporeal language, as having something akin to a human form, Neocleous proposes to “excavate the combination of the political, psychic and cultural constitution of the state as a subject imagined as possessing a will of its own: a body, mind, personality and home.”<sup>160</sup> The point of the exercise, he reveals, is to “tease out some of the ways in which ideologically diverse writers and politically distinct movements end up sharing what turns out to be a common ground: the ground of the state.”<sup>161</sup>

There is in this methodological approach more than a hint of the early Foucault’s project of an archaeology of knowledge, though of course Neocleous takes pains to distance himself from what he regards as the flawed Foucauldian disposition to ignore the state when disinterring the power-knowledge nexus. Yet even as he criticizes Foucauldians for being disinterested in the state, and thereby misapprehending the foundations of modern social disciplining projects, he nonetheless shares in Foucault’s profound antipathy to state power. This is evident when he reproaches Foucault for failing to understand that renouncing the relevance of state sovereignty to the understanding of power does not go far enough:

Michel Foucault once commented that ‘we need to cut off the King’s head: in political theory that has still to be done’. This is his way of signalling an attempt,

---

<sup>159</sup> Susan Buck-Morss, *Dreamworld and Catastrophe: The Passing of Mass Utopia in East and West* (Cambridge: MIT Press, 2000), cited in Neocleous, *Imagining the State*, p. 2.

<sup>160</sup> *Ibid.*, p. 4.

<sup>161</sup> *Ibid.*, p. 3.

taken up with a vengeance by his followers, to move the debate about power beyond sovereignty. What such a beheading fails to recognize, however, is the possibility that the sovereign body remains alive and kicking.<sup>162</sup>

According to Neocleous, a thoroughly radical rejection of state authority can only succeed if its full sweep is recognized and its ideological effects distinguished. This analytical imperative is made all the more important, he advises, because “the statist political imaginary has assisted the state in setting limits on the theoretical imagination, acting as a block on the possibility of conceiving of a society beyond the state.”<sup>163</sup> Because his normative starting point for *Imagining the State* is so explicitly anti-statist, this is his most polemical book, and one in which he allows his imagination the most free range. The result is a work by turns insightful and trying, its narrative line framed by, though never fully integrated through, the symbols of body, mind, personality and home that Neocleous claims underlies modern statist discourse. It is worth noting at the outset that these four categories serve Neocleous both as symbolic markers of the state that can be discerned in various philosophical and political discourses, but also as a way of organizing his own arguments about the latent despotism endemic to all statist discourse. As the book progresses his analysis tends to be dominated by the latter with the result that the initial rather methodical project of excavating the political landscape that figures in the imaginary of the early modern state gives way to more random observations about its power effects as the organized centre of violence in contemporary society.

---

<sup>162</sup> *Ibid.*, p. 18.

<sup>163</sup> *Ibid.*, p. 6.

## The Body of the State

The best way to understand what Neolceous is trying to get at when he talks about a political imaginary is simply to follow his discussion of the shifting symbolic projections of the state as its form changed from medieval kingdom to the modern nation-state. It was the medieval kingdom, he claims, that was first consistently imagined in human terms as a physical body. The derivation of the image is from the corpus mysticum of medieval Christianity, that body of believers with Christ as its head, which practically came to be identified with the jurisdictional sphere of the Catholic Church. When the newly emerging secular states began to successfully challenge the authority of the Church, they transposed much of this same imagery onto a political plane where the hereditary principle and claims of territorial integrity held sway. As Neocleous explains, the mystical impression of corpus mysticum never entirely disappeared in the transition:

The concept of corpus mysticum became increasingly politicized, lost much of its transcendental meaning, and thus fell prey to the world of statesmen, jurists and political thinkers, developing new ideologies for the nascent territorial and secular states... The state, as it emerged from this encounter, had a whiff of incense about it.<sup>164</sup>

The political motivation for assigning a body metaphor to the state is not difficult to determine. As Neocleous points out, the association is appealing to a ruling class because “it connotes unity and integration, identity and concordance, wholeness and indivisibility. In other words, order.”<sup>165</sup> This yearning for a reassuring symbol of order becomes all the more pressing at precisely the time when a decaying feudalism gives way to the emergent system of private property and the period of primitive accumulation preceding the mercantile age. With incipient class struggles accompanying this economic

---

<sup>164</sup> Ibid., p. 13.

<sup>165</sup> Ibid., p. 14.

and social transformation a constant cause of anxiety, the image of the body politic was used both to underscore the dire effects of internal conflict, conceived as illnesses of the body, and to imagine its wholesome stability.

The critical makeover of the state-as-body metaphor which leads us to the modern age is contributed, says Neocleous, by Hobbes in his striking depiction of the state as a Leviathan. What bears comment in Hobbes's treatment of the body imagery is first that he employs a mechanistic analogy to explain both parts of the body and parts of the state, in the process insisting that the state is an artificial body, a point reinforced by the famous frontpiece of Leviathan which represents the body of the sovereign as something composed of a multitude of individuals. And second, the association of this artificial body with the biblical sea monster, the Leviathan, is meant to emphasize the omnipotence of the sovereign power of the state. This particular combination of tropes, Neocleous argues, produced a truly enduring image of the modern state:

...this state-machine is the most mystical body known to man. As a machine the concept of sovereignty is truly depersonalized, while as a body it retains some of the 'human' features characteristic of an age of personal power. In his own historical period, Hobbes's theory of sovereignty was functional to the development of monarchical absolutism, but its general schema is applicable to the state in the most abstract sense of the term. It expresses theoretically the historical dynamic in which machines of power—states—were emerging as the integral political centre of European modernity. The modern concept of the state thus inherited the patrimonial body of ancient monarchy and reinvented it in a new form: the body of the king becomes an omnipotent political body-machine, an inhuman person with a force and will of its own.<sup>166</sup>

