1 - The Technology of Fear

Late modern governments use many strategies in order to reduce motor vehicle related injuries and fatalities. The strategy which is the focus of this study is the fear of crime that is entreated through advertising texts. The purpose of this chapter is to set out the theory and methodology used to analyse the texts discussed in the proceeding chapters. It aims to situate the fear of crime within the post-structural landscape in order to show what the fear of crime can *become* in this context. Through a discussion of fear of crime and governmentality scholarship this chapter will show how the fear of crime is a technology used by modern governments to motivate both the law abiding subject and the failed subject.[1]

Fear of crime

The definition of the fear of crime is hotly debated within fear of crime scholarship. Definitions range from the pragmatic[2] to the existential.[3] However, as Lee has asserted, the pursuit to answer a static question like *what is the fear of crime?* is largely obsolete (2007, 204). Rather it is more prudent to look at the fear of crime through the lens of power relations (Lee et al., 2009, 10) and ask more Foucaultian inspired questions such as: *how has the discourse of crime fear itself come to have power effects*?; *how are these power effects able to be exercised*?; and *what are the consequences of the exercise of such power*? (Lee, 2007, 203). This thesis is informed by such questions. Fear of crime has been understood as a physiological and emotional response (Fattah et al., 1989, 207)

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[1] Parts of this chapter have been previously published by this author (Doyle, 2011).

[2] Fear of crime is the negative emotional reaction generated by crime or associated symbols (Hale, 1996, 92).

[3] "[n]o such objective thing actually exists" (Lee, 2007, 202).

towards symbols that a person associates with crime (Ferraro, 1995, 4). This biological definition does not give credence to the growing work that centres on a relational approach to emotions. Relational emotions scholarship recognises emotions as something that are felt in the body but constituted by relational settings (Spencer et al., 2012, 4). In this sense fear can be understood as an affective and relational encounter. Moreover, emotions are not reducible to a single state but are not completely determined by social structure either (Spencer et al., 2012, 4). Rather emotions are embodied in relationships, both with people and with material things (Sheller, 2004, 221). Therefore fear can emerge from an encounter with a person, an object, or from interaction with an image. Furthermore, a relational approach to emotions is more concerned with what emotions do to the fearful rather than what fear is (Spencer et al., 2012, 5). This perspective informs this thesis, which explores what crime fear can do when a spectator interacts with an image. Notably, the definition of crime fear can be extended through a consideration of fear as a relational encounter. Another way that fear of crime scholarship can be extended is to go beyond consideration of the fear experienced by the potential victim. Importantly, this thesis aims to examine fear beyond this category of victimhood.

Most fear of crime scholarship investigates the emotion of fear within the context of victimology. A wide range of theories give regard to the correlates of victim based crime fear.[4] Farrall et al.'s *unified framework of the fear of crime* attributes merit to all of the pre-existing correlate theories, suggesting that they all interact together to cause crime fear (Farrall et al., 2009, 118). They acknowledge that previous victimisation and second-hand knowledge[5] about crime both affect crime fear levels (Farrall et al., 2009, 117). They also see a relationship between neighbourhood decline, diversity and crime fear levels

[4] A full examination of the range of these theories is beyond the purview of this chapter but the key exponents are included within Farrall et al.'s *unified framework of the fear of crime*.

[5] For example: shared stories and gossip.

(Farrall et al., 2009, 118). Finally, they see merit in the idea that the urban middle class suffers from an 'ontological anxiety' that is easily translated into crime fear (Farrall et al., 2009, 119). While some features of the unified framework may have more impact on crime fear than others, this thesis is not concerned with testing which features are more convincing correlates of crime fear. What is important to note is that the range of crime fear scholarship explores the wide number of influences that affect the assessment of potential victimisation.

