Forget 'Moral Panics'

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Abstract

In the spirit of Jean Baudrillard's *Forget Foucault* this article offers a step-by-step critique of the 'moral panic' concept. It begins with a short review of Cohen's original thesis and its gradual evolution before addressing its remarkable popularity and ascent to the stature of a domain assumption. The rest of the article uses and extends the existing critique of moral panic theory before suggesting that the entire conceptual repertoire, rather than undergo another period of adaptation, should be ditched to make way for much-needed innovation.

Key Words

Moral Panic; Objectless Anxiety; Harm; Realism; Social Constructionism

Introduction

Students are often led to believe that Stanley Cohen and Jock Young created the concept of a 'moral panic' during the heady days of 1960s intellectual radicalism, a time when criminology fundamentally redefined itself as new ideas challenged the administrative core of the discipline. In fact, the phrase has a much longer history. While it briefly appears in McLuhan's (1964) *Understanding Media*, Sutton (2012) traces the earliest usage to 1831 and a critique of the French government's habit of enacting military cordons around Cholera-afflicted towns, amplifying the original infection and causing unrest amongst the towns' populations. The basic framework of this argument is not too different from the moral panic theory we know today.

With the growth of academic criminology over the last few decades, its native inference has become something of an analytical mainstay in the English-speaking world's institutions of government, media, research and education, especially in the study of crime and deviance. For all its ubiquity, however, the moral panic thesis was founded on a very brief and opportunistic piece of research. In his famous study of mods and rockers, Cohen (1972), sitting in a Brighton café, noted that the minor acts of deviance he observed amounted to little more than the exuberant hijinks common to gatherings of young people. Far more remarkable, he argued, was the extent to which the media inflated, misrepresented and sensationalised minor transgressions, inciting public fears to feed the politics of reactionary governance and punitive social policy.

Although most of the attention given to this concept in the decades since has been overwhelmingly positive (Jewkes, 2015), it has also attracted dissent from voices arguing that its considerable

prominence might be unwarranted (most recently, Hall, 2012a; Thompson & Williams, 2015). This article's purpose is to move the existing critique forward with the aid of some current concepts and theoretical frameworks. We will first turn our attention to the origins and development of Cohen's thesis since the 1970s, with an emphasis on its current prominence within the criminological literature, before segueing into a more detailed appraisal of some of the newer ideas that perhaps call it into question. In the process, we will consider the possibility that criminology should seek to move beyond the idea of 'moral panics' because its understanding of politics, social order and structural change might no longer reflect the ontological and ethical constitution of late modernity.

The Age of Moral Panics

The remarkable ascendency of the moral panic thesis would have been unlikely in an early social-scientific world dominated by positivism's domain assumption that our ideas can and should be grounded in the observable facts that constitute social reality. We are all familiar with the story that positivism was challenged by interpretivism, which followed a line from Kant through Weber, the phenomenologists and the American pragmatists to Mead's (1934) conception of the social self. Imported into the social sciences by symbolic interactionist scholars such as Frank Tannenbaum (1938) and Herbert Blumer (1992 [1969]), Mead's ideas provided much of the philosophical impetus behind an increasingly hard-line form of social constructionism (Parker, 1998) that took hold during the post-war era. In the form of labelling theory (see Becker, 1963), for instance, it acquired a degree of prominence on the 'radical' side of criminology, displacing conflict theory and Marxism as the main opponent of positivism, conservative control theory and neo-classicism.

The subsequent appeal of the moral panic thesis was very much a product of this constructionist framework and its widespread popularity amongst the radical intellectuals of the 1960s and 70s (Young, 2009). It dovetailed perfectly with the wider paradigmatic shift that began to de-emphasise the aetiology of crime and the ontology of harm in favour of an increasingly prevalent commitment to ideas such as labelling and criminalisation as part of a relentless critique of state power, media discourse and social control (see Ditton, 1979; Sumner, 1994). Within this emergent conceptual orientation, the moral panic thesis captured and reflected the social scientific zeitgeist of the mid-twentieth century, perfectly interlocking with an increasingly prevalent commitment to the liberal pluralist assertion that normative categories such as 'crime', 'deviance' and 'harm' have little to no ontological reality and are instead simply words used by legislative elites and other traditional sites of power to demonise and scapegoat otherwise minor and insignificant transgressions.

In turn, this increasingly 'subdominant' paradigm (Hall & Winlow, 2015) draped a cloak of ecological validity over the moral panic thesis, shielding it from criticism and allowing it the time and space to become one of our most widely referenced and highly regarded analytical concepts. Its prevalence is such that, in the latest edition of the original work, Cohen (2011a [1972]) boasted of more than one hundred citations per year since the early 1990s, whilst Goode and Ben-Yehuda (2013), on their way to a similarly populist affirmation, point to a range of citation indexes which, almost uniformly, show a constant upward trend in the use of the concept between 1971 and 2009. In their estimation,

> If we take academic attention as the measure of success, the moral panic concept has proven to be a whopping one. With each successive decade, the number of books, articles in the mass media and academic journals, and citations in the social sciences literature substantially increase (Ibid. 31-2)

It has repeatedly been called the most influential sociological concept of the twentieth century and even became, according to Garland (2008), a prerequisite for effective social theorisation, to the extent that the relative contribution of newer ideas should be assessed on how much they accord with the moral panic platform. What's more, unlike nearly every other concept produced by academic sociology, the idea of moral panic has, as Altheide (2009) notes, ably colonised the liberal dimension of mass media output, especially in editorials and opinion pieces. In this context, it is used primarily by journalists who perceive civil liberties to be under threat from wider media/political discourse on specific aspects of criminal justice. The successive cases of historic sex abuse on the heels of the Jimmy Savile scandal, for instance, provide a salutary example of just how readily sections of the British media reach for the moral panic thesis's customary conclusions (see, for instance, Cree, 2012). Cohen's thesis, we might argue, 'seems to have found

its way into the common lexicon as an abstract but apparently naturalistic description of social life that is constantly recycled with every new turn of criminal justice discourse' (Horsley, 2014: 91). Thompson (1998: 1) even goes so far as to describe the recent history of criminology as the 'age of the moral panic'.

