What is Realist about Ultra-Realist Criminology? A Critical Appraisal of the Perspective
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Abstract

This article conducts a critical appraisal of ultra-realist criminology, an ambitious theoretical
perspective seeking to offer a new epistemological grounding for criminological research. Heavily
indebted to Jacques Lacan, Slavoj Žižek, and Adrian Johnston’s psychoanalytic theory, ultra-
realism, its proponents argue, also builds on the ontological and epistemological principles of
critical realism. This article contests this central claim, asking: what is realist about ultra-realist
criminology? Through excavating the real(ism) of ultra-realist criminology, I argue that the project
is characterised by key shortcomings pertaining to the espousal of Lacanian/Žižekian theory in its
‘transcendental materialist’ framework. Drawing on the principles of critical realism, I critique ultra-
realism on three key grounds: (a) its construction of a reductive totalizing discourse where all crime
can be traced back to a political economic center; (b) its failure to offer a truly stratified account of
the criminogenic conditions that produce crime; and (c) its inability to escape the epistemic
subjectivism of its key theoretical influences.

Keywords

Ultra-realism, critical realism, Žižek, Lacan, psychoanalysis, pseudo-scientization
process, transcendental materialism

Introduction

In their introduction to New Directions in Criminological Theory, Hall and Winlow (2012: 9), the
two key architects of the ultra-realist perspective in criminology, state:

We no longer live in the 1960s, and whilst we should respect some of the major
theoretical accomplishments of the past, we should not slavishly regard this
particular period as the pinnacle of human thought and attempt to make its
theories fit into a very different political, economic, cultural and ideological
climate. Instead, we should, in an exercise shorn of sentimental attachment and
vested interests, take from those theories what remains vital and pertinent
before redoubling our efforts to make sense of the world as it is and as it could
be.
Critical appraisal of theory, then, is key to the ultra-realist enterprise. To the credit of ultra-realism’s chief proponents, they have, in turn, invited criticism of their theoretical perspective:

> While first of all encouraging critics to begin with a thoughtful investigation of their own intellectual position, I invite criticism that seeks to identify flaws with, and advance upon, the claims I make here. Critical criminologists should have no time for those who would sabotage this dialectical process (Winlow 2012: 203).

This article is a response to Winlow’s invitation for criticism of ultra-realist criminological theory. In the spirit of O’Brien’s (2005) critique of cultural criminology, ‘What is cultural about cultural criminology?’ in this article I conduct a critical appraisal of ultra-realism’s proclaimed realism, asking: what is realist about ultra-realist criminology? Ultra-realism, its proponents argue, builds upon the ontological and epistemological principles of critical realism. In this article, I contest this central claim, arguing that the perspective’s ‘transcendental materialist’ underpinnings fundamentally contradict several of the key epistemic-commitments of critical realism specifically, and realist social science more broadly.

Though the term ‘ultra-realism’ only entered the criminological lexicon recently with Hall and Winlow’s (2015) *Revitalising Criminological Theory*, the perspective has been developed over many years, primarily in the work of Hall and Winlow, and most notably in Hall’s (2012) *Theorizing Crime and Deviance*. Ultra-realism has been critiqued on theoretical (Connell 2002; Ferrell 2007; O’Brien 2007; 2013; Ilan 2010; Hayward 2016; Carrabine 2016; Walklate 2016; Wattis 2017), methodological (Carlen, 2016; O’Brien, 2007) and rhetorical grounds (Carlen 2016; Carrabine 2016). However, no critique to date has critically appraised one of the perspective’s core contribution to criminology: its new ‘ultra-realist’ epistemological and ontological framework for undertaking social scientific research. Indeed, ultra-realism is a particularly ambitious criminological perspective, in that it is seeks to offer not only its own crime causation theory, but also an ontological and epistemological research ‘worldview’ that overcomes issues Hall and Winlow (2018) identify in constructionist, poststructuralist and critical realist perspectives. Much of the perspective stands or falls on the utility of this new ‘ultra-realist’ epistemological framework, yet to date, most critiques of ultra-realism have focused on its contributions to crime causation theory.

I should qualify that I do not view ultra-realism as without merit. The perspective makes a number of valuable contributions to criminology, and I agree with much of its general vision – in particular its zemiological focus on harms, its call for greater engagement with the neurosciences, and its call to jettison outdated theory. The perspective also engages with a number of valuable concepts hitherto neglected in criminology, such as Johnston’s (2008) notion of deaptaion. Moreover, authors broadly aligned with ultra-realism have undertaken rich and valuable empirical research, from Raymen’s (2018) deviant leisure research into parkour and Hall and Antonopoulos’ (2016) online illicit markets, to Hall, Winlow and their colleagues own ethnographic studies of the night-time economy (Winlow and Hall 2006) and working-class criminality (Hall et al. 2008). Finally, alongside Matthews (2014) its proponents make a timely call for engagement with critical realism – a perspective that’s insights remain under-appreciated within criminology.

However, there is much in the specifics of ultra-realism that I find unconvincing. Indeed, part of my issue with ultra-realism is that its proponents simply do not fully realise two of the most promising dimensions of the perspective proposed by Hall (2012): (1) further engaging with the neurosciences to offer a bio-social account of (harmful) subjectivities and (2) jettisoning outdated theories that do not stand up in contemporary social conditions. In both respects, ultra-realists do not go far enough; they engage with contemporary neuroscientific research in only a limited fashion and they continue to engage with a psychoanalytic perspective that instates a form of epistemic subjectivism into the perspective.
Ultra-realism is, in part, presented by its architects as a new and improved version of critical realism that remains true to its central tenets while tweaking some issues with Bhaskar’s theory. In one article, for example, Treadwell et al. (2013: 5) describe their approach as ‘new and revitalized critical realism’. This framing, I suggest, can be challenged on multiple grounds. Not only does ultra-realism jar with several of the key tenets of critical realism specifically, but its transcendental materialism framework precludes it from being considered an epistemologically realist approach altogether. In detailing this central issue with ultra-realism’s claim to epistemological realism, I outline the following specific issues with the perspective’s Žižekian transcendental materialist framework: (a) its failure to offer a truly stratified account of the criminogenic conditions that produce crime; (b) its inability to escape the epistemological subjectivism of its key theoretical influences; and (c) its engagement in what Sayer (2010) terms upwards reduction through offering a totalizing discourse on crime; one that constructs political economy as the center that we can trace all crime and harm back to. As I hope to demonstrate, these critiques of ultra-realism’s ontology and epistemology do not amount to arguments over how many angels can dance on the head of a pin. Not only do they fundamentally concern the kinds of truth claims ultra-realism can make, but they also demonstrate some key limitations of the perspective’s crime causation theory as well.