While Hobbes established this unforgettable image of the all-powerful state, other liberal philosophers such as Rousseau and Adam Smith employed the same body metaphor but changed its terms of reference, attributing to society rather than the state a corporeal quality. Neocleous regards this as an important point. Whereas numerous

scholars have argued that the idea of the body politic disappeared in modern liberal-democracy, to be replaced by an abstract conception of sovereignty centred on the impersonal bureaucratic state with its law-based norms of political behaviour, and a mechanistic conception of society as a collection of atomized self-motivated individuals, Neocleous insists that this account fails to appreciate the significance of the ostensible transition from a state-centred to a society-centred political discourse. In this transition, not only was society now represented in organic language, as in Rousseau with his copious references to *corps social* (which Neocleous translates as social body), or in Smith who in the *Wealth of Nations* continually refers to the ‘great body of the people’, but it was now mystified in the same way as was once the state and its predecessor, the *corpus mysticum*. Curiously, this mystification of society as a corporeal being actually led to a heightening of state power, for as Neocleous points out, the ensuing political imagination justified ever stronger state control over society “centred on violent practices thought necessary to defend the body politic.”<sup>167</sup>

In the name of protecting the body politic, now depicted as a social organism, the developing bourgeois state therefore was able to generate a discourse and associated practices that identified political disorder with morbid disease against which only a properly administered medico-political treatment could avail. Reiterating arguments made in both *The Fabrication of Social Order* and *Administering Civil Society*, Neocleous traces again the concern with personal, social and political sanitation that characterized the emerging British administrative state of the nineteenth century. He updates the story by indicating how the perceptions of communism by post-WWII

---

<sup>166</sup> *Ibid.*, p. 21.

<sup>167</sup> *Ibid.*, p. 24.

American statesmen were permeated with the same medical imagery and sense of restorative urgency that their nineteenth-century English counterparts had reserved for what they regarded as a recalcitrant working-class. He then proceeds to make the tendentious link between bourgeois and fascist order already discussed in the previous two chapters. Because the body image and accompanying therapeutic political mentality underlies both fascist and bourgeois liberal-democratic conceptions of order, Neocleous argues, the distinction between the two regimes should be seen as more in kind than in substance:

It is this that connects bourgeois thought with fascism, in a whole range of ways: the understanding of the need for order in a society dominated by the everlasting uncertainty generated by capital accumulation; the understanding of the working class as an inherently disorderly one which needs to be brought to order; the presentation of any threats to the regime of capitalism as disorderly ('anarchy', 'chaos' etc.); and the link drawn between legality and order (the 'law and order' syndrome).<sup>168</sup>

### **The Mind of the State**

The ideological renovation that saw the corporeal metaphor shift from the state to society was accompanied, according to Neocleous, with a subsequent predisposition to depict the state as a form of mind, that is, as the directing mind of society. This understanding of the state was already prefigured in the early modern concept of *raison d'État* used to signify the idea that the state had reasons for its actions that were internal to its own mode of existence. Initially developed to defend the view that the state's actions could not be judged according to the standards of conventional human morality, the concept was to become a mainstay in the arena of foreign relations where states intermittently assert their power *vis-à-vis* each other. But for Neocleous the more

---

<sup>168</sup> *Ibid.*, p. 38.

pertinent feature of this notion of an autonomous state rationality is that it is equally applicable to the state's deployment of power domestically. Indeed he sees no difference in the way *raison d'État* is used to justify the foreign and domestic exercises of state power:

The doctrine has merged into its sister concepts 'interest of state', 'security of state' and, in the twentieth century, 'national security', all of which are political technologies for dealing with concrete problems of foreign policy on the one hand and questions of internal (dis)order on the other. Like national security in general, reason of state postulates the interrelatedness of so many different internal political, economic and social factors that virtually nothing is beyond its concern; the rationality of expedience means that the state may concern itself with any area it so wishes: it is fundamental to the police project whereby the state fabricates social order and fashions civil society according to the shifting forms of class rule.<sup>169</sup>

With the idea of *raison d'État* in this way conflated with national security, Neocleous proceeds to discuss the knowledge requirements of the modern state. It is here that he displays his Foucauldian (albeit state-oriented) side most overtly, as in his assertion: "To write about the state is thus to write about the way that sovereignty asserts itself in the sphere of knowledge: first, through the way state has been imagined as an institution of and for knowledge, and, second, through the way this power-knowledge nexus has legitimized state practices over and through civil society [emphases in the original]."<sup>170</sup> When describing the state as an institution "of and for knowledge", Neocleous begins by challenging the common-sense understanding of the state as an intelligence-gathering machine in the sense of a spying apparatus. The problem with this portrayal of state intelligence is that it implies that the state's information-gathering role is directed in the first instance to knowledge of foreign powers when in fact it is knowledge of its own civil society which is in many ways more important to it. And

---

<sup>169</sup> Ibid., p. 45.

second, the state-as-spy image is too restrictive a view of intelligence-collection because it suggests the function is performed by a narrowly defined set of intelligence institutions like MI5 or CSIS. Neocleous proposes in its stead an expanded concept of state intelligence: “‘Intelligence’ could then be understood as the term to describe all necessary information, both overt and secret, which states need for fashioning their policies and doing their work. From this perspective, the ‘intelligence community’ consists of all agents of the state, whose remit is, to all intents and purposes, unlimited.”<sup>171</sup>

This preliminary terminological discussion has broader consequences for Neocleous’s analysis of the state’s participation in and production of knowledge than might appear at first glance. For in equating the state’s foreign intelligence-gathering and the amassing of knowledge about its own domestic population, he is operating with the implicit assumption that the state is a unitary actor whose participation in a power-knowledge nexus is geared towards controlling all facets of its own environment, and that this process merely fortifies its inherent authoritarianism. Thus when he touches on different kinds of information-gathering, such as the collection of social data through official censuses, the invention of permanent, inherited patronyms for purposes of identifying citizens, or the creation of categories like unemployment or youth for purposes of administration and statistical calculation, the assumed motive is always the same: the state has an interest in knowing every possible characteristic of its subjects as well as in making them over into objects of administration through the very categories it devises for their enumeration and differentiation.

---

<sup>170</sup> Ibid., p. 49.

<sup>171</sup> Ibid., p. 50.