Despite its apparent popularity, however, the moral panic thesis has been subject to almost constant debate over the last forty years or so, producing successive conceptual debates (see Hall et al, 1978; Waddington, 1986; Goode & Ben Yehuda, 1994; Kidd-Hewitt & Osborne, 1995; McRobbie & Thornton, 1995; Ungar, 2001; Waiton, 2008; Klocke & Muschert, 2010) and a growing volume of published work – according to the Web of Science citation index, the decade between 2000 and 2009 produced 143 directly relevant articles whilst 2010 to early 2017 has already produced 161 – all of which strengthens an affirmative, defensive fortification that repeatedly deflects any attempt to gain access to the thesis's core assumptions. When social scientists of various stripes review Cohen's ideas, for instance, it almost seems to have become standard practice to flag up an overlapping list of concerns that appear across the relevant literature without noticeably affecting the thesis's ultimate sustainability (see, for example, Garland, 2008; David et al, 2011; Cohen, 2011a [1972]; 2011b; Jewkes, 2015).

The critical literature frequently reminds us that perhaps the original definition might have been a bit on the vague side, or that subsequent updates have often steadfastly refused to define their terms. Some critics suggest that it patronises audiences by assuming their gullibility to the underhand ideological machinations of nefarious elites, even to the extent that it could be located in the widely condemned stable of 'conspiracy theory'. Others that it offers a particularly rigid and formulaic understanding of social interaction that perhaps deprives affected parties of their subjectivity. It also might overstate the prevalence of active 'panic' amongst the population whilst, conversely, underestimating the apathy and cynicism of the general population. Finally, there is a longstanding question around the sheer difficulty of judging or measuring the proportionality of reactions to perceived or real social problems. In all, the critique has been mounting up for decades but the over-riding tendency seems to be to defensively acknowledge, dismiss and carry on as before rather than reconsider the viability of the concept itself.

Despite this ongoing debate, however, the remarkably resilient concepts that underlie the moral panic thesis have not changed too much. The production of a 'moral panic' can still be broken down into three interlocking and overlapping phases. In the first instance, the mass media and political elites identify a subject ripe for 'folk devil' status and engage in a process of negative symbolisation that uses emotive language, rumour and outright falsehood to sensationalise selected phenomena that indicate crime or deviance, usually of a minor nature. 'The powerful' then use these symbols of evil to warn the public that some subcultural lifestyle poses an ongoing threat to the dominant social values that hold society together and prevent a collapse into chaos. This creates a fearful public mood in which the further erosion of civil liberties and the expansion of social control can be more easily justified.

In other words, the moral panic thesis, as Jewkes (2015: 93) argues, has perhaps 'become fixed within a pattern of enquiry which frequently relies on 'ritualistic reproductions' or misrepresentations of Cohen's original conceptualization' that encourage 'a fawning… adherence to its theoretical premises'. The breadth of research arguing that the popular representation of some phenomenon is merely another attempt to create a moral panic and is thus probably not worth too much social-scientific investigation into its generative mechanisms or associated harms is really quite remarkable. It includes everything from rioting youth (Nijjar, 2015) and illegal drugs (Weidner, 2009; Linnemann, 2010), through paedophilia, child protection (Cavanagh, 2007; Clapton et al, 2013), single mothers and teenage pregnancy (Heilborn, 2007; Azjenstadt, 2009) to issues like immigration (Pijpers, 2006; Meyer, 2016) and terrorism (Rothe & Muzatti, 2004; Bonn, 2010).

However, a gathering chorus of voices is now claiming that, without returning to the prejudiced, indiscriminate and politically dangerous pathologization of the past, the 'age of the moral panic' should perhaps come to a close. We will now begin to explore this claim with a discussion of moral panic's conceptual foundations.

'Conservative' Moral Order

The idea of a moral panic, suggests Jewkes (2015), rests on a concept of social order that has remained largely unchanged since the 1970s. Its assertion that elites promote a perspective on threats to social order to reinforce the necessity of control and the sanctity of moral boundaries, however, has roots that extend back into an early twentieth century critique of modernist universalism. A close examination of the extant thesis, for instance, might reveal traces of Durkheim's *conscience collective* – broadly consensual shared morality – shifted into a pluralist register by an interactionist understanding of social identity that transposes functional collectivity into a 'conservative' capacity for repressive control. Such notions of 'control' and 'repression' come from a different time, a 'classical age' (Baudrillard, 2007: 30), in which pluralism was a new and exciting idea and relative constraint had yet to make way for an increasingly 'tolerant' and 'respectful' approach to marginal cultural differences. If that's the case, however, the critical scholar might be forgiven for questioning the sustainability of notions of control and repression in a society that has since gone a long way toward adopting a more pluralist disposition.