What is new about ultra-realism? A brief review of the perspective
In a review of Hall and Winlow’s (2015) Revitalising Criminological Theory, John Lea (2016) argues that, distilled to its core contributions, there is very little that is new about ultra-realist criminology. This is, Hall (2016) argues, an unfair assessment. While ultra-realism does investigate many of the same issues as left-realist and radical criminologies, it draws on a different palette of theories to do so. In his rebuttal of Lea’s review, Hall identifies a number of theoretical innovations offered by ultra-realism: the perspective’s focus on Fisher’s (2009) notion of capitalist realism, Žižek’s (2008b) conceptualization of symbolic efficacy, and, perhaps most importantly, Johnston’s (2008) ontological position of transcendental materialism, upon which the entire perspective rests. This perspective, Hall (2015: 3) argues elsewhere, ‘provides new ways of thinking about ideology and subjectivity, based on a fundamental traumatic encounter with the Real and the individual’s solicitation of a coherent symbolic order driven by a pressing need for comprehensibility and coherence’. Here, Hall refers to two key concepts formulated by the psychoanalyst Jacques Lacan and further developed by the philosopher Slavoj Žižek: The Symbolic Order and the Real Order. The novelty and utility of this perspective will take up much of my critical appraisal, but for now, it is worth unpacking how Hall, Winlow and colleagues conceptualize Johnston’s transcendental materialism. As Hall (2012: 206) explains:

Transcendental materialism’s fundamental insight, drawn from recent developments in neuroscience, is that the human body is a hard-wired mechanism, but it is hard-wired specifically for dysfunctionality and plasticity, a vital prerequisite for the adaptability of the weakly evolved and equipped human being in multiple environments, a plasticity that over time became manifest in the immense diversity of emotions, sensibilities, intuitions, linguistic concepts and physical capabilities that constitute the earth’s most complex industrious, philosophical and communicative animal.

Transcendental materialism’s fundamental insight, as framed here by Hall, is neuroplasticity: a phenomenon long-acknowledged in the neurosciences. In actuality, transcendental materialism goes far deeper than this to offer a theory of subjectivity influenced by, but irreducible to, German idealism, psychoanalysis, Marxism, and the life sciences (Johnston, 2008). Žižek’s theory – itself a cauldron of German idealism, psychoanalysis and Marxism – has a particularly large role to play in Johnston’s framework, though it is worth noting that Žižek (2012: 906) himself disavows Johnston’s reading of his work, viewing the term ‘transcendental materialism’ as an oxymoron. It is Johnston and Žižek’s theory that underpins many of ultra-realism’s key claims around neoliberal subjectivity, identity politics, and the criminogenic properties of neoliberalism. The later point –
neoliberalism’s criminogenic properties in promoting harmful subjectivities and what Hall (2012) terms ‘special liberty’—is, to simplify, the crux of ultra-realism’s crime causation theory. As Hall (2012: 71) explains,

The fundamental psychosocial conditions constituted and reproduced by neoliberal capitalism are inexorably criminogenic insofar as they tend to generate a cluster of illegal entrepreneurial forms that has shifted the norm far beyond the social crime traditionally motivated by a sense of social injustice.

Harmful contemporary subjectivities, in other words, are an expression of neoliberalism. As Lea (2016: 1274) writes in his critical review of Revitalising Criminological Theory, this idea ‘that varieties of criminality, from corporate fraud to street crime, are articulations rather than rejections of dominant capitalist values is not itself new (see Bonger 1915). Indeed, it is ultra-realism’s central claim that crime is an expression of neoliberalism, rather than its use of transcendental materialism, that has received the greatest deal of criticism from criminologists. Hayward (2016: 7), for example, states that ‘not all crime stories are stories about capitalism, and to think that way is to strangle criminological creativity and diminish the possibility of identifying irrationalities in power relationships or isolating aetiological and causal idiosyncrasies’. Along a similar line of critique, Carrabine (2016: 855-858) describes ultra-realism as ‘a bleak and often one-dimensional take on social relationships’. Elsewhere, O’Brien (2013: 89) argues that Winlow and Hall characterise neoliberalism as ‘a total system that absorbs all resistant acts’. Later in this article, I posit a critique consonant with O’Brien’s, arguing that ultra-realism offers a totalizing discourse on crime that places political economy at the center of all crimes and social harms.

To date, Walklate (2016) offers the only criticism of ultra-realism that has specifically addressed the perspective’s transcendental materialist framework. In a review of Hall and Winlow’s (2015) Revitalising Criminological Theory, Walklate (2016: 112) expresses concern over the authors’ desire to overturn ‘liberal theory’ in favour of a ‘collective theory project based on the principles provided by transcendental materialism’. In addition to sharing Walklate’s specific concerns that transcendental materialism is unable to account for geographically and culturally-informed nuances in explaining crime, I also argue that the framework is fundamentally at odds with the epistemological realism that ultra-realism also identifies with. In the remainder of this paper, I therefore critique some of the specificities of ultra-realism’s transcendental materialism, with a particular view to Hall and Winlow’s claim that the framework offers a rejuvenated form of critical realism.

Realisms: Naïve, anti- and critical – a primer

Before examining what is realist about ultra-realist criminology, a more fundamental question must be addressed: what is realism? Realism, insofar as the term is used within ultra-realism, refers primarily to an ontological and epistemological, rather than axiological position. For ontological realists, things exist mind-independently. Put simply, there is a reality out there regardless of whether there are sentient agents to experience it. Anti-realists, by contrast, repudiate realists’ mind-independent take on reality. For ontological anti-realists, there is no reality that is not created by the mind. Objects, in other words, are mind-dependent: they do not exist without a mind. Anti-realism is associated foremost with the 19th century German idealist philosophy of Kant, Hegel, Fichte, and Schilling, however, more contemporary anti-realism can be found in certain forms of radical social constructivism.

Within the social sciences, realism is associated foremost with positivism, however positivists are far from the only ontologically realist social scientists. We can discern a variety of different realisms active within the social sciences, from the ‘naïve realism’ or ‘actualism’ associated with positivism, to the critical realism first associated with the work of philosopher Roy Bhaskar (2008a). The distinction between these two positions in particular is important to unpack here, for, as noted before, it is the critical realist position, rather than the naïve realism of empiricism, that
ultra-realists view argue their position builds upon. As Archer et al. (2016) explain, critical realism combines ontological realism with epistemic relativism, all the while holding on to a judgmental rationality and a cautious ethical naturalism. To do this, critical realists distinguish between what Bhaskar (2008a) terms the intransitive dimension of scientific knowledge – the causal mechanisms that exist mind-independently – and the transitive dimension: historically-changing accounts science gives of intransitive objects.