Scholarship concerning the assessment of risk that induces crime fear also orbits this same notion of victimhood. For example, in their research Farrall et al. located five separate emotional reactions to crime (2009, 78-79). The first, and most fearful, is when a person realises that they are in a situation where victimisation is a very serious possibility (Farrall et al., 2009, 78). The second is a shock event that alerts a person to the fact that crime happens and that they are not immune from victimisation (Farrall et al., 2009, 78). The third is a nagging doubt about the security of one's home, which leads to behaviour like locking doors and closing windows. This reaction reduces as a person habitually returns to find their home secure (Farrall et al., 2009, 78). The fourth is awareness that crime is a possibility and that extra precautions ought to be taken (Farrall et al., 2009, 79). The fifth, and least fearful, is a set of feelings that are orientated towards the problem of crime for society, which are separate emotionally from a person's own experiences (Farrall et al., 2009, 79). Farrall et al.'s *continuum of feelings* has two distinct types of emotional reactions: one is expressive, like the latter three discussed above and the other is experiential, like the first and second reactions (Farrall et al., 2009, 79). For Farrell et al. the onset of experiential fear relies on a dynamic interaction centred on a subjective risk assessment of potential victimisation. Whereas experiential fear in van der Wurff et al.'s *social psychological model* proposes four different risk assessment considerations (van der Wurff et al., 1989, 142-145).

The first fear inducing risk assessment consideration of van der Wurff et al.'s *social psychological model* is *attractivity.* This is the extent to which people perceive themselves or their possessions as attractive targets for criminal activities (van der Wurff et al., 1989, 144). The second characteristic of the model is *evil intent*, which is the extent that a person attributes criminal intentions to another group or individual (van der Wurff et al., 1989, 144). The next feature of the model is *power*, which includes perceptions of an individual's own power and the power of the *other.* Own power includes their degree of self-assurance and feelings of control over possible threats. Power of the *other* would include considerations like strength, agility and resources (van der Wurff et al., 1989, 144)*.* The final aspect of the *social psychological model* is *criminalisable space*. This is an assessment of the probability of crime based on the characteristics of a place, coupled with the time. This assessment may include lighting, the presence of passers-by and signs of disorder (van der Wurff et al., 1989, 144 -145). One risk assessment consideration lacking in the *social psychological model* is explored by Warr; introducing the idea that risk perception is dependent upon an individual's sensitivity (1984, 700).

Warr's early research supported the theory that sensitivity is dependent upon the perceived seriousness of the victimisation and the perceived vulnerability of the individual (1984, 700). Warr concluded that fear levels are only high if sensitivity is high (1984, 701). Warr later found empirical evidence that risk is also dependant on the perceived seriousness of the crime (Warr, 1987, 37). With this additional evidence Warr was able to develop his *risk sensitivity model* which suggests that the more seriously an individual assesses a particular crime the lower the level of perceived likelihood is required to stimulate fear (Warr, 1987, 40). This idea that perception of victimisation is predictive of levels of crime fear has been recently reconfirmed by Jackson (Jackson, 2011, 518). Jackson goes further to suggest that perceived control over victimisation and the perceived consequence of victimisation also influence crime fear levels (Jackson, 2011, 519). Through a survey-based study Jackson located two distinct relationships between perceived control and perceived

consequence. First, both are predictive of perceived likelihood and second, both moderate the relationship between perceived likelihood and worry about crime (Jackson, 2011, 531). This finding extends Warr's sensitivity model of fear, showing that when an individual perceives a crime to be especially serious and when the individual perceives that they have little personal control over the victimisation, a lower level of perceived likelihood is needed to stimulate fear about crime (Jackson, 2011, 531-532).

For Jackson, individuals create their own subjective risk assessments through a combination of perceived consequence, likelihood and control (Jackson, 2011, 531). These factors are almost identical to an earlier fear of crime study by Killias. For Killias experiential fear is contingent on three interactive factors. The first factor requires the individual to be exposed to a *risk* that is more than trifling (or more likely) (Killias, 1990, 98). This then combines with a sense of lack of *control*, where an individual detects they are without defence, protection or escape (Killias, 1990, 98). The last factor in Killias' interplay is the anticipation of serious *consequences*, should the risk come to pass (Killias, 1990, 98). The result is a subjective risk assessment and the presence of the emotion of fear. Unlike the other fear of crime models set out above, what is interesting about both Killias' and Jackson's models are their potential to go beyond the heuristic of victimhood. All of the other models discussed incorporate a traditional perspective on the fear of crime, whereby the emotion of fear is induced in a potential victim. One of the aims of this thesis is to show that the fear of crime is a strategy used by late modern governments to also induce the emotion of fear in the *potential* criminal.