Within the existing critique, the idea that the moral panic thesis, amongst a suite of cognate ideas, might seem to have 'stopped the clock' on certain aspects of criminological theory is not uncommon. It perhaps does not reflect a changing media landscape in which, even prior to 24-hour rolling coverage, popular internet access and social media, there was no single source of information and any one perspective, even that of 'elites', could easily get lost amongst the noise (McRobbie and Thornton, 1995). In Hunt's (2003) estimation, cultural boundaries between morality and immorality have become increasingly permeable, to the extent that the locus of moralisation has shifted from a vague threat to 'core' values toward shifting hybridisations of risk and harm that are often considerably more diffuse and ephemeral than classic notions of elite influence. Meanwhile, Ungar (2001: 277) notes that '[r]isk society issues do not generally fit a top down model' and are instead catalysed by real world events, giving direction to single-issue campaign groups that purport to resist but often only 'express solidarity' with popular concerns.

Faced with such criticism, however, some of the more prominent moral panic theorists have begun something of a rear-guard action by broadening the concept to maintain its viability. In acknowledging the differences between 1960s moral regulation and that of the 21st century, for instance, Cohen (2011a [1972]) offers a latter-day reformulation, which ditches any trace of specificity in favour of neutralising critique by generalising and diffusing the concept. Within this newfound openness, 'moral entrepreneurs' no longer have to be members of a 'powerful' class, they can instead be just about anyone including 'subcultures', academics and minorities; accordingly, panics no longer have to bolster the status quo, they can also be used to shore up the kind of 'subordinate moralities' that would once have been the unequivocal 'victims' in the classic scenario; and, finally, panics can now be 'good' – supportive of social diversity – rather than always 'bad' or 'conservative'.

In this way, Cohen tried to adapt the concept to its shifting social context but, in the process, turned what had been a reasonably specific idea into an indiscriminate, all-purpose designation for a broad array of popular third-party influences on public concern. While acknowledging that criminology's purview usually takes it in the direction of 'bad' panics – those fitting the traditional definition – Cohen's increasingly promiscuous use of the concept has begun to generate dissent of its own.

If the moral panic thesis needs to keep abreast of social change, suggests Critcher (2008; 2009; 2011), it would be better to stay as close as possible to the original formulation by perhaps broadening the concept only slightly to designate an active process of 'moral regulation' that can occasionally tip over into a full-blown panic. What he appears to mean is that although social context probably has shifted around the moral panic thesis, there are still processes by which elites seek to regulate and control the beliefs, aspirations and values of the general population, which should be analysed along three axes of social construction:

> [T]he perceived threat to moral order posed by an issue, the extent to which it is seen
> to be amenable to social control and how far it invites ethical self-formation (Critcher,
> 2009: 31)

With this in mind, he suggests, a 'moral panic' should be seen as an extreme form of a more general process by which elites maintain a kind of top-down control through the determined and purposeful manipulation of public concern. In a very similar vein, Hier (2008: 186; see also 2002)

argues that risk society's increased harm-awareness fosters a proliferation of 'moralizing discourses... rationally oriented toward governing oneself and others', leading into a form of social control as they 'link up with pre-existing or emergent themes of risk' (Hier et al, 2011: 272) so as to promote 'long-term political and moral projects'. Underlying all this talk of 'moral regulation', 'moral order' and 'processes of moralisation', however, is the clear assertion that, although core social mores might have become rather more difficult to pin down in recent decades, there remains a subset of 'distinctive issues' that, depending on how they fit into the above axes, might, at any point, generate enough friction or conflict within or between sections of the population to detonate a classic moral panic (Critcher, 2009).

In either case, however, it might seem as though the moral panic thesis remains trapped within a language of power that no longer reflects the social structures and relations it is supposed to explain. Its temporal and philosophical origins date its founding assumptions to a time before the rise of 'postmodernism' and the super-determining influence of social and economic liberalism over the last half century. It skips over the suggestion that we no longer live under a relatively monolithic ethical order that seeks to funnel and prohibit self-expression and thus misses the possibility that current structures rely less on overt forms of 'control' and far more on the liberation of minimally-controlled organic desire as a vehicle for the continued circulation of capital (Boltanski & Chiapello, 2005).

Where traditional social-scientific theories like moral panic generally rely on a zero-sum concept of social order, any such apparatus of 'control' has since made way for a dualistic, non-zero-sum process of stimulation and pacification that expends as much time and effort stimulating and releasing libidinal forces – ambition, competition and the pursuit of individualised desires – as it does desperately trying to keep a lid on them. It's the dynamic tension between the two, rather than anything that might be called 'moral regulation', that allows for the maintenance of social structure as it currently stands because their oscillating action adds up to the energetic generation of pseudo-pacified socio-symbolic competition, which makes full use of the individualised pursuit of lifestyle as the driving force behind post-industrial capitalism (Hall, 2012a).

It's here that Cohen's thesis really begins to set itself apart from the ontological foundations of current social structures because the repeated assertion that minor stylistic difference presents a 'non-conformist' threat to dominant social values fundamentally sidesteps the social transformations that have successfully installed libidinal drives at the heart of our political-economic system (McGowan, 2016). It thus misses the logical suggestion that 'crime' and 'harm' might result less from people pushing against a system that constraints them, than from a kind of 'hyper-conformity' to the primary ethical values of late capitalism and the fundamental disorder of multitudinous individualised passions eager for satisfaction (see, for instance, Briggs, 2013; Raymen & Smith, 2015).

In this context, centralised power does not 'control' the general population by promoting 'moralising discourses' so much as struggle to maintain relevance amid the sheer variety of drives and desires. It thus stages its own retreat into a kind of populist, lowest-common-denominator technocratic stewardship in which it constructs and maintains influence only to the extent that it is 'capable of making itself the guarantor of 'petty pleasures'' (Rancière, 2006: 31). What this does, however, is to effectively neutralise the kind of symbolic authority that is the ultimate object of the moral panic thesis as it continually rehearses the suggestion that elites pursue the active generation of fear to create space for a barely perceptible drift toward iron-fisted control.

