Theoretical Criminology
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London, Thousand Oaks
and New Delhi.
1362–4806(200102)5:1
Vol. 5(1): 85–92; 015868

Discontinuity, government and risk:

A response to Rigakos and Hadden

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Abstract

Rather than there being a single theory of risk and 'the risk society', there are two lines of thought proposing distinct conceptions of risk. These make quite different assumptions about risk's origins, and about any nexus between risk, class and capitalism. Consequently, many of Rigakos and Hadden's criticisms are wide of the mark. Likewise, this article challenges their assertions that a single genealogy of risk can be traced to origins in the 17th century, and that this is evidence of risks' class foundations and its place in a 'same olde modernity'. However, Rigakos and Hadden's emphasis on a need to examine the longer-term genealogy of risk is supported.

Key Words

genealogy • government • governmentality • modernity • risk

In their article, Rigakos and Hadden make a key point that is important to put on the agenda for further analysis: government through risk is not as new as some accounts suggest. As they suggest, we need to extend our explorations in the genealogy of risk at least to the 18th, and possibly even the 17th, century (O'Malley, 2000). However, I have significant difficulties with their assumptions about the unity and continuity of 'risk' in such analysis. The first concerns the extent to which there is, as their argument clearly assumes, a single and coherent theoretical approach to understanding risk and the 'risk society'. The second point concerns how risk as a governmental category and technology may be regarded as a singular phenomenon having a unilinear genealogy. It is only by ignoring such key discontinuities that Rigakos and Hadden are able to assert that government through risk is part of a 'same olde modernity'.

Discontinuities in the risk society literature

A central issue in 'Crime, capitalism and the risk society' (CCRS) is the critique of 'sweeping historical constructions and untenable maxims about the "end of class" as an object of administrative regulation' (p. 81). It is claimed that 'risk theorists' argue that class is disappearing in favour of risk and that, in this process, '(r)isk management replaces punishment, and governance is based on *risk dispersal* rather than *class rule*' (p. 62, italics in original). All of this the authors of CCRS oppose. So, too, for different reasons, would more than half of those identified in the article as risk society theorists (O'Malley, Rose, Simon, Ewald, Defert, Osborne and Shearing). One reason is that these writers adopt a Foucaultian 'governmentality' approach to risk in which class rarely surfaces. For example, in Mitchell Dean's (1999) recent overview work, *Governmentality. Power and Rule in Modern Society* the term 'class' is not even indexed. Indeed, in the past few years this characteristic silence on class and 'class rule' has subjected the governmentality literature to assaults from critics who would be sympathetic to Rigakos and Hadden's variety of revised Marxian sociology (e.g. Curtis, 1995; Frankel, 1997). This rejection of class in governmentality work is not because of any assertion that class has been overtaken by other forms of social or ideological order. Rather, class is generally regarded as a realist category associated with totalizing theoretical scenarios, and thus not consistent with governmentality's characteristic 'arealist' and anti-globalizing assumptions.

Rigakos and Hadden are able to identify governmentality analysis as making claims about class as a real social formation only by overlooking a fairly fundamental divide in the risk society literature. The focus on risk and its relationship to class rule is associated with the work of Ulrich Beck (1992) and a number of scholars explicitly orienting to his work (e.g. Ericson and Haggerty, 1997).[1] For Beck, but not for the governmentalists, class consciousness has been displaced by risk consciousness, and risk position by class position, due to the impact of global 'modernization risks' such as nuclear hazards and environmental pollution. But here we come across further complexity. For Beck the key phenomena that create risk society are modernization risks. These are not intellectual constructs of the 19th-century probability theory but real, empirical events. For Beck, risk society emerges in late modernity because this is when industrial and scientific development create the real global threats that generate risk consciousness. None of these arguments has a place in governmentality work, which is agnostic about such 'real' risks, being concerned only with political mentalities and techniques of governing through risk. In this focus, I would agree, they do tend to fall prey to CCRS' criticism of focusing too much on the legacy of 19th-century probability theory.

Already we see discontinuities opening up both within the theoretical approaches to risk, and in relation to the nature or definition of what risk 'is'. However, this is only the beginning. For Beck, the risk society is based on a complex triad of risk: (i) real modernization risks; (ii) socially identified risks; and (iii) what I will term 'ontological risks'. 'Socially recognized risk' is a statistical gloss on the reality of modernization risks that represents them as though the modernization risks were statistically calculable. Because Beck argues that in fact they are not, then socially recognized risk appears as an ideology generated by expertise in order to create the illusion that 'really' ungovernable and incalculable modernity risks are calculable and governable. This ideological category of risk is based on 19th-century probability theory. But as we have seen, this is not the foundation of the risk society, merely the technology for its ideological formations. In this process, however, Beck creates a third concept of risk—'ontological risk'—that is, the real (in)calculability of modernization risks against which their ideological calculability is contrasted and revealed as false.