Offender and victim fear

Killias' and Jackson's consideration of likelihood, control and consequences can be utilised in a way that allows contemplation of both the potential victim *and* the potential offender. Similarly adaptable is the recent addition of the idea

of *functional fear* within fear of crime scholarship (Jackson et al., 2009; Gray et al., 2011, 77). Based around psychological scholarship a distinction has been made between dysfunctional fear that is counterproductive and functional fear that is "helpful and adaptive" (Gray et al., 2011, 77). While obviously important to the risk assessment of a potential victim and the effect it has on them, the considerations of likelihood, control and consequence and the impact of an adaptive functional fear are also relevant to the potential offender. It is helpful to view fear in this context, both for the potential offender and the potential victim as: the fear of death (of yourself or another); the fear of physical and/or psychological injury (of yourself or another); and the fear of some degree of loss (either personal or property). For example, in the lead up to committing a crime the potential offender may experience the fear of being injured or killed or in contrast, the loss of someone or something they value during the transaction. Plainly, these are considerations relevant to the feared offender as well as the fearful victim. An additional consideration, also relevant to both parties, is the fear associated with exposure in some way or another to the criminal justice system.

Exposure to the criminal justice system is likely to be less of a consideration for the potential victim and more for the potential offender. The potential victim may have some relevant concerns, such as: giving evidence before a jury, judge or magistrate; the possible retribution for giving evidence against an offender; or fearfulness of the disappointment associated with unwanted verdicts or sentences. This fear associated with the consequence of exposure to the criminal justice system is likely to be a greater consideration for the potential offender. This fear may invoke notions of loss of liberty or separation from loved ones (imprisonment and driver's license disqualification) and loss of money (fines and court fees); all of which have deterrent potential. Combined these considerations may inspire a functional fear in a potential offender which leads to desistance or something less desirable, like the carriage of a weapon during an offence. Either way it can be seen that these are relevant considerations, not only for a potential victim but also for a potential offender. Fear of crime

scholarship has previously given little regard to the fear associated with criminality. As will be explored in Chapters Two through Five, fear of crime is an important strategy used by late modern governments to regulate both the potential victim and the potential offender on the road. For this reason fear of crime scholarship must go beyond the examination of victimhood and contemplate all possible actors in its consideration of the emotion of fear associated with crime.

The persistence of possible unwanted futures

It is helpful to understand the emotion of fear associated with crime as the persistence of possible unwanted futures. This conceptualisation of fear is a variation on Landman's conception of regret as the persistence or insistence of the possible (Landman, 1993, 264). In her empirical analysis of the emotion of regret, Landman defines regret as "the possible pressing its hopeful [virtual] claims upon the actual" (Landman, 1993, 263). Landman uses the notion of possible worlds or "ways the world might be or might have been" (Landman, 1993, 37) and possible selves or "wished-for or rejected aspects of the self" (Landman, 1993, 44) to discuss the role of counterfactual thought in regret. Counterfactual thought can be understood as:

> *the process of imagining what might have been or might still be, or of comparing reality (the facts; what is) with what might have been or might still be (Landman et al., 2000, 300).*

Counterfactual thinking can lead to emotional and affective states, like regret, hope and fear. It can be neutral or beneficial, leading people to take action to improve their future, or it can be destructive, such as the lottery marketing focus of her study into regret, advertising and counterfactual thought.