This process of control through the construction of socio-political identities is thus central to what Neocleous describes as the mind of the state. But an obsession with control also tends to lead to paranoia, a feature of the contemporary state which he focuses upon at some length when discussing the modern manifestation of the idea of *arcane imperii*, or official secrets. State paranoia, Neocleous contends, has two sources. First the state always assumes that there is something potentially nefarious going on in civil society about which it has no information. This fear is used to justify the state in its constant search for knowledge about its citizens. And second, the state is likewise always fearful that someone might, without a legitimate reason to know, come to share in the information possessed by it, hence its compulsion to classify as secret as much state knowledge as possible.

Both of these proclivities superficially conflict with the liberal self-understanding of the public realm. On the one hand, liberalism cherishes privacy as a political value, indeed builds an entire political theory on the distinction between the public and private sphere. On the liberal view, privacy—the capacity to conduct one’s life without interference or direction from the state—is the highest achievement of political life. On the other hand, liberalism also esteems rational public discourse, as signified in open parliamentary debates and an unrestricted press. These two political commitments, to individual privacy and transparency in public affairs, would naturally lead liberals to oppose state spying and state secrecy. But such liberal convictions, expressed in contemporary political movements calling both for a stronger institutional entrenchment of the principle of individual privacy and for more open government are, Neocleous argues, not only naïve but damaging to the efforts of those who genuinely resist state

power. He is skeptical about the efficacy of such reformist measures because he regards the liberal ideal of privacy to be so infected with notions of individualism and the free market that “in helping shape a particular defence of the individual, ‘privacy’ was ideologically functional to the consolidation of the power of capital.”<sup>172</sup> And because the liberal state is so integral to the reproduction of capitalism, the institutional safeguarding of privacy can only mean the reinforcement of a capitalist vision of personal liberty rather than the grounds for a collective resistance to the state and the power of private property. Of course in the end the realist Neocleous thinks that liberal reformers are not likely to fully achieve even their limited objective of a legally restrained state because, as he puts it, “no state will ever be willing to see a ‘private’ space as a limit on its power.”<sup>173</sup>

### **The Personality of the State**

In his efforts to disclose through an analysis of successive iconic representations of the state its true nature as an authoritarian centre of power that organizes its own and other power discourses, Neocleous at first fastens on the organic metaphors of body and mind. But as his expose proceeds he concludes the analysis with the psychological category of “personality” and the affective category of “home.” The shift in metaphors reflects something of the improvised nature of his argument, as Neocleous selects those images that buttress his own critical appraisal of the state without careful regard for continuity or symmetry in his expository scheme.

Notwithstanding this ad hoc methodology, he does at least manage to anchor his study of the personality of the state in his previous discussion of the political symbolism

---

<sup>172</sup> Ibid., p. 70.

<sup>173</sup> Ibid., p. 71.

of Hobbes. It was Hobbes who so artfully depicted the state not only as a mechanical imitation of the human mechanism, but as a person in its own right because it represents the will of the multitude that makes it up. This last point, Neocleous thinks, is crucial. The state is a person because it represents those who as collectivity can have no voice but through an institutional mechanism that expresses their common interests. But why, Neocleous asks, does Hobbes persist in personifying this mechanism if the drift in political thought at the time was to depersonalize the state into a juridical form? His answer is that this ascription of a personality to the state underscores the radically authoritarian predisposition in Hobbes's thought, a disposition, he adds, that conforms to the power of capital in social life. Neocleous argument here is worth attending to because of the way he plays on the correspondence between the domination of the state and the domination of capital, both employing a similar metaphor.

The reason why Hobbes personifies the state, Neocleous argues, is that it allows him to portray state power as the necessary condition of the political identity of a collectivity and simultaneously the force that individuates and therefore divides citizens:

Hobbes' conception of the person of the state vis-à-vis the multitude is made in order to deny the multitude its own subjectivity—to deny it a unity independent of the state. Indeed, in Hobbes' theory the political function of the multitude is to cancel itself—it can only become a collective by handing its power over to the state...The state thus simultaneously becomes the grounds of the unity of the multitude. On the other hand, and in terms of the latter, as the mechanism for the defence of the multitude against violence and disorder the person of the state also becomes the grounds of their domination [emphases in the original].<sup>174</sup>

The logic behind this impersonation of the state, Neocleous continues, finds an echo in the personification of capital. Specifically, he refers to the emergence of the modern legal doctrine that accords to corporations a legal personality largely equivalent

---

<sup>174</sup> Ibid., p. 77.

to that of a human person. One of the things Neocleous finds striking about this development is that it completes an inversion Marx first noted when discussing labour under capitalism. Thus just as labour becomes commodified, becomes a thing, under capitalism, so capital, a thing, takes on human form and comes to dominate those very person-things that produce it. More prosaically, he notes just how accommodating the law is to the fictitious person of the corporation compared to real persons in the areas of tort and criminal law. This inequitable treatment, he concludes, reveals just how law under capitalism serves to indiscriminately individuate economic actors, whether true persons or not, in the process disguising actual power relations that allow for the domination of capital. So just as the state prevents citizens from recognizing themselves as an effective collectivity in their own right by individuating them and then claiming to be the sole power capable of uniting them, so capital prevents labour from recognizing its collective power by perpetuating the fiction that everyone is equally an individual economic actor, and in so doing secures its own power over labour.

In dwelling on these matching ideological processes that work both to construct and dissimulate the power of the state and capital, Neocleous is compelled to clarify the question of the causal relationship between the two. But rather than provide one answer, he supplies three. In so doing he unwittingly highlights the explanatory ambiguities that attach to all his writings on the state. When first broaching the subject of the relationship between the political imaginary of the state as person and the personification of capital, Neocleous argues that “what such [a political] imagination does is simultaneously take from and develop the main structural forms of social domination: the power of capital

[emphasis in the original].”<sup>175</sup> But later in the same paragraph he denies that this implies a causal connection whereby capitalism calls into being a certain form of the state, suggesting instead only that an ideological correspondence has taken place between the two: “I am in fact arguing that the notion of the person has been one way in which the parallel forms of power in contemporary society—capital and state—have been imagined.”<sup>176</sup> The trouble is that when he subsequently talks about the fiction of the corporate person, Neocleous insists that those involved in its fabrication always have recognized that it is a created entity:

Far from having the appearance of being an independent creature within the ‘private sphere’ it was blindingly obvious that the corporation was to all intents and purposes a creature and organ of the state and, formed by the state, given its powers and purposes by the state and subject to dissolution by the state. It was, in other words, a major mechanism through which the state began to administer civil society politically.<sup>177</sup>

This last observation tells us much about the conceptual problems that afflict Neocleous’s work. To begin with, the legal personification of the corporation was initially the product of common law and hence of judges, a point that Neocleous both acknowledges but subsequently glosses over by reducing the official activities of all branches of government to that of a supposedly unified entity called the state. The state’s unity is itself presupposed on the basis of its function in propping up class rule. But wary of criticisms that his account of the state might be perceived as reductionist, Neocleous tries to disclaim any direct causal connection between the authoritarianism of the state and capital. Not only is this denial contradicted every time he alludes to the class foundation of the modern state, but equally problematic, when class does recede from his

---

<sup>175</sup> *Ibid.*, p. 77.