It is important to stress again that, for Beck, the ideological formation of risk (to which relates the dispute over 19th-century probability theory) is *not* critical to defining the existence or formation of risk society. For this reason, Beck explicitly rejects the idea that the probabilistic, actuarial, welfare state—the 'insurance state', as he calls it—is part of the risk society. Even though it is based on 19th-century probability theory, the welfare state is excluded because it was concerned with the distribution of wealth, not with the defining problem of the risk society—the distribution of modernization risks. Conversely, among the governmentality 'theorists', most of whom do focus upon the legacy of 19th-century probability theory, the welfare state appears as actuarial and, therefore, definitely as part of the risk society (e.g. Simon, 1987; O'Malley, 1992). This position results from the fact they are interested overwhelmingly in governmental mentalities and techniques of risk—what Beck would regard as merely the ideological formations of risk.

Capital accumulation, risk and uncertainty

These arguments, I believe, demonstrate that conceptualization of risk and theories of the risk society are a lot more discontinuous and variable than CCRS imagines. But so what? To begin with, reconsider one of CCRS' central propositions:

> If . . . it can be shown that at least by the mid-17th century schemes and practices very similar to those of risk management were engaged in for purposes of capital accumulation and for the victory of a manufacturing and 'projector' bourgeoisie, then risk communication will have been shown to have had class bases from its inception.
>
> (p. 63)

Three quite distinct problems are raised here. First, Rigakos and Hadden demonstrate that some 'bourgeois' thinkers of the early period developed schemes that *could* have applied actuarial models to capital accumulation. They do not demonstrate that these schemes became a central part of capitalist accumulation. The history of government is littered with such plans that, although schematically developed, remained marginal in practice. Moreover, as I read Daston's (1986) magisterial study of probability in the 18th century, key areas of 'capitalist insurance' that interest CCRS, operated on a notion of risk that was intensely individualistic and anti-statistical. Marine insurers, for example, rejected actuarial models in favour of the accumulation of information about each individual case: the ship, the captain, the cargo, the crew, the routes taken, the destinations and so on. Thus, historical discourses of risk do not necessarily imply actuarial probability in the contemporary sense deployed by risk society theorists. This suggests not a 'same olde modernity' but multiple genealogies of risk, some lines of which have been influential in the past, others always marginal, some inform risk thinking in the present, others do not.[2]

Second, let us explore this issue of what it means to say that past schemes and practices are 'very similar to risk'. CCRS argues that risk is 'a form of governmental discourse that seeks to rationally inform administrative action on the basis of calculative foreknowledge within an instrumental science' (pp. 65–6). I think this is a defensible second order construct. But there is much leeway in this definition, and it seems to me to cover governmental discourses and techniques that conflict with the kind of restrictive definition of risk that the authors of CCRS impose. For example, does their definition include governmental considerations based upon what other authors have defined as 'uncertainty'—that is, foreseeable but not precisely calculable hazard? (Knight, 1921/1964). Whether or not Rigakos and Hadden would include uncertainty, we need to recognize that 19th- and 20th-century Economics—the domain of capitalist 'ideologues' who are the successors to Hartlib and Petty—has been highly equivocal on this matter. As Reddy (1996) has outlined so clearly, major debates have raged over whether profit arises from actions based on calculable risk or from actions based on uncertainty. Even Keynes, the organic intellectual of monopoly capitalism, believed that statistically calculable risk could not be the foundation of profit, otherwise it could be averaged out across all transactions (exactly like insurance) and profitability would disappear. But as Reddy (1996) outlines, it is the economists of the statistical calculus of risk who appear to have won the day—albeit, in his view, illegitimately. In sum, risk as defined by Rigakos and Hadden is a vital area of contestation even in mainstream areas of 'capitalist' governance, and is not at all a continuous and unproblematic genealogy whose variations are—in their terms—merely 'cosmetic'.

Third, as we may now see through the combination of the first two points, it is vital to trace the diverse genealogies of risk in such a way that we do not assume historical closure in either the past or the present. We should not in any essentialist or linear way assume that risk and the risk society were 'founded' at some point and have grown to pre-ordained fruition, or reflect some underlying set of consistent and system-generated class interests. Risk has had not one but many possible trajectories that have been sites of struggle. Some of these retain their vitality. Thus, despite Reddy's (1996) Beck-informed assertion of the victory of calculable risk, 'uncertainty' remains a live issue—as the current vision of entrepreneurial innovation and revolutionary business tactics suggests. Consider, for example, the fashionable commentaries of the new managerialism, which has tried quite successfully to turn the tables on Economics:

> the times demand that flexibility and love of change replace our long-standing penchant for mass production and mass markets, based as it is upon a relatively predictable environment now vanished . . . Chaos and uncertainty are (will be) market opportunities for the wise; capitalising on fleeting market anomalies will be the successful business's greatest accomplishment . . . The prevailing theory of capitalism suffers from one central and disabling flaw: a profound distrust and incomprehension of capitalists. With its circular flows of purchasing power, its invisible handed markets, its intricate plays of goods and moneys, all modern economics, in fact, resembles a vast mathematical drama, on an elaborate stage of theory, without a protagonist to animate the play.
>
> (Peters, 1987: 243–5)

The authors of CCRS would do well to read these eminently governmental contemporary treatises, and contrast them with those they take to be the progenitors of risk society. Risk has been and continues to be disputed territory, not the site of some continuous 'same olde modernity'.