Landman suggests that counterfactual thought is utilised by lottery advertising to induce the emotions of hope and regret, inspired by the possibility

of winning, in order to lead consumers to spend their money on the worst possible odds (Landman et al., 2000, 301). While regret (and perhaps even hope) is an affective state relevant to crime, the emotion relevant to this discussion is fear. Both regret and fear require counterfactual thought processes in the consideration of "possible worlds" (Deleuze, 1994, 260).[6] However fear is different to regret in that regret is an affective state induced by considerations of *what might have been* (the past) while fear focuses on *what might still be* (the future).[7] This repositioning of fear as the persistence of possible unwanted futures is conceptually important to fear of crime scholarship. This adaptation assists fear of crime theory to expand beyond notions of victimhood, tapping into the potential of Killias' and Jackson's models and the notion of *functional fear* to include the criminalised subject. This conceptual shift is particularly necessary to this study because it is premised on the idea that the subject is only constructed as offender or victim (failed or ethical) and these are not qualities to be possessed.

The subject

The notion of the subject is central, not only to this thesis but has been at the centre of philosophical debate since the Enlightenment. Descarte's *Cogito Ergo Sum* ("I think therefore I am") considered all knowledge and experience in terms of the meaning of the word 'I' and thus saw the individual as the basis of cognition (Descarte, 1996, 17). Firstly 'I', as a conscious being, perceive an object and then as a self-contained entity who is in control of my own destiny, I

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[6] In his appreciation of *possible worlds* Deleuze considers Leibniz's principle of the best of all possible worlds.

[7] Within road safety discourse fear appeals and threat appeals are treated differently. A threat appeal refers to the undesirable consequences of certain behaviours that are contained in a message while fear refers to the emotional reaction from the audience in response to the threat (Cauberghe et al., 2009). While the distinction is acknowledged there is no analytic benefit for maintaining this distinction in this thesis because a threat is seen to invoke a possible unwanted future in the same way that a fear appeal is. For this reason all campaigns referred to in this thesis will be said to induce fear regardless of whether they are fear or threat appeals.

can write and speak about it (Davies, 2008, 349). This understanding led the subject to be viewed as a complete, unified, free and rational entity that pre-existed the world. From this perspective the subject is not constituted by the world but only acted upon by the world (Mansfield, 2000, 177) and language is the way that the *self* expresses itself (Sermijn et al., 2007, 42). At the time the Cartesian perspective was a revolutionary way of understanding the human place in the world; which was previously based around religious models.

The *Cogito* became the basis for Enlightenment scholarship surrounding subjectivity. Rousseau further developed Descarte's idea that the subject pre-exists the world, agreeing that the self is a sufficient starting point for the analysis of the world and all meaning (Mansfield, 2000, 19). He emphasised the individual as having transcendental status, originating as a perfect unity that is only debased by history and social life (Mansfield, 2000, 20). Whereas Kant developed the other aspect of the *Cogito*, the idea that before the self does anything, it thinks. For Kant consciousness is the essence of the self which allows an awareness of the world. Kant saw the subject as an independent unity "who is self-contained, self-controlled and responsible for his own actions but not those of others… " (Kant in Davies, 2008, 330). While a critique of the *Cogito* would have little bearing on the discussion at hand, what needs to be elucidated is that the Cartesian model of subjectivity, further developed by other Enlightenment thinkers, is still palpable today in concepts like freedom and free choice (Mansfield, 2000, 19). For Foucault the Cartesian conceptualisation of the subject is a truth game, in that it is a falsity but useful for the management of populations.

Within the post-structuralist landscape the Cartesian notion of the subject is rejected. The subject does not precede the world, as Descarte suggests, but is constituted by the world through discourse. Through a poststructuralist frame the *self* is a product of language: language is not self-expression, it is the *self* (Sermijn et al., 2007, 42). So where the Cartesian subject produces discourse,

the poststructuralist subject is the product of discourse.   From Foucault's particular standpoint the subject is produced because:

> the individual is an effect of power, and at the same time, or precisely to the extent to which it is that effect, it is the element of its articulation. The individual which power has constituted is at the same time its vehicle (Foucault et al., 1980, 98).