<sup>176</sup> *Ibid.*, pp. 77-78.

<sup>177</sup> *Ibid.*, p. 92.

analysis, the authoritarian image of the state finds no justification other than the *raison d'État* he elsewhere argues is an ideological mystification of class rule. Neocleous's difficulty in finally deciding on whether it is the state or capital which serves as the archetype of domination in the modern age, or, for that matter, precisely how one conditions the other, is demonstrated in his final chapter of *Imagining the State* when he considers its territorial basis.

### **The Home of the State**

The rise of the modern state form has usually been described as a process whereby a sovereign power has gained the capacity to exert its authority over a defined territory. Neocleous takes this conventional piece of wisdom and tries to tease out of it a number of observations about how the state effectively constitutes itself and its citizens in the very course of establishing sovereign control over a territory demarcated by known borders. While not on their own original,<sup>178</sup> these observations are taken by Neocleous as evidence of the enormous constitutive power of the state both in its imagined and, more importantly to the expository argument of his last chapter, in its actual form. Thus, for example, Neocleous offers a typical realist's view of not only of the origins of the state in violence but of its continual maintenance through the organized expression of force:

Territory is land occupied and maintained through terror; a region is space ruled through force. The secret of territoriality is thus violence: the force necessary for the production of space and the terror crucial to the creation of boundaries. It is not just that sovereignty implies space, but that it implies a space against which

---

<sup>178</sup> Neocleous explicitly and implicitly draws on arguments about the imagination of the modern state and its reliance both on violence and symbols of geographical permanence from a diverse set of authors including Benedict Anderson, *Imagined Communities* (London: Verso, 1991); Edward Said, *Culture and Imperialism* (London: Chatto & Windus, 1993); Carl Schmitt, *The Concept of the Political* (Chicago: University of Chicago Press, 1996); Denis Woods, *The Power of Maps* (New York: Guilford Press, 1992); and Jeremy Black, *Maps and Politics* (London: Reaktion Books, 1997).

violence, whether latent or overt is directed—a space established and constituted by violence.<sup>179</sup>

Much like Carl Schmitt, Neocleous describes this exercise of violence as the quintessential political activity of separating friend from enemy, insider from outsider. The state in this way constitutes citizens as insiders or political friends by the act of delimiting a territory as a single continuous political entity. It likewise serves to exclude and construct as potential enemies those outside the territory, in this way legitimizing its obsession with the issue of national security. To ensure the active compliance of its citizens in this project of national security, the state spares no efforts in inculcating them with the idea that the national territory is their home, their homeland. State-sponsored campaigns to boost patriotism or nationalism are only the most obvious instruments in this political undertaking. Managing movements in and out of its territory, both through physical border and immigration controls, but also through the bureaucratic documentation of citizens by way of passports, is another way that reinforces the state-centric definition of territorial sovereignty. And as many contemporary political geographers have indicated, the state's fixation with maps betrays its ambition to constitute its own spatial existence. For political maps are everywhere and always an arbitrary demarcation of a territorial unit whose supposed natural unity is asserted through the cartographer's art and confirmed by the physical power of the state. As Neocleous puts it:

Map, territory and power become mutually implicated in one another as the map encourages a primordialist thesis about the autochthonous state, depoliticizing and ideologically mystifying the original violence through which the state and its territory were shaped. Actions conducted under *raison d'État* appear to be the interests not of an arbitrarily configured political power but of 'natural'

---

<sup>179</sup> Neocleous, *Imagining the State*, p. 102.

(biological) needs. The great achievement of this naturalization is to have depoliticised inter-state rivalry into a set of natural geographical 'facts of life.'<sup>180</sup>

Once firmly established as the norm for the political organization of populations, the state turns into the state-system, the latter signifying a systematic carving up of the whole world into territorial states, each with a reciprocal understanding of the decisive value of sovereignty and of the mechanisms necessary to secure it. In the final chapter of *Imagining the State* it is this state-system, portrayed as a fundamentally repressive political construct, that is revealed to be the embodiment of the fatal knowledge-power nexus that has come to dominate social life. Class reappears one more time in a coda to the book, when Neocleous insists that the recently-named phenomenon of globalization has not spelled an end to the state, but merely represents a reorganization of its governing mechanisms consistent with the needs of an intensified global accumulation of capital. This final reference to class is more than just a perfunctory gesture meant to serve as a reminder of an underlying social reality to the state that had been largely ignored in his assessment of its political imaginary. Rather it leads directly to his concluding warning that waiting always in the wings of the liberal democratic state is its fascist counterpart. This idea of a basic continuity between fascist and liberal-democratic forms of political rule, already encountered in his previous books, not only reveals the essentialism at work in Neocleous's writings on the state which tends to foreground its power effects in a relatively abstractly described capitalist society, but it also discloses a surprisingly pessimistic attitude to political action for a self-professed Marxist. After all, it seems as if resistance to state power may not only be difficult, it may in fact be futile if the line

---

<sup>180</sup> *Ibid.*, p. 124.

between the liberalism and fascism is so fragile that any disturbance in the former can lead to the latter.