In adopting what they term a judgmental rationality (see Archer et al. 2016), critical realists argue that it is possible to adjudicate between different theoretical account of generative mechanisms to judge one as more accurate or as having more 'practical adequacy' than another (see Sayer 2010: 47). Judgmental rationality, Hu (2018: 130) explains, enables researchers to evaluate and compare the explanatory power of different theoretical explanations and, finally, to select theories which most accurately represent the 'domain of real'. In maintaining a judgmental rationality about (transitive) explanations of (intransitive) causal mechanism, critical realism represents not only a form of ontological realism, but a form of epistemological realism, wherein it is possible to generate increasingly accurate accounts of reality. Here, we can contrast critical realism with constructivist and poststructuralist frameworks which are generally ontologically realist (there is a mind-independent reality out there), but epistemologically anti-realist (we have no means of establishing which account of this reality is more accurate than another).

As Collier (1994) explains, within critical realism, a theory can be considered more realist if it makes claims to objectivity, fallibility (open to refutation by further information), transphenomenality (going beyond appearances), and counter-phenomenality (potentially contradicting appearances). As I will demonstrate, the second condition, fallibility, presents a problem for ultra-realism when we consider neuroscientific research that refutes the psychoanalytic model of the unconscious the perspective builds upon.

Ultra-realists have, on occasion, characterised their work as a form of ‘depth realism’ referring to a concept developed by Bhaskar (2008a). Depth realism, Bhaskar argues, can be contrasted with narrower forms of realism that he terms ‘actualisms’. Actualism refers to a form of realism that accepts Hume's model of causality, where causal laws are constituted by constant conjunctions of events. Or as Bhaskar (2008a: 54) explains, actualism refers to ‘the idea that laws are relations between events or states of affairs’. By contrast, depth realism seeks to identify underlying structures. As Collier (1994: 8) explains, ‘against these actualisms, depth realism asserts that various kinds of entity – molecules, trees, people, societies – have just those powers that they do and not others, by virtue of their respective inner structures’. Critical realism’s ‘depth realism’ is formed on the foundation of not only Bhaskar’s critique of Humean causality, but his distinction between the Real, Actual and Empirical as ontological domains (see Table 1).

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In Bhaskar's philosophy, the Real refers to causal or 'generative' mechanisms and the structures of intransitive phenomena that give rise to them. Such generative are not always activated, but when they are, we arrive at the ontological domain of Actual events. Actors’ experiences of such Actual events lie within the Empirical domain. Ultra-realism’s engagement with critical realism is primarily centered around this model of the ontological Real, Actual and Empirical (see Hall and Winlow 2015; 2018; Winlow 2018).
However, Bhaskar's ontology extends well beyond this Real-Actual-Empirical triad, to offer an account of nature and generative mechanisms as stratified and emergent. For critical realists, the intransitive domain of the Real is stratified into levels, from the atomic and the molecular all the way up to the biological, the psychological and the social (Bhaskar 2008a). However, higher strata are not reducible to lower strata – we cannot explain generative mechanisms arising at the biological strata with recourse to the laws of physics. For critical realists the generative mechanisms that arise in each stratum accord with the laws of lower strata, but are emergent from them; that is, they are more than the sum of their parts and are not reducible to the generative mechanisms of lower strata (Archer 1995). As Bhaskar (1994: 73) defines it, emergence refers to, 'the relationship between two terms such that one diachronically, or perhaps synchronically, arises out of the other, but is capable of reacting back on the first and is in any event causally and taxonomically irreducible to it, as society is to nature or mind to matter'. As I will demonstrate, critical realism's understanding of nature as stratified and emergent has considerable implications when we address ultra-realism's engagement with the neurological.

Beyond centreless webs and totalizing discourses
As discussed earlier, most critiques of ultra-realism to date have primarily taken issue with its crime causation theory, which has been characterised as one-dimensional (Carrabine 2016; Hayward 2016). This critique is offered a rich philosophical grounding in Sayer's (2000: 72) critique of both totalizing discourses, and postmodern modes of analysis that, as Sayer (2000: 72) puts it, treat society as a 'centreless web of heterogeneous relationships'. Put simply, the notion of totalizing discourses refers to theories that explain all social relations and behaviours through recourse to a single key concept or structure. Within totalizing discourses, this structure is posited as central to, and a driving force behind, all social relations. Though primarily associated with poststructuralist critiques of Marxian perspectives, totalizing discourses are similarly rejected by critical realists. For critical realists, totalizing discourses are reductionist, 'for they treat events and processes as direct, unmediated expressions of the central underlying structures, and hence misattribute causality' (Sayer 2000: 73). Critical realism, therefore, offers a middle ground between totalizing discourses and postmodern relativism through acknowledging a plurality of potential modes of domination and autonomous ideological-power centres (Bhaskar 2008b). As Sayer (2000: 74) so cogently explains:

[Realism] does support the view that some structures (mechanisms, objects or whatever we care to call them) are more important than others in shaping particular outcomes. This doesn't justify assuming a single centre; rather it simply supports the unexceptional idea that what is central or most important depends on what objects we are dealing with and what we are trying to explain.

Such an acknowledgement that there may be a plurality of autonomous power centres operating within the deep structures of contemporary society, is missing from ultra-realist theory. Building upon Žižek's (2008b: 218) argument that global capitalism has led to the 'unprecedented homogenization of today's world', Hall and Winlow's reductive take on the causes of crime instead offers a totalizing discourse that assumes a political economic center driving all human behaviour. The ultra-realist position on this might be summed up well here by Žižek (2012: 285), who states that 'concrete (cultural) content is ultimately an ideological fake: a mask obfuscating the reign of abstraction'. Or as Winlow (2012: 200) writes, multicultural diversity is but a 'shallow surface' under which 'lies a durable universality'.

This insistence that the ideology and fundamental logic of socio-economic systems drives all social relations results in a one-dimensional account of crime as a direct expression of political economy. Moreover, it offers a monolithic account of identity as ultimately structured by a 'fundamental' fantasy and the 'fundamental logic' of the socioeconomic system an actor is embedded in (Hall and Winlow 2015).
Ultra-realism, in short, does not consider the multiplicity of extra-economic processes that might affect identity, beliefs, and behavior. Whereas critical realists would argue that harms are brought about by a multiplicity of mechanisms working together, with different mechanisms in play in different events, an ultra-realist will argue that harm can be traced to the political economic center ordering all social relations; all other mechanisms, whether race, sexuality, or gender, are mere cake decoration to the true neoliberal substance of contemporary harm. Ultra-realism, in other words, misreads neoliberalism as the ‘concrete universal’ driving all harm. As such, it is unable to offer accounts of crime and harm that diverge from this causative path without relinquishing several of the key tenets of their theoretical framework.