Crime, punishment and the risk society

But where do punishment and crime fit into this? The Abstract of CCRS argues that:

> We offer reservations about the utility of risk theory due to its lack of consideration of the history of probability and the practices of early modern contingency planning. Rather than view risk society as a late modern development that (a) is tied to 19th-century probability science, (b) is forward looking as opposed to retributive and (c) is an apolitical actuarial rationality, we link risks to the techniques, aims and interests of 17th-

> century English capitalists . . . [and] argue that rationalizations of retribution and actuarialism are overlapping and tied to the emergence of capitalism.
> (p. 61)

This is where we must return to the issue of discontinuities. Ulrich Beck (1992) does not explore issues relating risk to crime and punishment, so we must by-pass this half of the risk society literature, at least in a review of this nature. Rather, the key theses bearing upon this issue are those developed in the governmentality literature. Perhaps it will by now be clear that this particular discontinuity creates terminal problems for CCRS which seeks to unite the debate over class and risk (Beck and his colleagues) with that of risk and punishment (the Governmentalists). But even within governmentality there are substantial differences or discontinuities in thinking about risk and crime.

Examine thesis (b) in the quotation, concerning a supposed opposition between risk and retribution. Certainly there are works in the risk literature that emphasize this point (e.g. Simon, 1987). However, this argument has been heavily qualified within the governmentality literature ever since the counterpoint was made that punitive and risk minimizing sanctions are strongly symbiotic rather than mutually exclusive (O'Malley, 1992). For example, deprivation of liberty is the classical mode of modernist and retributive punishment, yet it is also quite consistent with risk-based incapacitation. Arguably, this very overlap has been a critical avenue whereby risk-based justice has come to the fore in an era of ascendant retributive and punitive justice. I would thus have no difficulty in agreeing with CCRS' assertion that 'rationalizations of retribution and actuarialism are overlapping', and I am interested in the genealogy Rigakos and Hadden suggest. But I would strongly disagree that, as they imply, this creates a problem for the risk society 'theory'.

Thesis (c) concerns the apolitical or amoral nature of actuarial rationality, and the supposed (flawed) assumption by risk theorists that this is its necessary characteristic. Again, this will not be a challenge to many risk theorists, but will be recognized as a familiar issue of discontinuity in the literature. This line of exploration begins with the debate between Simon (1987) and O'Malley (1992). The point at issue here concerns theorizing the *variable* relationship between risk and amorality. Rather than risk being assumed to be amoral, it is specifically recognized that in the neo-liberal assault on welfare state models of actuarial risk management, risk becomes highly morally charged (O'Malley, 1992). In the field of crime control, for example, this occurs through risk-based discourses on the moral responsibility of offenders for creating hazards (O'Malley, 1992); on victims for creating opportunities for their own criminal victimization (O'Malley and Palmer, 1996); and on the moral responsibility of workplace drug users and of drink drivers (O'Malley and Mugford, 1992).

In short, Rigakos and Hadden perhaps should read the risk literature in much the same way that governmentality approaches suggest we read governmental discourses on risk: not as fixed, unified and consistent, but as discontinuous, variable and contested.

Conclusion

This is not intended as a tirade against the 'transgressions' or the 'naïvety' of CCRS. Putting aside the points already made, the value of CCRS is its attention to the genealogy of risk. This value remains even with respect to the particular historical discourses which CCRS is concerned to establish as *the* foundation of contemporary risk society, but which I suggest were marginal at the time or subsequently were marginalized. A genealogy of risk is vitally interested in the possibilities that were not taken up, the voices that were silenced, the questions and conceptions of risk that were actively or passively forgotten. Attention to these helps to destabilize the inevitability of the present, to open up room for thinking that things could have been—and therefore may still become—otherwise.

Notes

1. Ericson and Haggerty's (1997) *Policing the Risk Society* provides an interesting example, possibly the one leading to Rigakos and Hadden thinking in terms of there being a single and unified theoretical approach. Ericson and Haggerty attempt to merge the two approaches to risk. They use Beck as an overarching framework for explaining the rise and the nature of risk society, and governmentality as a means for analysing the techniques of governing through risk. I have argued elsewhere (O'Malley, 1999) why I do not think this is a viable fusion. In the process I make as clearly as possible my own, Foucaultian, grounds for rejecting Beck's approach. Any readers interested in the division between these two schools of thought on the risk society will find the matter dealt with in more detail in that article. A somewhat more sympathetic treatment of Beck from the point of view of a governmentality writer can be found in Dean (1999).
2. Daston (1986), for example, devotes a substantial monograph to the rise and fall of 'classical probability'. While it commanded considerable attention in the 18th century, this model for reducing all manner of moral and legal decisions to a mathematical calculus subsequently was ridiculed. It had almost completely disappeared by the 1850s.

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