We are necessarily a 'vehicle' for this power purely because we see ourselves free of it (Foucault et al., 1980, 105).   A worthy example is human rights discourse that emanates from the natural law tradition, as it is a "particularly efficient mask and conductor of this power"(Ivison, 1998, 135).   From Foucault's perspective it is imperative for the efficient management of populations that modern governments ensure that the notion of freedom, inherent to the Cartesian model of subjectivity, remains active and valid.   In order to expand this argument it is important to first appreciate two key aspects of Foucault's concept of governmentality.[8]

Disciplinary power and biopower

Foucault suggested modern governments are increasingly concerned with the wellbeing and conduct of the subject (1979, 170); what he calls governmentality.   Throughout Foucault's work he discussed several styles of governmentality, including *sovereignty*, *discipline*, *security*, and *biopolitics*. These describe historic trends that have been used to 'responsibilise' citizens to manage themselves with a goal of producing ethical subjects (Foucault, 1983, 134-135).   For example, historically *sovereignty* concerned itself with the exercise of power over life and death, whereas modern governments are now more concerned with the welfare and the collective governance of populations, or *biopolitics* (Foucault, 1979, 170).   *Biopolitics* is an umbrella term for the

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[8] Governmentality can be understood as the range of discourses concerning the 'conducting of conduct' and the management of life (Gordon, 1991).

strategies that modern governments use in addressing populations as a political problem (Valverde, 2008, 211); the exercise of this power is *biopower*. *Biopower* is exercised either through direct, large scale campaigns or through indirect techniques that direct populations toward certain desired behaviours (Foucault, 1991, 100). The technology targets the human body in an attempt to produce an "orderly, obedient and productive population" (Patton, 1994, 62). While *biopower* is the "most pervasive expression of power in the modern period" (Nadesan, 2008, 211) this does not mean that it has replaced all other expressions of governmental power.

Foucault's historic governmentality trends are not successive but rather all still exist and constantly interact with each other (Brighenti, 2010, 66). In Foucault's *Discipline and Punish* he emphasised the use of modern *disciplinary power*: an internalised surveillance whereby the self becomes the subject of its own government (Foucault, 1983, 134). Governments rely on disciplinary technologies like prisons and schools to exercise such *disciplinary power* (Foucault, 1991, 95). The aim of a disciplinary technology is to forge a "docile [body] that may be subjected, used, transformed and improved" (Foucault, 1979, 136). In *History of Sexuality* (1978) and in other later papers, Foucault emphasised the use of *biopower* but did not suggest that it replaced *disciplinary power*. Rather they are exercised in combination (Foucault, 1991, 95; Brighenti, 2010, 66) and this combination of *biopower* and *disciplinary power* is best known as regulation (O'Malley, 2010b, 797; Foucault, 1978, 139). Regulation is an effort to achieve the best possible returns for a government's investment of power (Foucault, 1991, 95) because promoting the self-management of behaviour is an efficient and inexpensive way to manage large populations. One pertinent example of this combination of *biopower* and *disciplinary power* is road traffic regulation. Modern governments, concerned with the well-being and health of road using populations, erect signs, paint lines and enact laws in order to manage drivers in a manner that promotes safety and wards off death and injury (*biopower*). Modern governments also use advertising, cameras, penalties and police presence in order to encourage road users to obey these signs, lines and

laws (*disciplinary power*). As such *biopower* and *disciplinary power* exist and constantly interact with each other as regulation; they are parts of a single development that attempt to manage the subject.

Subjectivity as a construct

Foucault's main project involved an elaborate demonstration of how subjectivity is a fiction, or construct. Foucault did not develop a complete definition of the subject, partly because he saw definitions as totalitarian truths which are instruments of institutional power (Mansfield, 2000, 52). Foucault's understanding of subjectivity was largely influenced by Nietzsche. Nietzsche thought that it is "a seduction of language" to think that subjects exist who can choose or not choose to act in certain ways (Nietzsche, 1966, 13). He wrote that "there is no 'being' behind doing, effecting, becoming; 'the doer' is merely a fiction added to the deed – the deed is everything" (Nietzsche, 1966, 13). Nietzsche believed that morality imagined the subject and placed it into discourse so that individuals would be responsible for their actions (Mansfield, 2000, 57). Foucault agreed but saw power, not morality, as the strategist that contrived the notion of the subject who can choose or not choose to act in certain ways. So for Foucault subjectivity is a construct: a way we are led to think about ourselves so that we will present ourselves in a desirable and predictable manner.