If ultra-realism acknowledged that there exist a variety of generative mechanisms beyond political economy that may cause crime, this issue would be mitigated considerably. However, ultra-realism’s aspiration to produce general theories of crime (see Hall and Winlow 2018), coupled with its frequent attacks on ‘left liberal pluralism’ in criminological theory, results in the perspective dismissing theories where crime isn’t, to use Althusser’s phrase, ‘determined in the last instance’ by political economy. To use one of Žižek’s favorite phrases, ultra-realism’s campaign against ‘liberal pluralism’ in criminological theory throws the baby out with the bathwater, for it leaves the perspective no latitude for explaining crimes – such as homophobic hate crimes and street harassment – that have little to nothing to do with political economy (see Fraser 2013). As it stands, then, ultra-realism’s insistence on a neoliberal center driving all social relations offers a recipe for reductionism, blinkered interpretation, and misattributed causality.

Transcendental materialism: a pseudo-scientization process?

One key way ultra-realism has distinguished itself from other critical criminologies is in acknowledging the realm of the biological. Ostensibly, ultra-realism’s transcendental materialism offers a bio-social account of crime; one that considers the neurological properties of actors. In practice, however, ultra-realism’s limited engagement with the neurological offers an account that is a) incongruous with the psychoanalytic notion of a ‘dynamic unconscious’ of drives that the perspective builds upon, and b) rehashes a ‘tabula rasa’ subject whose desires and drives, as well as their beliefs and ethics, are determined by society. Indeed, ultra-realism’s invocation of neurological circuits is only used to firstly, emphasise the durability of particular behaviours (Hall 2012), and, secondly, to ‘scientize’ a perspective – Lacanian psychoanalysis – that, like other forms of psychoanalysis, is pseudo-scientific.

In advancing transcendental materialism as a criminological framework for approaching the biosociality of subjectivity, Hall and Winlow (2018: 47) claim that they draw upon a strand of Lacanian psychoanalytic theory that is ‘updated by the latest neuroscientific research’. This claim, however, ignores the fact that psychoanalysis is, as Callard and Fitzgerald (2015: 70) note, ‘a profoundly marginalised field within the cognitive neurosciences’. Elsewhere, Hall (2012: 373), claims that Lacan was himself a ‘biosocial essentialist’ and not a poststructuralist; a highly heterodox reading. Indeed, psychoanalytic and critical realist scholars often contrast Freud’s scientism and ostensible commitment to evidence with Lacan’s indiffERENCE to evidence (Collier 1994). Lacan is often viewed as revising Freud’s biological essentialism to stress the linguistic structure of the unconscious; as Heslin (2005: 281) puts it, ‘the movement from the biological to the metaphorical is a fundamental aspect of Lacan’s revision of Freud’.

Riffing on Hall’s (2012) concept of the pseudo-pacification process, we might think of Hall and Winlow’s attempt to ‘scientize’ Lacan as a kind of pseudo-scientization process; scientization, because the terminology and findings of scientific disciplines are employed to ‘scientize’ social inquiry, and pseudo, because it is characterized by a failure to reconcile fundamental epistemic incongruities between social scientific theories, and the natural science frameworks they engage with. In what follows, I argue that we can see the pseudo-scientization process at work in ultra-realisms’ attempt to scientize Lacan through the application of contemporary neuroscience – a
process that they inherit from both Žižek and Johnston. Though neuroscience is not invoked regularly by ultra-realists, it is the subject of an extended discussion in Hall’s (2012) ultra-realist manifesto, Theorizing Crime and Deviance. In it, Hall exhorts criminologists to develop work that properly accounts for the interface between environments and neurological systems. He writes, for instance that ‘we must move forward to investigate the interface between experience, culture, ideology and the neurological system’ (Hall 2012: 190), arguing that ‘criminal actions are those of an individual who is both ideologically and neurologically motivated to undertake to go considerably further than the law-abiding citizen’ (Hall 2012: 193). These are excellent exhortations, and the promise of a neurologically-informed critical criminology is exciting. However, Hall’s Lacanian psychoanalytic framework acts to neutralise much of the findings of neuroscience, and in particular, its challenge to psychoanalytic understandings of a ‘dynamic unconscious’.

The unconscious mind does not belong to psychoanalysis, nor was it invented by it, as is commonly though mistakenly assumed. Like other tenets of psychoanalysis, from Freud to Klein, Lacanian psychoanalysis posits the existence of a ‘dynamic unconscious’ that is repudiated by many contemporary cognitive scientists and neuroscientists (Kihlstrom 2015). In place of the ‘dynamic’ model of the unconscious offered by psychoanalysis, research from the cognitive- and neurosciences offer an empirically-grounded model of the ‘cognitive unconscious’. These two models of the unconscious are not simply rival models that might be synthesised. Rather, the model of the cognitive unconscious rejects fundamental assumptions of the psychoanalytic dynamic unconscious. This issue is recognised by Žižek (2010b: 102), who notes that ‘the neuronal unconscious and the Freudian unconscious are not only different, but incompatible’ and, moreover, that ‘once we admit the cerebral unconscious, the libidinal unconscious loses its grounding’ (Žižek 2010a: 301).

In a number of publications, Žižek (2010b) therefore attempts to defend the Freudian unconscious that forms the basis of his (and Winlow and Hall’s) work against the more contemporary and empirically-grounded cognitive model. Conspicuously absent from Žižek’s criticism of the cognitive or ‘cerebral unconscious’, however, is any empirical research on the topic. Indeed, his discussion is limited entirely to the work of another continental philosopher, Catherine Malabou (2012). What Žižek offers up by way of defending the Freudian unconscious is little more than misdirection and a straw-man. Shorn of its Lacanese, his argument amounts to ‘because we might disagree with Malabou’s more neuro- and cognitive science informed take on the unconscious, we must disagree with all neuro- and cognitive science informed takes on the unconscious’. In line with the pseudoscientification process detailed above, Žižek’s ‘engagement’ with neuroscience viz-a-viz Malabou is not an actual engagement at all: it makes no reference to the far more fundamental challenges neuroscience and its model of the cognitive unconscious issue to psychoanalytic theory.