Where theories of social reaction generally identify unidirectional, monolithic attempts at 'control', current ideas point to a 'post-political' phase of history in which collectivist rule-bound order has given way to clamorous demands for 'acceptance', 'tolerance' and 'respect' in relation to individualised 'lifestyle choices' (see Winlow & Hall, 2012). The kind of statist power that purposely regulates the finance industry to allow people to live beyond their means whilst actively promoting policy change toward the erosion of restrictive legislation – recent provisions for homosexual marriage, for example – does not look like a body with tight moralistic control over what people do and think, let alone a hand in anything that could be called 'moral regulation'. Indeed, it often seems as if the neoliberal state might be better characterised as a variant of the classical liberal 'night-watchman state'. A state that intervenes heavily during periodic financial crises yet normally remains a target of vilification for the dominant neoliberal right and sub-dominant liberal left (see

Hall & Winlow, 2015), patently hates itself and wants to minimise its role in social life in a cost-effective way that will satisfy 'taxpayers'.

Placed alongside such contemporary ideas, the moral panic thesis arguably remains trapped within an increasingly anachronistic critique of a no-longer-existing form of socio-political regulation. It rails against a form of 'moral order' that perhaps, during the middle decades of last century, might have expressed a degree of antipathy toward some of the 'cultural freedoms' that we now take for granted but which have now been sanctified within a political-economic framework that solicits as well as represses the organic expression of individualised desire in aid of its continuing attempts to force round the endless circulation of capital (Baudrillard, 2007).

In other words, the moral panic thesis perhaps operates within a rather agoraphobic appreciation of social ontology that relies on an endlessly re-circulated critique of prohibitive morality straight out of the 1960s, which only maintains viability by resolutely ignoring recent transformations in twenty-first century socio-political thought and practice. The suggestion that ideational conflict on a bed of top-down moral regulation occasionally tips over into full blown panic might seem to fly in the face of the era of 'capitalist realism' (Fisher, 2009) in which any irreducible sense of good and right seems to have been supplanted by pragmatic economic rationality and political acceptance. Even the most destructive events seemingly attract only transient flurries of media attention before slotting neatly into the prevailing narrative of balanced budgets, fiscal responsibility and the absence of political alternatives. All of which leads to a rather important question.

Order and Disorder

If the moral panic thesis struggles to reflect current socio-political structures and relations of power, why does it remain one of our most popular and frequently referenced concepts? The beginnings of an answer, we might suggest, can be found within criminology's slightly uncomfortable position at the frontier of ethical condemnation, from which it would be all too easy to slip back into the pathologization of otherness that played such a prominent role in the twentieth century's many totalitarian atrocities. Where the social sciences might once have been driven by a desire to enable individuals and groups to achieve their full potential through the pursuit of nurturing and supportive social relations (see Adorno, 1967), any such transformative impulse has since been stripped away by previous attempts to improve the human condition. Terrified of further social and biological engineering, the social sciences have instead been energised and confined by a catastrophist fear of the 'barbarism of order' – a shorthand designation for the consequences of overly centralised power (see Hall, 2012b) – that has since artificially foreshortened their intellectual horizon by de-emphasising the analysis of social systems and the human condition in favour protecting the individual from collective power.

While this shift was probably unavoidable given the historical context, it perhaps offers us a window in to the continuing appeal of Cohen's thesis, which, suggest Thompson and Williams (2015), furnishes its primary agents with a means to defend and project post-political pragmatism by concealing the liberal left's fundamental catastrophism behind the rather more jovial, approachable assertion that 'it's all just a moral panic'. What this actually does, however, is to shield the 'progressive' self-perception of the technicist, administrative middle class from any meaningful encounter with the grubby, toxic realities of the neoliberal era, which, by way of consequence, also allows them to cheerily dismiss alternative truth claims as mediated, politicised fictions that will only erode hard-won freedoms (Hall, 2012b).

While it would be difficult to claim that every perceived problem is pregnant with an alternative truth-in-waiting, deployment of the moral panic thesis often runs the risk of straying into obscurantist territory. When public concerns around the housing and monitoring of convicted sex offenders in the UK came to a head after the abduction and murder of Sarah Payne, for instance, the resultant protests seem to have engendered a notably dismissive criminological commentary that perpetuated mediated myths of looting, riots and firebombs whilst decrying protestors' lack of deference to the criminal justice system and its apparently dysfunctional, under-resourced monitoring systems (see Hughes & Edwards, 2002; Silverman & Wilson, 2002).

The assertion that a moral panic is in progress has the potential to take on a rather patrician hue in which those said to be panicking are portrayed to be little more than 'atavistic primitives' (Thompson & Williams, 2015: 277) lacking the necessary sophistication for appropriately liberal

conclusions. We might even suggest that some uses of the moral panic thesis may be more indicative of genteel distaste for certain sections of the population – in Cohen's (2011a [1972]: xxxiii) terms, it evokes images of 'the frenzied… mob: atavistic, driven by… delirium, susceptible to control by demagogues and… controlling others by 'mob rule'' – than any form of sustained social-scientific analysis of the very real problems that afflict our lives.

It's even possible that the thesis functions as a kind of 'liberal conservatism' (Žižek, 2010) by disavowing the transformational potential of intransigent social problems in favour of a reassuring refrain – 'don't worry, there's nothing to see here, everything will be fine, it's all just a moral panic' – rooted in the catastrophism of the liberal left and bourgeois disdain for the idea of a populist multitude with strong leadership and a sense of purpose. Employing such ideas to neutralise or negate the 'barbarism of order', however, leaves the back door open for the 'barbarism of disorder' as a consequence of capitalism's strategies for eliciting and harnessing powerful libidinal energy to the myriad necessities of capital circulation.