Foucault's earlier scholarship saw the subject as being manufactured by power institutions[9] and merely "the effect of a subjection" (Foucault, 1979, 30). *Subjection* is described as the way that "people are invited or incited to recognize their moral obligations" (Foucault, 1982, 239). In *Discipline and Punish* Foucault reasoned that this is achieved through discourse. Docile bodies were

[9] Anything that endures and produces normativity is an institution (Lianos, 2010, 73).

manufactured through discourse and discursive events created by the exercise of *disciplinary power* (Foucault, 1979, 136). In essence the subject was a linguistic construction "fabricated by…discipline" (Foucault, 1979, 194). Effectively this view of subjectivity left little room for agency. In his later work on productive power Foucault reconciled individual choice and agency through the articulation of the construction of the subject as *subjectification*. Foucault's articulation of *subjectification* saw the subject as being both constructed by "control and dependence" and also linked to "self-knowledge" (Foucault, 1982, 212). The combination of these two "suggest a form of power which subjugates and makes subject to" (Foucault, 1982, 212). *Subjectification* allows for non-discursive practices as well as discourse to play a role in the construction of subjectivity. The subject is still shaped by the discourse of disciplinary technologies but not reducible to them. *Subjection* still plays a role in *subjectification* but the key part of *subjectification* is "personal choice" (Foucault, 1982, 241). Clearly, in the same way that Foucault's earlier work on the use of *disciplinary power* was not replaced by the use of *biopower*, Foucault's earlier notion of the subject (*subjection*) was not replaced by his later articulation of the subject (*subjectification*). The notion of *subjectification* in Foucault's later work reconciled his entire subjectivity project and created a subject who is not the passive product of *panopticism*[10] but constitutes and organises themselves through self-fabrication (Leask, 2012, 64).

Self-fabrication

In Foucault's later scholarship subjectivity was no longer a mere linguistic construction, but a goal to be attained as part of an ethic of the self (Fornet-Betancourt et al., 1987, 113). In essence this variation highlighted subjectivity as a process of self-fabrication: a "method of fashioning oneself" (Warfield 1999, 3

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[10] An invisible and anonymous power that relies on the notion of the *gaze* (Foucault, 1979, 137).

in Lyng, 2005, 41).   Through the exercise of *biopower* populations become "complicit in their own domination" (Lyng, 2005, 42) in a way that promotes self-care and self-cultivation.   Effectively we "create ourselves as a work of art" (Foucault, 1983, 237).   O'Malley articulates this conceptualisation as neo-liberal subjectivity or being the 'entrepreneur of oneself' (O'Malley, 2011, 13).   From this perspective discourse still presents delimited options concerning what is normal and good but "faced with a field of possibilities in which several ways of behaving…may be realized" (Foucault, 1982, 221) the reflexive subject actively aligns themself with one of the range of possibilities.   However in doing so the active and reflexive subject delimits the possibilities for self-creation because of the delimited options made available through discourse (Lyng, 2005, 42).   In this way decision making options are still contrived into binary pathways for the sake of efficiency and greater predictability but the subject is constituted through the act of choice.   In effect Foucault's merged conceptualisation of subjectivity (*subjection* in *subjectification*) still recognises that power conceals itself through discourse but it does so particularly through the discourse of free will and choice.   In this way the subject is still a fabrication constituted by power but now is fully expressed as a self-fabrication (Foucault, 2000, 299).   This merged conceptualisation of subjectivity was expanded even further by post-structuralist, Gilles Deleuze.

Foucault conceived the subject as a body composed of forces and endowed with capacities.   The forces are intentional, goal orientated strategies of government and the capacities are our own intentional and goal-orientated exercises of power (Patton, 1994, 63).   These capacities make us free agents and assist us to become or do things (Patton, 1994, 63).   Deleuze conceived the body in the same way: continually emerging through a series of affective and relational encounters which shape its individualised power to act (Buchanan, 1997, 75).   In Deleuze's work on Foucault he vindicated Foucault's notion of *subjectification*, seeing the subject as an 'immanent cause' rather than merely the effect of some transcendent power (Deleuze, 1988a, 37).   In *A Thousand Plateaus,* with Guattari, Deleuze further expanded this conceptualisation of the