Unfortunately for Žižek, psychoanalysis, and ultra-realism, the evidence from contemporary neuroscience is not, as Hall claims, in the dynamic unconscious’s favour (O’Brien and Jureidini 2002). Though evidence of the cognitive unconscious has sometimes been taken up by proponents of psychoanalysis as evidence of their dynamic model of the unconscious, there are several reasons why this is problematic. Firstly, as Kihlstrom (2015: 4) notes, ‘[c]ognitive processes that are executed automatically, or the implicit memories that are inaccessible to conscious recollection, bear no relation to the repressed contents that populate the Freudian unconscious – childhood trauma, primitive sexual and aggressive urges, and the like’. Further, the process by which memories become inaccessible to us evidenced by cognitive science, in no way resembles Freud’s model of repression, which has been taken up, in a slightly modified form, by Lacan, Žižek, and finally Hall and Winlow (Kihlstrom 2015).

Perhaps the issue of most direct import to transcendental materialism’s application within criminology, however, is Malabou’s (2012; Johnston and Malabou 2013) key criticism that psychoanalytic frameworks are unable to explain changes to subjectivity that are set in motion by acquired brain injury. Given recent findings indicating that a high proportion of individuals
imprisoned for a crime have an acquired brain injury (Shiroma et al., 2010; Hughes et al., 2015). This shortcoming has considerable implications for the application of transcendental materialism within criminology. Drawing on the work of Soler (2018), Johnston (2014: 285) attempts to refute this criticism of psychoanalysis through arguing that Lacanian theory is not, as Malabou, argues, ‘neglectful of the brain’. However, for the most part, his defense of psychoanalysis fails to address the crux of Malabou’s argument – that recent findings on acquired brain injury call into question the generative mechanisms proposed within Freudian and Lacanian psychoanalysis. Instead, much of his response to Malabou is taken up in addressing an altogether different question: whether Lacan’s conceptualization of the unconscious properly accounts for a material Real. Where Johnston does attempt to defend the generative mechanisms offered by psychoanalysis from Malabou’s critique, he does so by arguing that neurological traumas pertaining to acquired brain injury represent simply extreme forms of the psychical trauma experienced regularly by all individuals. These traumas are, according to Johnston (2014: 291), differences in degree, not type:

From a Lacanian-Solerian perspective, these shocking sufferers represent, with the potent effectiveness of exaggerated degree, the past and present of those subjects not impacted by neuro-traumas who nonetheless unknowingly suffer daily from the senselessness of material signifiers.

This is an unconvincing argument as it elides the complex empirical account of brain injury developed within the neurosciences. In making such claims, Johnston, much like his key psychoanalytic influences Lacan and Žižek, maintain an indifference to empirical evidence. In complete contradiction to critical realism’s emphasis on the fallibility of theories, transcendental materialism’s engagement with neuroscience does not meaningfully extend, refute, or alter any dimensions of Žižek’s theory. This trend is continued in ultra-realism. In ultra-realism, neuroscience and Žižekian theory are not equal partners, despite Hall and Winlow’s claim that Lacanian theory has been ‘updated by neuroscience’. Rather, neuroscience is selectively subsumed into Žižek’s perspective where the former affirms the latter. In practice, this means that rather than making any effort to engage with and learn from neuroscience and biosocial research, ultra-realists can simply state that the neurological is already adequately accounted for in Žižek’s theory. Underlying this issue, though, is a more fundamental one: epistemic incongruencies between neuroscience and psychoanalysis. As Clarke (2018: 426) writes,

When neuropsychoanalytic authors address problems of epistemological contradiction between psychoanalysis and neuroscience, they usually do so in one of two ways: either a common “objectivist” epistemology is argued or assumed, making psychoanalytic knowledge continuous with knowledge from other sciences, or a pluralism of epistemic approaches is acknowledged but not acknowledged as problematic. Neither response addresses the question of how psychoanalysis, once it enters into partnership with neuroscience, retains its basic identity as the “idiosyncratic science of the individual subject”.

Though Winlow and Hall (2019: 33) claim that transcendental materialism moves, as they put it, ‘beyond biological positivism’s crude ontology’, in truth, Johnston never adequately resolves the key epistemic contradictions and incongruencies between the psychoanalytic framework he espouses and the life sciences he selectively engages with.

If ultra-realism represented a perspective that truly builds upon the epistemological principles of critical realism, this incongruence between ‘the cognitive-affective neuroscience of the unconscious’ (Stein et al. 2006) and Lacan/Žižek/Johnston’s dynamic conception of the unconscious would warrant a rethink of the perspective’s Žižekian ‘transcendental materialist’ framework. As detailed earlier, critical realists hold a fallibilist view of knowledge, where no theory

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1 Shiroma et al.’s (2010) meta-analysis of 20 epidemiological studies published between 1983 and 2009, for example, indicates that the rate of acquired brain injury among individuals imprisoned for a crime sits at around 60%.
is above reproach. To qualify, my point here is not that theories of subjectivity must be entirely falsifiable. Nor is it that the rich theoretical tradition of psychoanalysis has nothing to offer contemporary accounts of crime and subjectivity. Both of these stances would conflict with critical realism’s openness to non-falsifiable theories. Rather, in line with Malabou (in Johnston and Malabou 2013), my point is that, instead of adopting psychoanalytic frameworks wholesale, we might generate entirely new frameworks for understanding subjectivity that draw inspiration from, among other resources, psychoanalytic propositions that stand up to contemporary neuroscientific research.

As discussed earlier, critical realists understand reality as stratified, with higher strata according to the generative mechanisms or ‘laws’ of lower strata. To again qualify, arguing that social behavior must accord to the laws of lower biological strata (neurological processes etc.) is tantamount to claiming that beliefs, intentions, and reasons ‘are merely redundant redescriptions of physical processes’ (Sayer 2000: 96). Rather it is simply to acknowledge that the generative mechanisms of high order strata emerge from, but are not reducible to, the generative mechanisms of lower order strata (Archer 1995). In both respects, ultra-realists’ transcendental materialism is on shaky ground. Regarding emergence and the stratification of nature, ultra-realism’s transcendental materialism offers a limited conception of human biology’s impact upon subjectivity, and one which cherry picks certain elements of neuroscientific research, whilst ignoring others that refute the perspective’s core claims about the unconscious. Further, it fails to properly account for the role of other biological factors in shaping behaviour. Consequently, ultra-realism does not invest the biological with any true causal power; the neurological realm is rather treated as a surface upon which the social and socio-economic is written. Ultra-realism therefore falls back on a form of tabula-rasa ‘blank-slateism’ (Sayer 2010); one that admits desire and drives, as well as attitudes and beliefs, into the list of phenomena that are determined by society. As I argue in the following section, this limited conception of the biological leaves ultra-realism unable to parse biological properties that are accidental, and not just essential to individuals. Moreover, ultra-realism’s elevation of ‘transcendental realism’ to not just a theory of subjectivity but an ontological-epistemology ‘worldview’, moves the perspective far away from critical realism’s fallibilist conception of knowledge.