## Conclusion

In his essay, *The State as Political Strategy*, Bob Jessop proposes that Marxists interested in developing a theory of the state should be content with a 'weak' rather than a 'strong' theory. By strong theory he means the kind which positivists endorse as genuinely scientific, i.e. a theory with a single set of exhaustive explanatory variables capable of accounting for every historical variation of the state. Acknowledging that it is methodologically impossible to construct such an all-encompassing theory of so complex an entity as the state, Jessop intimates that the best that can be expected is a weak theory composed of useful explanatory guidelines or orientations that do not resolve themselves into a rigid conceptual determinism that so frequently damages Marxist analyses. But the problem, Jessop continues, is that even a weak theory of the state is notably absent within the Marxist intellectual tradition. One of the reasons for this, he argues, is the tendency for many Marxist writers to adopt a capital-logic approach to the state which assumes "the state's functionality for capital accumulation and bourgeois political domination."<sup>181</sup> The problem with this, and the related assumption that there is only one logic of capital for any given stage of capitalist development, he concludes, is that they are "overly restrictive and ignore the scope for different accumulation strategies and the room for manoeuvre available to different class forces."<sup>182</sup> In stressing the need for a less ambitious theory of the state, Jessop hopes to persuade Marxist analysts of the value of pursuing 'middle-range' concepts that can help shed light on the various related and independent factors that conjointly shape the power structure of the modern state.

---

<sup>181</sup> Jessop, *State Theory*, p. 253.

In the preface to his first book, *Administering Civil Society*, Mark Neocleous explicitly takes up the challenge laid out by Jessop and offers his work as a contribution to the elaboration of just such a weak theory of the state. It remains to be decided whether, or to what extent, Neocleous has succeeded in his self-appointed task. However, it must be acknowledged from the outset that the criteria for such an assessment are not spelled out in any detail in Jessop's essay, for there he describes a weak theory only as a useful framework for analysis. Typically, analytical frameworks are judged useful if they help generate rich hypotheses, or more generally still, if they offer interesting insights that can inform further study and theorizing. If the latter is to be taken as the criterion for an effective weak theory of the state, then Neocleous can be credited with providing one, because he certainly does furnish a number of interesting insights which invite further study and theoretical refinement. For example, his contention that the development of political administration in mid-nineteenth century Britain involved the creation of a distinction between the productive working class and paupers that would help integrate the emergent industrial proletariat into capitalism is instructive and worthy of closer examination. Likewise his broad theme that political administration, in the form of the numerous regulatory and quasi-judicial bodies that have arisen as part of the modern administrative and welfare state, disguises power by making it appear as politically neutral rule-application is again an observation worth exploring. His expanded concept of police similarly contains a number of tantalizing claims, not least of which is that there is an essential continuity between policing as crime control and policing as social control. In the contemporary era of neo-liberalism, the prominence the state gives to policing the welfare system testifies precisely to this continuum. And recent state efforts at reforming

---

<sup>182</sup> *Ibid.*, p. 254.

welfare with workfare programmes appear to reproduce in spirit if not in detail the nineteenth century concern for separating out the poor but respectable working-class from the class of parasitic paupers. Even his attempt to trace the lineages of the statist imagination, if not fully realized in the way Neocleous professes, still contains numerous interesting observations, such as his remark about the transference of a mystical understanding of the body politic from its religious to its secular representation, or in his insistence that body imagery continues to pervade the political imagination, but now ascribed to society rather than the state.

While these and other arguments distinguish Mark Neocleous as a theorist with interesting stories to tell, there are nonetheless enough problems with his overall explanatory approach that it is hard not to conclude he has ultimately failed to supply a credible weak theory of the state. Throughout this thesis reference has been made to conceptual weaknesses that tend to confound his portrayal of civil society, the state, and the relationship between economic and state power. In this concluding chapter these weakness will be explored in more detail with an eye to determining just how they work to undermine the plausibility of Neocleous's larger theoretical claims.

When he urged Marxists, in *Administering Civil Society*, to revisit the Hegelian concept of civil society in order to better understand the exercise of state power, Neocleous seemed to be prepared to increase the range of Marxist analysis to social entities other than state and market. The obvious implication of such a conceptual move, one might have thought, was that Neocleous was trying to solicit a more complex picture of the political realm by acknowledging multiple determinations of power and of public policy. After all, the idea of civil society suggests that there is an intermediary realm

between the individual and the state where different social institutions work to organize the manifold interactions between and among individuals, though in a way that is never complete or conflict-free. In signaling the importance of this concept to a well-developed Marxist analysis of the state, Neocleous initially gives the appearance of accepting the proposition that the power effects of the state are a composite of its activities in the different spheres that characterize civil society. But Neocleous eventually chooses to reduce civil society primarily to market relations, and accentuates the way in which the state uses or even constructs certain institutions of civil society for purposes of administering the class conflict engendered by capitalism. This latter point is not insignificant, but as previously pointed out in Chapter One, Neocleous's single-minded focus on the state's constructive power in fabricating social order through administrative practices proves to be a decidedly narrow and one-sided account of the dynamic between the social and political realm. It has already been remarked, for example, how he wavered in his portrayal of the nineteenth century British working-class, at times depicting it as a proto-revolutionary force to be reckoned with, and at other times indicating that it was weak and disorganized and easily co-opted by the state which defined the legal terms and created the administrative machinery governing the capital-labor relationship. It is the image of a feeble and vulnerable working-class which eventually prevails in Neocleous's political history, with the result that he fails to appreciate that the construction of order through administrative mechanisms contains inherent contradictions and tensions. For example, extending the vote to the working class, or yielding to demands for greater state involvement in the provision of social welfare, may be regarded as both conservative moves to suborn the working-class and radical advances that act to destabilize bourgeois

political domination. Unwilling to concede the contradictory nature of the political developments that characterize the modern administrative state, Neocleous ends up with a melancholic account of politics where the state is seen to be the principal actor, successfully subverting the opponents of bourgeois order by incorporating them into the very instruments of that order.

Not only does this report of state power remain unconvincing because it neglects the concrete political dynamic of class struggles in all its vagaries and historically contingent forms, but it also suffers from a marked conflation of all politics into class politics. This latter point has already been remarked upon in Chapter One, where it was pointed out that Neocleous's treatment of that other archetypal institution of civil society, the family, is largely confined to a discussion of its administered role in reproducing labour. Thus it is that in his hands the state-civil society distinction tends always to be reduced to the base-superstructure conceptual model upon which he had hoped to improve. This not only leads to a conceptual impoverishment when it comes to understanding the complex articulation and institutionalization of social relations, and their governance by the state, but it also fails to concede that there might be multiple points of resistance to state power that correspond to its compounded structure.