Within the energetic tension between the endlessly saccharine, winner-take-all allure of consumer solipsism and an increasingly polarised social order typified by zero-hour contracts, unregulated shadow economies and the perceived resistance of fantasised nationalisms (see Winlow et al, 2015), we have created an opening for the dark side of liberal individualism – it's tendency to excuse us from socio-ethical responsibility on favour of the material-symbolic elevation of the self. In turn, this 'dark side' feeds into the appearance of crime and harm throughout the social structure, which perhaps suggests a more complex, multi-faceted analysis than the repeated assertion that we are controlled by the overblown representation of problems, which, by leading us to 'panic', expands an authoritarian apparatus further into everyday life. It's to the prevalence and function of this social reaction that we now turn our attention.

The Absence of 'Panic'

In some ways, the constructionist account at the heart of the moral panic thesis presents us with a number of really quite useful ideas that promise to protect hard-won social freedoms, civil liberties and human rights. It contributes to the protection of demonised others, attempts to build a degree of solidarity against the disintegrative, factious forces of 'divide and rule' politics and its proponents certainly seem to see it acting as a bulwark against new forms of authoritarianism. It does so, however, by recirculating a mid-twentieth century iteration of left-liberalism's rather more longstanding 'politics of fear' theme (see, for instance, Garland, 2001) in which 'power' protects its interests by cultivating perceptions of danger and threat only to ably respond to demands for increased security as if they were the outcome of legitimate concerns (see Tilly, 1985; Hall, 2012a).

If we turn away from this prevailing account, however, we might consider the possibility that confining criminological analysis to a model of social change based on mediated representation, apparently at the expense of other forces, offers a rather idealistic, monotone appreciation of crime and harm that perhaps goes a long way toward sanitising and simplifying real processes and their often toxic consequences.

Where the forces that mould our social form are often diverse and unpredictable, bound up with political economy and cultural contingency, the 'moral panic' thesis keeps returning to the suggestion that western society is founded on little more than a sophisticated, naturalised and duplicitous protection racket. This seems to have marginalised other crucial aspects of criminological science, particularly the idea of destructive socio-structural drives and desires welling up organically in the context set by neoliberalism. In other words, its analytical paradigm perpetually neglects Arendt's (1963) crucial distinction between 'authority' and 'domination' – consensual and non-consensual power – to offer a somewhat conspiratorial narrative, which struggles to countenance the possibility that the voting population might, without being duped into it, find some use value for a touch of regulatory intervention.

Within a volatile social context afflicted by any number of distinct but interconnected social, political and economic problems – unregulated, entrepreneurial shadow economies (Nordstrom, 2007); normalisation of interpersonal violence in marginalised urbane locales (Ellis, 2016); erosion of life-stage transitions (Lloyd, 2013; Smith, 2014); proliferation of online criminality (Hall & Antonopoulos, 2016; Nordstrom & Carlson, 2014); political elites that genuinely have fallen in step

with the needs of capital accumulation (Galbraith, 2008); debt-saturated national economies (Horsley, 2015); and socially destructive but deeply profitable organised and corporate criminality (Tombs & Whyte, 2015) – it is perhaps not beyond the realms of possibility that the determined exercise of legitimate authority holds a certain appeal against our current crisis of regulation rooted in the internal contradictions and convulsions of global capitalism.

While it would be difficult to pretend that all of the above would be an easy fit for criminology, there seems to be a tendency to disavow knowledge, to throw concerns over our collective shoulder in *de facto* defence of the status quo instead of treating them as potential products of everyday experience and critical reflection. What's missing from the moral panic thesis, we might suggest, is an approach to critical enquiry that proceeds from the expression of concern to an underlying realm of 'generative mechanisms' – underlying structural forces (see Bhaskar, 2008) – that might actually help explain why, for instance, people and groups pursue interests in ways that intrude upon and cause harm to the lives of others.

With their apparent preference for constructionist analysis, the social sciences might even appear, note Hall and Winlow (2015: 99), to be 'ignoring and glossing over underlying structural forces… and their influence on the events that shape our lives… restrict[ing] itself to *symptomology* rather than *aetiology* [original emphasis]'. Before his death, for example, Cohen (2011b: 242) turned his thesis to a discussion of international discourse on climate change, arguing that its representation can be seen as another iteration of 'reality instruction' 'too extreme to be taken seriously by the sociology of moral panics' because it 'demand[s] a monopoly on what constitutes 'ethical living''. In the process, however, he might seem to have given us a window into the thesis's inner workings by demonstrating just how easy it is to dismiss evident problems by immediately assuming and declaring them to be overblown and misrepresented in a way that partially precludes the possibility of explanatory elaboration and ameliorative action.

The consequent absence of 'generative mechanisms' from left-liberal criminology arguably plays directly into the hands of the neoliberal right who remain only too happy to fill the vacuum with their preferred ideas. In resolutely turning the critical gaze away from the idea of underlying structural causes, the incessant restriction of analysis to social reaction leaves the art of explanation to become a hostage to fortune, often captured by conceptual narratives that deny the very possibility of structural causation. Without competing explanatory frameworks, for instance, those seeking to produce meaningful, effective interventions are often left with little but neo-classical rational choice and routine activities theories, which, we might suggest, consequently acquire far more weight than if they were they perpetually competing for attention with ideas of greater intellectual calibre.