In sum then, in addition to being unable to adequately explain the impact of acquired brain injury on identity and behaviour, transcendental materialism is beset by epistemic contradictions that are not adequately resolved in either Johnston’s work, or Hall and Winlow’s application of it. Namely, in this section I have argued that transcendental materialism’s engagement with neuroscience has been selective and has ignored fundamental incongruities between the models of the unconscious offered by neuroscience and psychoanalysis. We can characterize this form of engagement, I argue, as one of pseudo-scientization.

Will the real Real please stand up?

Ultra-realism’s invocation of neuroscience is not, however, the only epistemic issue facing ultra-realism’s criminology. As I will now argue, further epistemic contradictions arise from ultra-realism’s claimed ontological realism and its Žižekian transcendental materialist framework, which remains, at its core, a subjectivist epistemology. To properly unpack the epistemic implications of transcendental realism’s subjectivism though, we first need to explicate a key concept Johnston and ultra-realism draws heavily upon: Lacan’s register of the Real.

A key concept in ultra-realism, Winlow and Hall (2013: 177) explain the Lacanian Real as follows:

For Lacan, the Real is one of the three orders [alongside the Symbolic and the Imaginary] that constitute the psyche. It defines and shapes our pre-symbolic subjective psychological experience, a milieu of conflicting and unexplained
stimuli and drives – powerful feelings that cannot be put into words ... For Lacan, the Real exists beyond symbolisation.

Elsewhere in ultra-realist criminological research, however, the Lacanian Real takes on meanings that extend well-beyond this definition. Hall (2012: 84), for example, describes the Real as, ‘the “thingish” internal neurobiological world, the external world of objects, events, relations and systems and the ways in which they irrupt upon each other to create the realms of perception, consciousness, desire and social dynamics’. In Theorizing Crime and Deviance alone, Hall defines or describes the Real as, inter alia, ‘the kernel of ideology that resides in the fetishistically-disavowed desire of the subject’ (Hall 2012: 93), ‘the “thingish” internal neurobiological world (ibid.: 84), ‘the envy, cynicism and exploitation that drive forward the capitalist system and its leading undertakers’ (ibid.: 249), ‘the generator of “libidinal energy”’ (ibid.: 251), ‘traumatic encounter’ (ibid.: 254), and ‘neo-liberal “socio-economic exchange relations”’ (ibid.: 71).

At the same time, though, Hall (2012: 182) tells us that ‘the Real is neither natural nor transhistorical’. This however, contradicts Hall’s (2012: 84) earlier assertion that the Real also encompasses the ‘neurobiological world’, as well as ‘the external world of objects’, which, we can presume, includes ‘natural’ objects. Lost in this expansive conceptualization of the Real is the fact that the different generative mechanisms and phenomena Hall refers to here – internalised ideology, material things, neurochemistry – refer to completely different strata in nature, and hence can only be explained through recourse to different generative mechanisms. Take, for example, Hall’s (2012: 105) following critique of symbolic interactionism, which, he argues, fails to account for the Real’s presence in neurological circuits:

The Symbolic, influenced by significant others, simply defines the Imaginary, with no place for the Real and its unconscious, tumultuous presence in the neurological circuits of the material body and its ability to receive and interpret in proto-symbolic form the irruptions of external reality.

As a theory developed to explain psychological responses to events, the Lacanian Real can no more explain neurochemistry than game theory can explain gravity. Yet here and elsewhere, Hall applies it to generative mechanisms that lie beyond the intended purview of Lacan’s concept. It might be tempting here, to argue that Hall employs the Lacanian Real in a similar fashion to Bhaskar’s Real, that is, as intransitive generative causal mechanisms. However, there are key differences between the scope and purpose of Lacan and Bhaskar’s respective concepts of the Real. Bhaskar’s concept of the Real is in service to his critical realist framework, which acts as a philosophical under-labourer to the social and natural sciences. Bhaskar’s theory, does not, in itself, entail a particular theory of any generative mechanism; Lacan’s, by contrast, does.

Consequently, Hall reduces the Real to either a place-keeper, similar to the ‘social’ as Latour (2005) argues, or he subsumes all the vastly different generative mechanisms into Lacan’s psychosocial framework. In the first case, Hall’s use of the Lacanian Real does not extend our understanding of these variegated generative mechanisms; ‘Real’ can readily be replaced with ‘causal’ without substantively changing the content of the argument. In the second case, Hall applies Lacan’s model of subjectivity and the Real to explain everything from trauma and ‘libidinal energy’ to ‘the envy, cynicism and exploitation that drive forward the capitalist system’. This can be critiqued on both immanent and transcendent grounds. Imminent critiques can, for example, be found in Lacanians who object to Žižek’s – and by extension Hall’s – expansion of Lacan’s psychoanalytic theory beyond the clinic and into the realm of politics, political economy and ideology (Kurki 2008).

A transcendental critique, by contrast, can argue that because the Real is neither natural nor transhistorical, it cannot account for ‘natural’ generative mechanisms that might contribute to crime. For all its invocation of biology, then, Hall’s Lacanian framework ultimately reduces the causes of crime to the social and psychological strata of nature. This is perhaps why ultra-realism, in practice,
reduces the biological components of the ‘transcendental materialist’ subject to neuroplasticity. Neuroplasticity is a quality we all share, and, insofar as it is interpreted by Hall, does not differentially mediate any of the psycho-social causal mechanisms discussed within ultra-realism. There are, however, an array of accidental, as opposed to essential, biological properties that are not so easily reconciled with the Lacanian Real.

In this sense, ultra-realism’s model of subjectivity does not shake the ‘tabula rasa’ social determinism associated with older social learning theories of crime. This might appear a strange claim to make, given Hall’s (2012) Freudian discussion of drives within his work. However, it is worth recalling here that Freud (2001) interpreted his own model of the subject, drives and all, as a blank slate. In taking on the insights of neuroplasticity, ultra-realism offers a slightly more advanced tabula rasa model. To push the blank slate metaphor a little further, in ultra-realism’s model of the ‘transcendental subject,’ the social is not simply written onto the subject in a manner that enables endless revisions. Rather, events, experiences, meanings, and values are then folded into the subject, so as to shape the surface upon which future social inscriptions may be made – subjectivity as origami. Though an improvement upon older models, it nonetheless ignores variations in the nature of subjects’ surfaces; while we may all come with a clean slate, our slates differ in ways that have a tangible impact on what is written upon them.