If his representation of civil society tends to suffer from an unfortunate reductionist tendency, Neocleous's depiction of the state is similarly marred by his disposition to treat it as a unified actor purposefully constructing a social order that conforms to the needs of capitalism. Just how these needs are discerned, by whom, under what circumstances, with what degree of concurrence, etc., are left out of account in this broadly functionalist view of the state. Also absent is any serious attention to the

possibility that inherited forms of the state constrict and channel political conflicts and influence their resolutions. The ruling class may indeed write history, but not necessarily in the political vocabulary and institutional forms of its own choosing, and this fact alone should lead Marxist state theorists to moderate the functionalist temptation with an awareness of the residual power of institutional legacies reflecting older and in some instances still vital social conflicts other than that between capital and labour.

Interestingly, Neocleous exhibits a genuine sensitivity to the enduring effects of older ideological forms when he examines the evolving political imaginary of the state, but even in these investigations he is disposed to treat the state as if it were the personified agent he wants to deconstruct. For example, by the end of *Imagining the State*, the security state he describes and warns against looks remarkably like Hobbes's *Leviathan*. One consequence of this reification of the state is that, paradoxically, the civil society which Neocleous wants to resurrect for Marxist analysis virtually disappears in his penultimate book, to be replaced by an omnipotent state ranging its powers against disconnected and disengaged individuals.

Oversimplifying the composition and reach of both the state and civil society allows Neocleous to present a more-or-less coherent though problematic functionalist argument about the ordering of the latter by the former. Some of the difficulties in this argument have already been pointed out in Chapters Two, Three and Four. For instance, by insisting without reservation or distinction that the ordering of society in the interests of capitalism makes the state a violent accomplice to capital, Neocleous effectively forecloses the possibility of distinguishing between liberal-democracy and fascism except on the obvious moral plane of the degree of violence exerted by each regime. In a similar

vein, his unremitting identification of law with class interest makes it conceptually impossible for Neocleous to acknowledge any real value in the idea of the rule of law even though he occasionally and grudgingly admits that liberal political principles are an advance over outright despotism.

These are but two of a number of examples of the normative problems that arise in Neocleous's thoroughly functionalist portrayal of the state. But what still needs to be examined is the fundamental explanatory quandary that inheres in his portrait of the state-civil society relationship. The best way of illustrating the latter is to refer to a specific instance of this explanatory dilemma. Ironically, it can be witnessed in what previously was cited as one of Neocleous's most interesting arguments—his explanation of the nineteenth century British state's role in the construction of poverty. To recall, Neocleous contends that there was a deliberate and systematic effort on the part of the British state, starting with the New Poor Law (1834), to fashion both a public discourse and a set of institutional mechanisms by which the working poor were distinguished from paupers, with the latter demonized and separated out as dangers to the body politic. This process, which he describes as a system of administering the working-class, was reinforced by a medicalized image of society and the emergence of public sanitation and security projects under the auspices of police, understood in the expanded sense as state agencies responsible for public welfare.

While the argument as a whole has an explanatory coherence, it raises a number of questions that once asked throw into relief its problematic structure as an argument. For example, why does Neocleous begin with the New Poor Law as the pivotal starting point in the growth of a new administrative state whose purpose was to mediate the

conflict between capital and labour? The answer can only be that his functionalist theory that ascribes to the state this mediating role requires him to locate the origins of the administrative state in an historical episode where it can be unambiguously said that the working-class has become the explicit object of political regulation. In other words, the theory demands the evidence. In itself this is not extraordinary because all theories supply the criteria for their own validation. But ordinarily one hopes the evidence is not arbitrarily selected or defined in such a way as to confirm a theory. Functionalist theories are particularly susceptible to this concern, as evidenced, for example, in Neocleous's rather careless interpretation of liberal and fascist politics as merely two variants of the capitalist's state's functional imperative to manage class relations. The issue of historical evidence is important in this context because there are alternative explanations for the rise of the administrative state, for example those alluded to in Chapter One where it was mentioned that recent historians of the British state have suggested its modern administrative innovations can be linked to eighteenth century reforms of military governance rather than nineteenth century reforms of relief and other social legislation. It would seem that Neocleous's focus on nineteenth century reform bills is therefore a product of his more general theory that the modern state's primary function is to underpin capitalism and that its governing measures must be measured against this broad dictate.

If historical evidence is so contextualized by the theory it purports to support, how can one decide what that evidence actually confirms? The normal answer is that one can judge the value of evidence by comparing it to what others have produced in similarly situated theoretical discourses. As it turns out, there is a body of work that has already traversed the ground which Neocleous explores. Karl Polanyi's classic study of the

conditions that encouraged the development of laissez-faire capitalism, *The Great Transformation*,<sup>183</sup> laid much of the foundation for subsequent studies of the construction of a commodified working-class. Notable contributions to this field of study include Keith Tribe's *Land, Labour and Economic Discourse*<sup>184</sup> and Mitchell Dean's *The Constitution of Poverty*,<sup>185</sup> both of which heavily influence Neocleous's reflections of the subject, but which are barely acknowledged by him. Polanyi, Tribe and Mitchell all agree that the 1834 Poor Law signaled a watershed in the social understanding of poverty and in its political management. That the new Poor Law was envisaged as a way of fashioning a stable labour-market reflective of liberal-individualistic values and responsive to market dictates is something all writers are agreed upon. But significant differences remain in their analyses of the phenomenon. For example, Polanyi concludes that the laissez-faire system of governance that came into existence in the latter nineteenth century was inherently unstable and eventually required the reforms associated with social democracy. But it is Dean's treatment of the period that is most telling for purposes of this thesis, because not only does Neocleous rely so much on the general orientation of his argument and the evidence he adduces, but because they diverge in at least one significant way in their respective conclusions about the significance of the liberal reforms of the nineteenth century.