In this context, Raymen (2015: 2, 15; see also Hayward, 2004) argues, the pursuit of 'defensible space' through situational crime prevention has become one of the more prominent weapons in the armoury of the criminal justice system but, as a consequence of its untrammelled adherence to the rational actor model, 'actively create[s] urban environments which perpetuate and exacerbate… competitive-individualist and asocial subjectivities' by 'discourag[ing] pro-social public engagement' in favour of constant movement and greater throughput of people. While it would be churlish to suggest that the appeal of such ideas can be directly traced to the predominance to the moral panic thesis, their rapid ascent to the status of administrative orthodoxy has arguably been, at least in part, an outcome of filling the explanatory vacuum left by 'critical criminology's' retreat into the restrictive *ex post facto* field of social reaction, criminalisation, panic and labelling.

For all that, the near constant recirculation of left-liberalism's 'politics of fear' theme leads us to another important question. Why would an all but unchallenged economically neoliberal and culturally permissive elite wish the general population to repeatedly become fearful enough to 'panic'? If the system's object is, as moral panic suggests, a kind of active political regression in the direction of a prevailing conservatism, surely stirring up 'fear' and 'panic' would be an extraordinarily high-risk tactic that might inspire the wrong kind of transformative impulse by giving people just enough information to identify the deep structural objects of their fears and so delegitimize the existing order (see Hall, 2012a).

With the decline of symbolic authority, however, any such objective problems persist without reference to 'approved or autonomous collective symbolism' (*Ibid.* 369) and so remain ideologically isolated, separated from the wider social field by the pragmatic administrators of post-

political late modernity. In the absence of an engaging, seductive narrative capable of connecting subject to object and offering effective, transformative solutions, social problems are either enveloped by the neoliberal right's ideological inertia (Fisher, 2009) or individualised and dismissed as matters of interpretation by the constructivist pluralism of the liberal left. In either case, the outcome is the same. Social ills get captured and neutralised by existing narratives long before they become politically transformative.

If we could make that connection between subjective experience and underlying structural forces, it's entirely possible that a proliferation of social concern might hold out a promise of transformation – constructive or destructive – but the moral panic thesis often works to break that chain. It pulls in the opposite direction because its constructivist worldview, driven by a catastrophist fear of the barbarism of order (see Hall, 2012b) and the resultant form of 'liberal conservatism', seeks instead to separate subject from object by artificially inserting the putative influence of symbolic interactionism's 'significant others', which then functions to delegitimise expressed concern by locating its energetic impulse firmly within another subject, leaving neo-classical ideas to occupy the field of explanation.

Public reactions to negative experience consequently struggle to transcend low-level frustration and are more likely to solicit or consent to repressive administrative solutions because, as Jameson (1992) suggests, the relative absence of critical ideological concepts from public discourse effectively prevents the collective drawing of 'cognitive maps' that would allow us to 'locate the experience of [our] situation within a meaningful whole' (Žižek, 2016: 39). We might even begin to see the 'politics of fear' concept as a case of mistaken identity in which we could perhaps usefully reconceptualise 'panic' as a form of 'objectless anxiety' that allows for the maintenance of a functionally energetic but politically neutralised undercurrent of vague, unsymbolized apprehension (Hall, 2012a).

Energised by competitive individualism and prone to instability, neoliberal capitalism provides the perfect growth medium for a loose, unfocused sense of impending personal disaster, which, because it remains unconnected to deep structural roots, only very rarely develops beyond obdurate disquieting suspicion. While the core of the moral panic thesis and its natural counterpoint – either public fears are irrational, ideologically constructed for political purposes and not to be taken seriously, or they are rational, grounded in reality and in need of intervention by the criminal justice system – might seem to dance around this idea, they are perhaps hampered by a form of dualistic essentialism that prevents them from getting any closer to the inertial aspect of mediated discourse.

Although governments and news media almost certainly misrepresent certain things for political ends (see, for example, Curran & Seaton, 2009), it's often difficult to find much trace of a transformative function. Where the moral panic thesis often points to the active cultivation of 'fear' and 'panic', media discourse might otherwise work to maintain a kind of homeostatic equilibrium in the sweet spot between baseline anxiety – which, in the form of interpersonal competition, remains economically productive and politically distractive – and the possibility that public sentiment could, at any moment, tip over into a transcendent moment, breathing life into the currently dormant demand for transformative politics.

Simply put, media representation might seem to derive its primary impetus from a kind of negativistic inertia in which crime stories, whether fictional or factual, rather than portray on ongoing threat, most frequently end with a comforting resolution that restores social order by showing the criminal justice system successfully fulfilling its public function (Hall, 2012a; see also Silverstone, 1994). It seeks neither to inculcate fear nor appraise the causes of crime in a measured and purposeful way but, with reference to whatever concern might currently be prickling our de-politicised subjectivity, to illustrate the responsiveness of currently existing management processes. This permanent drama of heinous crimes and successful solutions allows us to persist in a normal condition of anxious complacency, constantly suspicious of wrongdoing but ultimately protected by the pragmatic agency of post-political authority.

Reiner (2010) makes a similar point in relation to the police and their interactions with news media. He rejects the relatively simplistic assertion that the latter's goal, despite wholeheartedly reporting a variety of malfeasance, is a critique that apprises the population of problems. Instead, he argues, media reportage actually forms one side of a dualistic 'scandal and

reform narrative' in which representation flags up successive 'scandals' not to create 'panic' but to show them being surmounted by surface 'reform' so that the underlying structure can maintain a degree of internal homeostasis. It's almost as if media sensationalism elicits minor concern around specific individualised problems only as a prelude to overstating existing institutional capacity to protect the public and affect positive incremental change without disturbing fundamental structures and processes. In the absence of this homeostatic impulse, the moral panic thesis keeps insisting that individual and group subjectivity is repeatedly overwhelmed by different shades of the folk devil metaphor, allowing mediated ideas to somehow bypass direct experience and critical reflection to inspire active political participation, which might seem to be missing something important about the disaffected character of our current social context.