In sum, ultra-realism’s invocation of the Lacanian Real (a) acts to flatten the differences between various strata of reality; (b) tends to be used as a place-keeper for causation; and (c) serves to reduce the perspective’s discussion of the biological to the neurological, and neuro-plasticity specifically. Ultra-realism’s transcendental materialism is, therefore, unable to offer an account of crime causation that adequately accounts for the interplay between generative mechanisms occupying the biological, social and psychological strata of nature. Thus, ultra-realism does not offer a truly stratified account of the criminogenic processes that produce crime.

Contradictions and cul-de-sacs in ultra-realism’s epistemology

In addition to limiting its engagement with the biological, ultra-realism’s use of the Lacanian Real has other far-broader implications for its epistemology. As I will now argue, key aporias in Lacan’s Real as used by Johnston, Žižek, and Hall and Winlow undermine ultra-realism’s claim to epistemological realism, and in particular, any claim to have a judgemental rationality. In line with speculative realists such as Bryant (2011) and critical realists such as Rutzou (2015), I argue that Žižek’s framework engages in what Bhaskar (2008a) terms an epistemic fallacy: reducing ontological questions to epistemological questions. In other words, Žižek defines being in terms of what we can know about being. Johnston’s ‘transcendental materialism’ that forms the backbone of ultra-realism’s theory, is, I suggest, guilty of this same epistemic fallacy. Indeed, the epistemic fallacy at the heart of ultra-realism’s transcendental materialism is well articulated by Hall and Winlow (2015: 110) themselves when they argue that:

Transcendental materialism goes a step further than the other realist positions as it lays out the basis of a thorough psychosocial investigation of the so-called ‘intransitive’ realm. Transcendental materialism’s fundamental insight that although the forces and processes in the intransitive realm seem to act independently of our knowledge and activity, this realm is at the very deepest level a product of the accumulation of the systemic consequences of actions that are constantly and systematically made unconscious. We really know about these actions but we constantly deny or dismiss them as we perform them [emphasis added].

From this they argue that ‘we persistently choose our own unconscious into being’ (Hall and Winlow 2015: 110). There are several implications to this view that pose challenges for the ultra-realist perspective. Firstly, as mentioned earlier, Winlow and Hall commit an epistemic fallacy when, in saying that transcendental materialism offers a ‘thorough psychosocial investigation of the so-
called ‘intransitive’ realm’ they reduce questions of ontology to the epistemic question of how we know and understand being. Secondly, Hall and Winlow’s above argument collapses Bhaskar’s domains of the Actual and the Real. Put simply, while each of us experiences Actual events, our Empirical experiences of these events do not invariably grant us knowledge of the Real generative mechanisms underpinning these events. Indeed, it is worth remembering here that Bhaskar’s philosophical system does not offer a universal theory of knowledge, but a theory on the transcendental conditions for scientific knowledge specifically. Hence, the argument that individuals unconsciously already know the true causes underpinning events – as Hall and Winlow suggest – but suppress them into our unconscious, ends up reinstating a form of idealism or empiricism. As Sacilotto (2012: np) notes, ‘if the Real cannot be understood as ontologically autonomous from the subject, then dialectical materialism proves to be just another correlationism or idealism’.

Delving deeper into ultra-realism’s transcendental materialism, we can find further evidence of the epistemic fallacy underpinning the perspective in instances where its proponents, such as Winlow (2018: 10), have argued that ‘Lacan’s conception of the Real has greater utility [than Bhaskar’s] for scholars interested in capturing the forces that shape human action and inaction and the conscious and unconscious life of the subject’. Elsewhere, Winlow and Hall (2016: 91) contrast Bhaskar and Lacan’s respective conceptions of the Real, stating:

Roberts and Joseph (2005) argue that Bhaskar’s real dimension is fully human, not independent of the subject. For Žižek, what connects the subject to the real is an ideological fantasy comprised of sublime consumer objects (Winlow and Hall 2016: 91).

Roberts and Joseph’s (2005) reading of Bhaskar is, however, a flawed one, and obscured in the above contrast is another bigger truth: that it is the Lacanian conception of the Real, not Bhaskar’s, that is not independent of the subject. As Žižek (2008a: 149) himself puts it, ‘in the Lacanian notion of the Real, the hard kernel which resists symbolization coincides with its opposite, the so-called ‘inner’, psychic reality’.

Here, it is worth noting that the ontological status of Lacan’s Real has engendered some debate over his epistemology. At first, one might be tempted to view Lacan as a constructionist. In such a reading, the Lacanian Real represents the external world of objects, and meaning is generated through the interplay between this psychic register and the registers of the Imaginary and the Symbolic. However, such a reading would be mistaken, for it misinterprets the intended meaning of the Lacanian Real as that which cannot be symbolized within the Symbolic order. This error is noted by Lacanians such as Stavrakakis (2002), who dispute the argument that Lacan’s thought represents a form of constructionism. Yet as Stavrakakis (2002: 69) explains, just as Lacan’s Real precludes his epistemology from being considered a form of constructionism, it also renders it ‘alien to all other standard versions of epistemological realism’. This, Stavrakakis (2002: 69) elaborates, is because, ‘[Lacan’s] real is not the ultimate referent of signification, it is not something representable, but exactly the opposite, the impossible which dislocates reality from within.’

We can further explicate this key implication of Lacan’s (1979; Marini 1992) epistemology through his use of the Borromean knot figure. In his later seminars, Lacan employs the figure of the Borromean knot to illustrate the intertwining of the Real, Imaginary and Symbolic Orders. To the three rings representing the Imaginary, Real and Symbolic, however, Lacan adds a fourth ring representing what he terms the sinthome: enjoyment perfused signifying formulations that suture together and repair ‘breaks’ in these orders (Žižek 1989; Milovanovic 1997). It is this ‘sinthome,’ Lacan argues, that lends stability to the subject’s psychic structure. As Žižek (1989: 75) explains,

The symptom as sinthome is literally our only substance, the only positive support of our being, the only point that gives consistency to the subject. In other
words, the symptom is the way we – the subject – "avoid madness," the way we "choose something (the symptom-formation) instead of nothing (radical psychotic autism, the destruction of the symbolic universe)" through the binding of our enjoyment to a certain signifying, symbolic formation which assures a minimum of consistency to our being in the world.