In *The Constitution of Poverty*, Dean argues that the liberal transformation of the government of poverty "traced a double spiral" where the production of the conditions of wage-labour was supplemented and mediated by the construction of a social morality centered on notions of personal responsibility and targeted especially at women in a

---

<sup>183</sup> See Karl Polanyi, *The Great Transformation* (Boston: Beacon Press, 1957).

<sup>184</sup> See Keith Tribe, *Land, Labour and Economic Discourse* (London: Routledge and Kegan Paul, 1978).

patriarchal familial structure.<sup>186</sup> While the second movement reinforced the first, Dean insists that they are two separate processes and need to be investigated as such because, among other things, the moralizing schemes of the nineteenth century had contradictory effects. Not least of these, he suggests was that the value of self-responsibility “implies some definite limits to forms of governance which even Benthamite pauper management, for all its ambivalence to such limits, found it had to respect.”<sup>187</sup>

Neocleous, on the other hand, admits of no distinction between moralizing projects and state measures to supervise the working-class. By employing the concepts of administration and police broadly to capture all instances of social regulation, he reduces economic and moral governance to equivalent pursuits of the same goal of the consolidation of capitalism. As all roads lead to class in Neocleous’s work, so all regulation is administration for class purposes. Such reductionism is what constitutes the fatal weakness of his functionalism because it does not allow him to attend to the historical nuances of class formation and the regulation of everyday life, and in consequence he often mistakes causes for effects, or simply misses the point altogether about the relationship between different forms of governance. In his study of the history of moral regulation, Alan Hunt makes a powerful case that moral, economic and political regulations are not analytically reducible to each other:

It is necessary to stress that moral regulation is not simply a disguise or mask for political or economic interests; it is not some ideology behind which, once penetrated, can be found ‘real’ objectives or motives....moral regulation is a discrete mode of regulation existing alongside and interacting with political and economic modes of regulation.<sup>188</sup>

---

<sup>185</sup> See Mitchell Dean, *The Constitution of Poverty* (London and New York: Routledge, 1991).

<sup>186</sup> *Ibid.*, p. 218.

<sup>187</sup> *Id.*

<sup>188</sup> Alan Hunt, *Governing Morals: A Social History of Moral Regulation* (Cambridge: Cambridge University Press, 1999), p. 17.

It is this sense of different modes of governance interacting with each other that is conspicuously absent from Neocleous's successive studies of the capitalist state. In the place of interaction there is instead a series of repeated assertions about the identity between the logic of a broadly conceived model of liberal political administration and the logic of capitalist development. Comparing logics cannot, however, tell us how certain social practices arise, sustain themselves, or relate to other practices. Nor can it tell us anything about the historical efficacy of different forms of regulation, or the tensions and social contradictions they might entail. In short, it neglects the causal connections which even a weak theory of the state needs.

## Bibliography

- Althusser, Louis. Lenin and Philosophy and Other Essays. London: New Left Books, 1971.
- Anderson, Perry. "Origins of the Present Crisis". New Left Review. (23) January-February 1964.
- Anderson, Perry. "Socialism and Pseudo-Empiricism". New Left Review.(35) January-February 1966.
- Anderson, Benedict. Imagined Communities. London: Verso, 1991.
- Avineri, Shlomo. Hegel's Theory of the Modern State. Cambridge University Press, 1972.
- Benjamin, Walter. "The Work of Art in the Age of Mechanical Reproduction,". In Benjamin, Illuminations. London: Fontana, 1973.
- Benjamin, Walter. "Theories of German Fascism: On the Collection of Essays War and Warrior" Jünger, Ernst (ed.), 1930", in New German Critique. No. 17, 1979.
- Bitner, Egon. The Functions of the Police in Modern Society: A Review of Background Factors, Current Practices and Possible Role Models. New York: Jason Aronson, 1975.
- Black, Jeremy. Maps and Politics. London: Reaktion Books, 1997.
- Brewer, John. The Sinews of Power: War, Money and the English State 1688-1783. London: Unwin Hyman, 1989.
- Buck-Morss, Susan. Dreamworld and Catastrophe: The Passing of Mass Utopia in East and West. Cambridge: MIT Press, 2000.
- Dean, Mitchell. The Constitution of Poverty. London and New York: Routledge, 1991.
- d'Entrèves, Passerin Alexander. The Notion of the State. London: Oxford University Press, 1967.
- Der Derian, James. Antidiplomacy: Spies, Terror, Speed, and War. Oxford: Blackwell, 1992.
- Dyson, Kenneth H.F. The State Tradition in Western Europe. New York: Oxford University Press, 1980.

- Elias, Norbert. The Civilizing Process, Volume 1: The History of Manners. Jephcott, Edmund (trans.). Oxford: Basil Blackwell, 1978.
- Elliot, Greg. Althusser: The Detour of Theory. London: Verso, 1987.
- Ericson, Richard. Reproducing Order: A Study of Police Patrol Work. Toronto: University of Toronto Press, 1982.
- Foucault, Michel. The History of Sexuality: An Introduction. Hurley, R. (trans.) Harmondsworth: Penguin, 1978.
- Foucault, Michel. "Governmentality," in Burchell, G. et al (eds). The Foucault Effect. Chicago: University of Chicago Press, 1991.
- Gordon, Colin. "Governmental Rationality: An Introduction" in Burchell, Graham; Gordon, Colin and Miller, Peter (eds.). The Foucault Effect: Studies in Governmentality. Chicago: University of Chicago Press, 1991.
- Gramsci, Antonio. Selections from the Prison Notebooks. London: Lawrence and Wishart, 1972.
- Greenberg, David F (ed.) Crime and Capitalism: Readings in Marxist Criminology. Philadelphia: Temple University Press, 1993.
- Griffin, Roger. Fascism. Oxford: Oxford University Press, 1995.
- Harring, Sidney L. "Class Conflict and the Enforcement of the Tramp Acts in Buffalo, 1892-94." Law and Society Review. Vol.11(5), 1977.
- Harring, Sydney L. "Policing A Class Society: The Expansion of the Urban Police in the Late Nineteenth and Early Twentieth Centuries," in David F. Greenberg (ed.) Crime and Capitalism: Readings in Marxist Criminology. Philadelphia: Temple University Press, 1993.
- Hegel, G.W.F. Elements of the Philosophy of Right. Wood, Allen. (ed.) and Nisbet, H.B. (trans.). Cambridge: Cambridge University Press, 1991.
- Hunt, Alan. Governing Morals: A Social History of Moral Regulation. Cambridge: Cambridge University Press, 1999.
- Jessop, Bob. Nicos Poulantzas: Marxist Theory and Political Strategy. Houndmills, UK: MacMillan Publishing, 1985.
- Jessop, Bob. State Theory: Putting the Capitalist State in its Place. University Park, Pa: Pennsylvania State University Press, 1990.