What's missing here is the extent to which our social order has been enveloped by the ideological inertia of 'capitalist realism' (Fisher, 2009) and its insistence that, despite the mounting symptomology of social decay, there is no viable alternative to the existing socioeconomic system. We now live, it often appears, in flat, world-weary, post-political times, assailed from all sides by advanced capitalism's hyper-solicitation of desire, which, suggests Stiegler (2013: 88), saturates and congests our reflective and decision making capacities, diverting us from the social 'exclusively towards objects of consumption... provoking indifference... [and] general apathy overlaid with a sense of threat'. With its connotations of extreme, transformative dissatisfaction, the idea of 'panic' perhaps fails to capture the prevailing ethos of interpassive ennui indicated by the appearance of depressive hedonia (Fisher, 2009), cynical disaffection (Stiegler, 2013) and passive nihilism (Diken, 2009) throughout the social body, all of which, in one way or another, suggest withdrawal rather than the active moral and political engagement Cohen's thesis ultimately relies upon.

Within this conceptual apparatus, the ultimate function of mediated representation is to induct social problems into the cynical, pragmatic process of fetishistic disavowal (Žižek, 2008), which acknowledges their presence only to circumnavigate their traumatic effects so that nothing – in terms of underlying structures – actually needs to change. We might not understand the causes of social ills but their representation informs us of the prevailing order's response, ensuring that each of our society's 'little evils' merges into the white noise of our normalised background anxiety. It thus becomes very difficult to establish a potentially transformative attachment to the deep structural objects of fear found in liberal capitalism's internal contradictions and convulsions, which consequently remain 'unknown consequence[s] of unknown objects and actions embedded in unknown structures and processes' (Hall, 2012a: 135).

A Thesis Out of Time

Faced with these newer ideas, it's often difficult to avoid the suggestion that the moral panic thesis might seem to have sidestepped certain aspects of contemporary social theory in favour of an increasingly obsolete analysis of a monolithic social order defined by censorious 'conservative' ideals and propelled by politically active 'panic'. Fifty years ago, with much of the early discipline mired in Durkheimian social conservatism and positivism's mechanistic theories of causation, constructionist ideas provided a vital counterpoint against a culture of casual pathologisation. Today, however, 'moral panic' is a thesis out of time, an intervallic idea that entered the discipline at a brief changing of the guard between the end of one paradigm and the birth of another.

What it might represent, in other words, is a nostalgic invocation of a modernist world in which ideology operated positively to construct belief. In the neoliberal era, however, we have sunk into a debilitating, cynical ethos of interpassive ennui (Taylor, 2013), which reproduces the ideological inertia of 'capitalist realism' through the construction and maintenance of disbelief in the ability of politics, authoritarian or otherwise, to organise the socio-economic world (Fisher, 2009). As a result it might now be unnecessary or even impossible to induce politically active 'panic' in order to maintain the status quo.

In the wake of the 2016 EU referendum, for instance, one of the more prominent explanations for the seemingly unexpected result, at least amongst commentators loosely aligned with the liberal left, pointed a combination of racism, poor education and political/media narratives that had succeeded in turning immigrants into a new folk devil (see Pilger, 2016; Winlow et al, 2017). Although it's probably inevitable that prejudice plays some role in a national vote, turning it into a primary explanation perhaps struggles to accommodate a sense of reason and logic within an opposing worldview, divesting a diverse swath of 'leave' voters of the capacity for critical reflection on the strength of their everyday experience in neoliberal reality.

It also leaves very little space for an acknowledgment that much of contemporary liberal democracy hinges not on active political engagement but on apathy and disaffection to the extents that the number of absent voters regularly and significantly exceeds victory margins. In June 2016, for example, the 'leave' camp won with 51.9 percent of the vote – 17.4 million versus 16.1 million, a margin of 1.3 million – but with a turnout of just over 72 percent, the referendum was surely decided by 13 million disaffected no shows, to say nothing of unregistered voters (also probably in the millions). Even this is higher than the usual turnout in local and general elections. In the United States, the electoral situation is skewed even further in favour of cynical disinterest. Voter turnout for the 2016 presidential election, despite a rather fractious process, seems to have fallen as far as 56 percent. Nearly half of the eligible voting population seem to have found little of value in any of the candidates.

In this context, it's certainly possible to accuse Donald Trump of turning 'moral panic' in to an electoral strategy by using 'threatening images of the "dangerous classes"… [to] wantonly illustrate the common sense behind… ultra-conservative solutions' (Brotherton, 2017). It's even inevitable that this goes some way toward explaining Trump's adoption of highly racialized images of Mexicans, Muslims and African Americans, appealing to more or less sizeable sections of a diverse population. Nevertheless, there might be something missing here, something that perhaps provides a bit more insight into the appeal of emergent political and media personalities such as Nigel Farage, Boris Johnson, Milo Yiannopoulos, Steve Bannon and, of course, President Trump.

While the moral panic thesis might portray Trump as the archetypal 'moral entrepreneur', as the 'significant other' to a nation's political discourse, many of his supporters seem to see him as something of a transgressive figure with a negativistic appeal that rests, in part, on baiting his opponents and defying conventions. To put it differently, we might see Trump and other agents of recent political change as beneficiaries of a kind of negative ideological disbelief in the established processes of Anglophone liberalism, appealing to a 'transgressive sensibility' that,

> Excuse[s] and rationalise[s] the utter dehumanization of women and ethnic minorities… liberat[ing] their conscience from having to take seriously the potential human cost of breaking the taboo against racial politics that has held since WWII… [this] is the full coming to fruition of a transgressive anti-moral style, its final detachment from any egalitarian philosophy of the left or Christian morality of the right (Nagle, 2017: 38-9).