In addition to this insistence that psychical stability is generated through investing enjoyment in particular linguistic formations, Lacan’s topological model of identity is notable in asserting that none of the three orders – Imaginary, Symbolic, Real – has primacy over the others. Yet, in reducing psychical identity to these three orders – and in positioning the linguistic sithome as the key to psychical stability – Lacan’s model ends up granting primacy to linguistic knowledge over embodied, practical forms of procedural body skills and non-declarative knowledge. Lacan’s model, in other words, completely passes over what Archer (2000: 163) terms the Natural Order, wherein ‘nature encodes information about possible practice,’ and the Practical Order, wherein practical skill-based knowledge pertaining to material culture resides. In doing so it also passes over the processes through which the non-linguistic forms of knowledge produced through engaging with the Natural and the Practical Orders inform linguistic or ‘Symbolic’ knowledge.

In adopting this Lacanian model of subjectivity, Johnston’s ‘transcendental materialism’ aligns not with a constructivist epistemology, but rather what Crotty (1998) refers to as a subjectivist epistemology. Whereas in constructivist epistemologies meaning is created from the interplay between subject and object, in subjectivist epistemologies, the subject imposes meaning on the object (Moon and Blackman 2014). In other words, for epistemological subjectivists, objects contribute in no way to generating meaning. Rather, as Crotty (1998: 9) explains, for subjectivists, ‘we import meaning from somewhere else’. Hence, subjectivist epistemologies are primarily associated with structuralist, poststructuralist and postmodern perspectives that emphasize the role of discourse in ‘generating’ meaning. In Lacan, Žižek and Johnston’s parlance, meaning is imported from the Symbolic Order – which always precedes subjects – onto objects. Indeed, Žižek (2016: 178) himself acknowledges this very fact – as well as the incongruency between his Hegelian–Lacanian standpoint and Bhaskarian-inspired realist standpoints – when he states that, from his transcendental materialist perspective, ‘the object is inaccessible, any attempt to seize it ends up in antinomies, and so on; we reach the object in itself not by somehow seeing through these epistemological distortions but by transposing epistemological obstacles into the thing itself’.

As Keuchayan (2013: 418) explains, ‘when people commonly refer to ‘reality’, it is to the Symbolic that they are referring, because the Real itself is not accessible to us’. However, if the Lacanian Real is not accessible to us, then where does that leave us methodologically? Whereas Bhaskar’s critical realist framework offers a route to increasingly accurate ‘transitive’ accounts of the ‘intransitive’ world of generative mechanisms, Lacanian theory, with its split between the Symbolic and the unknowable Real, offers no such pathway to fallible knowledge. Indeed, Lacan’s tripartite schema of the psyche adopted within transcendental materialism is unable to examine the impact of intransitive objects and mechanisms on subjects beyond that which is unsymbolizable in the Lacanian Real. As Žižek (in Butler et al. 2000: 120) explains, ‘the Lacanian Real is strictly internal to the Symbolic: it is nothing but its inherent limitation, the impossibility of the Symbolic fully to ‘become itself’. This unmooring of the ‘transitive’ Symbolic from intransitive objects and mechanisms provides ultra-realism’s epistemology no latitude for judging one account of crime better than another. Moreover, it results in a perspective that is unable to explain the formation of new transitive accounts of knowledge beyond those wrought through traumatic encounters with the Lacanian Real.

For the purposes of this article, the most significant implication of this epistemic subjectivism is that, contra critical realism, Lacan (2007/1966: 63) does not view scientific discourses as having a special claim to truth. Indeed, he goes so far as to state that, "I am not playing at being paradoxical by claiming that science need know nothing about truth ... truth in its specific value
remains foreign to the order of science” (Lacan 2007/1966: 63). This introduces, to use the terms of critical realism, judgmental relativism to not only Lacan’s theoretical project, but also the transcendental materialism of Johnston and the ultra-realists that it has inspired. That is, transcendental materialism’s unmooring of the ‘transitive’ Symbolic from intransitive objects and mechanisms provides ultra-realism’s epistemology no latitude for judging one account of crime as more accurate than another. Moreover, it is unable to explain the formation of new transitive accounts of knowledge beyond those wrought through traumatic encounters with the Lacanian Real.

This judgmental relativism contradicts critical realism’s ‘judgmental rationality’, whereby it is possible to adjudicate between competing accounts of reality. Further, for critical realists, ‘when one mechanism has been identified and described, and shown to explain certain phenomena, it becomes itself something to be explained’ (Collier 1994: 48). In Hall and Winlow’s model, however, Žižek’s model is not subjected to scrutiny. Whereas critical realism emphasizes that causal mechanism must be scrutinized and refined, Hall and Winlow take Žižek at his word. Ultra-realism, in other words, is not a fallibilist perspective, and consequently is not epistemologically realist either. Its ‘transcendental materialist’ framework represents an epistemic cul-de-sac, offering no pathway to escape the judgmental relativism critical realism has long criticized.

Conclusion
Proponents of ultra-realism have often promoted the perspective as an epistemological alternative to constructionist and poststructuralist frameworks within criminology (Hall & Winlow 2018). As I have argued in this article, this claim does not stand up to scrutiny: ultra-realism’s transcendental materialist framework precludes it from being considered an epistemologically realist position. Ultimately this problem appears to arise as a result of Winlow and Hall conflating ontological realism (‘there is a reality of objects out there’) with epistemological realism (‘we can obtain an increasingly accurate understanding of these objects’) in adopting Johnston’s transcendental materialist framework. While transcendental materialism certainly represents an ontologically realist philosophy, for the reasons articulated in this article, it can lay no claim to epistemological realism. This confusion, unfortunately, blunts Hall and Winlow’s criticisms of constructivist and poststructuralist frameworks, which, for the most part, also align with a realist ontology whilst eschewing epistemological realism. Indeed, in this respect, ultra-realism shares much more with these perspectives than it departs from them.

At first glance, ultra-realism would, then, appear to be something of a misnomer for the perspective, for its epistemology does not align with epistemological realism, let alone an extreme form of it. However, the prefix ultra- denotes not only an excessive form of something; in its second sense, it also refers to something that is beyond, or on the other side of, something else. Read in this second sense, ultra-realism represents a somewhat appropriate name for the perspective, for its epistemology falls well beyond the limits of realism, critical or otherwise. Though ultra-realism might reasonably retain its moniker, as I have argued throughout, it cannot reasonably retain its claims to build upon the core principles of critical or even epistemological realism. As it currently stands, ultra-realism’s synthesis of critical realism and transcendental materialism leaves the perspective mired in epistemic contradictions. Future thought on how to address these contradictions is therefore required by authors within the perspective, particularly given the emphasis its proponents have placed on ultra-realism as an epistemological alternative to other philosophical worldviews utilised within criminology.
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References


