

marshal the capabilities approach, which is the ethical bridge between theory and real-world justice, to reposition the goals, values, and functions of intellectual property law in general. It is now up to legal scholars and social theorists and philosophers alike to weigh the possibilities and potentialities of how intellectual property law relates to culture writ large and what that means for a shared sense of global justice.

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Criminalisation and Advanced Marginality: Critically Exploring the Work of Loïc Wacquant. Edited by Peter Squires and John Lea. Bristol, UK: The Policy Press, 2012. 272 pp. \$99.00 cloth.

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It was with eagerness that I began reading this edited collection. It is by no means the first collection of essays to critically explore Loïc Wacquant's important work on what he views as the inextricable link between the ascent of neoliberal socioeconomic policies and the expansion of the penal operations of the state. Indeed, the editors usefully summarize the thrust of various existing commentaries in their introduction. As its very title suggests, however, this book promises to break new ground by offering full-blown critiques not just of Wacquant's penological method and arguments, but of his related research in urban sociology as well. What is more, the front cover of the book also advertises a response to these critiques from Wacquant himself. Despite his well-known preparedness for intellectual combat, but also his extraordinary productivity, Wacquant has not previously published a written reply, at least not to commentaries in English on his penological output, which raises this book's appeal even further. Overall, the book makes a valuable twofold contribution. First, it contributes to Wacquant's own neoliberal penalty thesis, revealing and highlighting various ways, theoretical as well as substantive, in which it can be clarified, elaborated, or modified as necessary. In so doing, second, the book contributes more broadly to the political economies of punishment and urban marginalization as these may inform and advance one another. A few examples follow below.

Bringing new evidence from the United Kingdom to a line of critique that is by now relatively familiar, a number of chapters

(and especially those by Hancock and Mooney, and by Martin and Wilcox) argue that Wacquant downplays the ways in which certain seemingly benign policies of state welfare (e.g., housing provision and urban regeneration) can actually work, and have in fact historically served, to tighten control over disadvantaged populations, including notably women in poverty. This is paradoxical, given that such policies have been driven by the same class antagonisms that lie behind the advent of the penal state. Shifting the focus of attention from the functions of welfare to those of punishment, Ruggiero's chapter calls for greater clarity in Wacquant's account, and draws on an eclectic mix of thinkers, from Kant and Nietzsche to Benjamin and Lefebvre, in order to chart intriguing avenues for further research. Ruggiero suggests, for instance, that in removing the unemployed poor to far-flung prisons, neoliberal states seek to prevent or remedy the symbolic challenges unemployment and poverty raise by their very visibility for consumerist middle-class ideals of success in life. At least some of Ruggiero's suggestions could also be fruitfully examined from a psychosocial perspective such as the one discussed by Rodger in his chapter on Elias' concept of the "civilizing process" and its relevance for the analysis of advanced marginality. Lea and Hallsworth, for their part, break with Wacquant's version of the argument that state management of middle-class insecurities under neoliberalism is a symbolic matter; namely, that penal coercion against the nether regions of social space creates a convenient outlet for the socioeconomic insecurities experienced by the middle classes. Based on evidence from the United Kingdom, Lea and Hallsworth rather contend that neoliberal states may direct coercive, if again not necessarily penal, control measures (e.g., enhanced electronic surveillance) against middle-class citizens as well.

This notwithstanding, as Stenson suggests in his contribution, one should take care not to miss deep-rooted and evolving struggles for power and recognition that exist between different social groups in local and national contexts and in relative independence from macroeconomic developments and top-down elite governance. The positive implication Stenson draws from this observation—and one echoed in the chapters by Measor, Ruggiero, and Squires—is that resistance to neoliberalism and its negative consequences "from below," including from those occupying the lowest positions on the social ladder, remains more feasible and promising than Wacquant would have us believe. Meanwhile, Pitts disputes with new evidence Wacquant's core claim that neoliberalization of the economy brings about an intensification of penal intervention by the state in society. Pitts demonstrates, for example, that welfare retrenchment in accordance with the ideology of neoliberalism may occur alongside curtailment of key parts of the criminal justice system, as in the field of youth justice in England

and Wales between the early 1980s and late 1990s, but also since the late 2000s. Domestic political structures, cultural histories, judicial traditions, and fiscal contingencies, Pitts concludes, deserve greater recognition than Wacquant's neoliberal penalty thesis permits. On the other hand, as Müller's chapter on Latin America convincingly shows, national particularities are just as likely to facilitate the expansion and help strengthen the grip of penalty under conditions of neoliberalism, albeit again in ways still largely neglected in pertinent literature. In Latin American countries, Müller argues, the rise of neoliberal penalty has entailed a range of informal practices by criminal justice agencies (when, for instance, the police clear out marginalized populations in order to make way for urban development), often in close association with actors operating illegally outside the official structures of the penal apparatus proper, from vigilante groups to death squads and other types of militia.

The momentum throughout the book is building for Wacquant's own essay, which appears last and is subtitled "Responses to critics and commentators." This is not the first collection of commentaries on Wacquant's penological work where he was given the opportunity to reply, nor, in fact, the first where he took it up (see Wacquant 2011). It is, however, the first occasion where he is responding to commentaries written in English. Or is it? One would be hard pressed to conclude from this otherwise powerful essay what exactly Wacquant thinks of the arguments raised in this book by his critics. The vast majority of points presented in the essay are already widely known, given that they comprise the method and substance of Wacquant's neoliberal penalty thesis as this unfolds in his various writings, not to mention that many of these points are also inevitably repeated, in order to be subsequently assessed, by the other contributors to this book itself. The essay is still useful in that it provides uninitiated readers with a comprehensive summary of Wacquant's major contentions, and one can even trace tantalizing hints as to how Wacquant might have chosen, or may actually choose, to engage unambiguously with at least some of his critics, whether in terms of coincidence, concession, or disagreement. But his direct reply remains to be seen.

Reference

- Wacquant, L. (2011) "Neoliberal Penalty at Work: A Response to My Spanish Critics," 15 *Revista Española de Sociología* 115–23.

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