What we're looking at, we might suggest, is a political project of yet another 'new right' that has assumed 'the aesthetics of counterculture, transgression and non-conformity' (*Ibid*. 28), wielding its ability to shock, offend and troll its opponents with a crude and carnivalesque rejection of 'political correctness'. Aspects of the Trumpian policy base might resemble the relatively prohibitive social ethics of the early twentieth century – the 'global gag rule' on abortion and family planning, for example – but, throughout his campaign and, more recently, his presidency, he has displayed a hard-bitten capacity to say and do almost anything to win, changing perspective without notice, actively trolling his opponents and generally transgressing the established rules of political office.

To proclaim 'moral panic' in relation to the Trump presidency, amongst a suite of comparable transformations, is to fixate on one aspect of a multifaceted problem that afflicts much of our combined political sphere. Reflecting constructionism's primary concerns, it promises to elevate the significance of politicised and mediated narratives as foundations for active political participation whilst barely touching upon subjective experience within neoliberal reality, the diversity of motivations within our electoral form and the jaundiced, disinterested ethos that seems to have given rise to a transgressive sensibility. Taken together, the realities of political diversity and electoral absence, along with the shifting function of ideology within processes of social change and/or inertia perhaps suggests that mass-mediated 'moral panics' are affecting very few people, if indeed that are affecting any at all.

With this in mind, it is perhaps time to 'move beyond the rhetoric of folk devils and moral panics' (Gadd & Jefferson, 2007: 186) by acknowledging that it might be little more than a fearful reaction itself, "a commemoration of a fractional aetiology of past totalitarian horrors in the liberal imagination" (Hall, 2012a: 137). Our discipline might instead benefit from a closer approach to the seemingly permanent crisis of insecurity and inequality generated by global capitalism's pursuit of

profitable investment opportunities as it runs up against the limits of finite ecological systems (Klein, 2015).

What we need, to put it simply, is to push beyond the transcendental idealism of critical criminology's established canon, especially the *de facto* defence of the status quo that comes with the tacit assertion that many of our problems boil down to active political participation on the strength of faulty information – moral panics. We need instead to fully and purposefully explore the destructive consequences of our cultural and economic systems, the drives and subjectivities that lead some to cause harm in the lives of others and/or accept it for themselves and the political policies that seem to be worsening the situation (see Hall & Winlow, 2015).

If we maintain our allegiance to left-liberalism's social reaction paradigm, on the other hand, it's entirely possible that we will eventually find ourselves on the outside looking in as others pick up the mantle of a realist, transformative politics that actually attempts to meet problems head on rather than busying itself with the rather conservative task of declaring them to be overblown and thus not worth too much critical attention. The fundamental problem with the moral panic thesis, however, is its apparent insistence on trying to mash the complex, dualistic significance of morality, ideology, concern and anxiety into a species of hard-line social constructionism, which, as a philosophical framework, is only marginally viable if we steadfastly ignore twenty-first century ideas. When placed alongside these ideas, even in this relatively circumscribed form, it perhaps begins to look as though we might need to ditch 'moral panics' because these concepts present a substantial challenge to its understanding of structure, power and change in late modernity.

Conclusion

In *Forget Foucault*, Jean Baudrillard (2007) questions the foundations of his compatriot's entire conceptual apparatus, arguing that it rests on a nostalgic invocation of idealised symbolic authority that no longer holds much sway over current social structures and processes of change. Where Foucault's outmoded appreciation of social ontology relies on the suggestion that elites manage our ethical lives by denouncing difference and non-conformity within a regulatory structure aimed at the subjugation of bodies, 'our centre of gravity… has shifted toward an unconscious and libidinal economy' that relies instead on 'the total naturalisation of desire' (*Ibid.* 39). It's idea of 'control' sits outside the possibility of a society that does not solely seek to repress desire but instead combines it with solicitation so that libidinal forces internally reproduce the energetic impulse that forces round the circulation of capital, leaving Foucault (see, for instance, 1991; 1998) with a suite of ideas that cannot reflect clamorous demands for cultural and economic freedom.

With much the same emphasis, however, the moral panic thesis remains one of criminology's most widely and frequently referenced analytical concepts with a sense of ecological validity that draws on the disciplinary sub-dominance of left-liberal thought. It too is afflicted by a zero-sum understanding of symbolic authority that struggles to adequately reflect the dualistic, non-dialectical core of late capitalism, affixing the critical gaze on the possibility of indiscriminate pathologisation at the expense of the formation of asocial subjectivities within peripheral spaces and the exploitative, anti-ethical sense of entitlement that comes with cultivating pseudo-pacified socio-symbolic competition.

It's thus possible that the moral panic thesis sanitises and simplifies real processes of social change and ideological inertia, reducing them to a slightly conspiratorial emphasis on mediated representation, which it then transposes into a series of distinctly problematic claims regarding the nature of power and authority, the role of the mass media and the prevalence of 'panic' as opposed to apolitical anxiety and generalised disaffection. Its insistence that audiences are taken in by different shades of the folk devil metaphor, for instance, flies in the face of the era of 'capitalist realism' and the ethos of interpassive ennui that has largely neutralised active moral and political engagement in favour of cynical nihilism and the transgressive allure of an imagined, idealised past absent the global movement of people, money and goods. If that's the case, however, it's possible that older ideas like moral panic no longer help to provide criminology with the most appropriate analytical frameworks.

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