- Jessop, Bob. The Future of the Capitalist State. Cambridge: Polity Press, 2002.
- Kay, Geoffrey and Mott, James. Political Order and the Law of Labour. London: MacMillan, 1982.
- Keane, John. "Despotism and Democracy," in J Keane (ed.) Civil Society and State. London: Verso, 1988.
- Laclau, Ernesto and Mouffe, Chantal. Hegemony and Socialist Strategy: Towards a Radical Democratic Politics. London: Verso Press, 1985.
- Logan, H.A. State Intervention and Assistance in Collective Bargaining. Toronto: University of Toronto Press, 1956.
- Löwenthal, Richard. "Notes on Fascism" in Howe, Irving (ed.) Essential Works of Socialism. New Haven: Yale University Press, 1986.
- Machiavelli, Nicolo. The Prince. Indianapolis: Hackett Publishing Co., 1995.
- Marx, Karl and Engels, Frederick. The German Ideology. New York: International Publishers, 1970.
- Marx, Karl and Engels, Frederick. "The Communist Manifesto" in David McLellan, (ed.) Marx, Karl: Selected Writings. Oxford: Oxford University Press, 1977.
- Meiksin Wood, Ellen. The Pristine Culture of Capitalism. London: Verso, 1991.
- Miliband, Ralph. The State in Capitalist Society. London: Weidenfeld and Nicolson, 1969.
- Nairn, Tom. The Break-up of Britain: Crisis and Neo-Nationalism. 2<sup>nd</sup> ed. London, Verso, 1981.
- Nairn, Tom. "The English Working Class". New Left Review. (24), March-April 1964.
- Neocleous, Mark. State, Power, Administration: Marxism and Foucauldian Perspectives on State Development in Britain, 1832-1918. PhD. Dissertation, Middlesex University, 1995.
- Neocleous, Mark. Administering Civil Society: Towards a Theory of State Power. Houndmills, U.K.: Macmillan Press, 1996.
- Neocleous, Mark. Fascism. Minneapolis: University of Minnesota Press, 1997.

- Neocleous, Mark. The Fabrication of Social Order: a Critical Theory of Police Power. London: Pluto Press, 2000 .
- Neocleous, Mark. Imagining the State. Maidenhead, UK: Open University Press, 2003.
- Neocleous, Mark. The Monstrous and the Dead: Burke, Marx, Fascism. Cardiff: University of Wales Press, 2005.
- Nordlinger, Eric A. On the Autonomy of the Democratic State. Cambridge, MA: Harvard University, 1981.
- O'Connor, Julia S; Orloff, A.S. and Shaver, S. States, Markets, Families: Gender, Liberalism and Social Policy in Australia, Canada, Great Britain and the United States. Cambridge: Cambridge University Press, 1999.
- Polanyi, Karl. The Great Transformation. Boston: Beacon Press, 1957.
- Poulantzas, Nicos. "Marxist Political Theory in Great Britain". New Left Review. (43), 1967.
- Poulantzas, Nicos. "The Problem of the Capitalist State,". New Left Review. (58), 1969.
- Poulantzas, Nicos. Political Power and Social Classes. London: New Left Books, 1973,
- Porter, Ann. Gendered States: Women, Unemployment Insurance, and the Political Economy of the Welfare State in Canada, 1945-1997. Toronto: University of Toronto Press, 2003,
- Pasquino, Pasquale. "Theatricum Politicum: The Genealogy of Capital—Police and the State of Prosperity". In The Foucault Effect. Chicago: Chicago Press, 1991.
- Phillips, David and Storch, Robert D. Policing Provincial England, 1829-1856. London: Leicester University Press, 1999.
- Procacci, Giovanna. "Social Economy and the Government of Poverty". In The Foucault Effect. Chicago: Chicago Press, 1991.
- Quinney, Richard. Class, State and Crime. New York: David McKay, 1977.
- Renton, Dave. Fascism: Theory and Practice. London: Pluto Press, 1999.
- Sainsbury, Diane (ed.). Gendering Welfare States. London: Sage, 1994.
- Said, Edward. Culture and Imperialism. London: Chatto & Windus, 1993.

- Saville, John. 1848: The British State and the Chartist Movement. Cambridge: Cambridge University Press, 1987.
- Schmitt, Carl. The Concept of the Political. Chicago: University of Chicago Press, 1996.
- Spitzer, Steven. "Towards a Marxian Theory of Deviance," Social Problems. Vol. 22 1975.
- Sternhell, Zeev. Neither Right nor Left: Fascist Ideology in France. David Maisel (trans.) Berkeley: University of California Press, 1986.
- Talmon, Jacob, L. The Myth of the Nation and the Vision of Revolution: The Origins of Ideological Polarization in the Twentieth Century. London: Secker & Warburg, 1981.
- Thompson, E.P. "The Peculiarities of the English". Socialist Register. London, 1965.
- Thompson, E.P. Whigs and Hunters: The Origin of the Black Act. Harmondsworth: Penguin, 1977.
- Tribe, Keith. Land, Labour and Economic Discourse. London: Routledge and Kegan Paul, 1978.
- Trotsky, Leon. The Struggle Against Fascism in Germany. New York: Pathfinder, 1971.
- Weber, Marx The Theory of Social and Economic Organization. Henderson, A.M. (trans.). New York: Free Press, 1947.
- Wilkinson, Clive. The British Navy and the State in the Eighteenth Century. Rochester, N.Y.: Boydell and Brewer, 2004 .
- Woods, Denis. The Power of Maps. New York: Guilford Press, 1992.