subject as a becoming (Deleuze et al., 2004b, 262). Deleuze articulated the body as a multiplicitous system of many parts that cannot be reduced to the singular. A becoming is the name given to this multiplicity to denote it as a process, not as something that is fixed (Deleuze et al., 2004b, 287). Deleuze suggested that bodies are constantly transforming while still retaining a semblance of their former properties (Deleuze et al., 1993, 124). This process of transition, or becoming-other, occurs because bodies open onto and connect with each other and the encounter transforms their capacity to enter into other relations and to experience affect (Deleuze, 1992a, 217). Deleuze's articulation of the subject being constituted through affective encounters and relational encounters is entirely consistent with Foucault's notion of *subjectification*. For both scholars the capacity (power to act) of a body is wrapped up in its encounters with other bodies. However they differ in that Deleuze freed the concept of the subject from the limitation of Foucault's power relations and opened it up to the notion of desire.

For Deleuze and Guattari desire is the force that assembles the social field and leads to subject formation; whereas for Foucault this force is power. Deleuze did not reject Foucault's notion of power but saw it as a sub theme to desire. It is not the apparatus of power that assembles but rather the assemblages of desire that spread through formations of power; desire is primary (Deleuze, 1997, 186). Both Deleuze and Foucault saw their conceptualisation of force as being the same principle as Nietzsche's *will to power* (Deleuze and Parnet 1987, 91 in Patton, 2000, 72). For Deleuze desire is a positive force which carries the potential for change (Patton, 2000, 73), but is a "restricted" force (Burr, 2003, 106). Whereas for Foucault, power is productive and can be appropriated by all for particular ends: it is the potential for "action upon oneself and others" (Patton, 1994, 69). This philosophical difference reveals how their conceptualisation of force is not complementary (Patton, 2000, 74). This is particularly evident on the issue of resistance. For Foucault resistance is inherent in the exercise of power because power circulates and can be appropriated by all because bodies carry a capacity to act (Foucault, 1978,

95).   However, for Deleuze resistance occurs because lines of flight (the apparatus of desire) are primary determinations. Lines of flight are not created by resistant subjects (marginals) but:

> *are objective lines that cut across a society, and on which marginals install themselves here and there in order to create a buckle, a whirl, a recoding (Deleuze, 1997, 189).*

Effectively, for Deleuze resistance is not an exercise of power but rather is always already happening. These conceptual differences do not however inhibit the matrimony of both philosophers in this thesis.

Foucault and Deleuze converge on important issues relevant to this thesis, despite the disparity in respect to their conceptualisation of force and the problem this creates for understanding resistance. Deleuze and Foucault both reject the enlightenment notions of the unified, rational Cartesian subject. They both recognise subjectivity as a construct and the role that discourse plays in the formation of the subject. Similarly, they both see the subject as emerging from interaction with other bodies but also being intrinsically active enough to influence or choose those interactions to some degree or another. Fundamentally the Foucaultian and Deleuzian conceptualisations of subjectivity can be reconciled because both see the subject as an entrepreneur of themselves. This conceptualisation of agency is integral to the discussion in Chapters Two to Five of the thesis which concern how the subject is constituted by road safety advertisements. This thesis requires a reconciliation between the two philosophers because both are indispensable to the project.   Foucault's toolbox is superior in respect to its ability to discuss the political in a real and meaningful way.   Importantly, his concept of governmentality is essential to answering one of the two qualitative research question that underpin this thesis: *how* do road safety advertisements *work*? Whereas Deleuze's conceptualisation of affect, its role in the power to act (capacity), and the concept of *becoming* are vital to answering the second research question: *what* can these road safety advertisements *do*? Consequently, this thesis relies on both philosophers for

different aspects of the analysis, but sees Foucault's complete conceptualisation of the subject as the starting point for Deleuze and Guattari's concept of the same. With this converged articulation of the subject it is now necessary to discuss the role that discourse plays in its construction.

Discourse

This converged articulation of the subject recognises the subject as being both active and reflexive, while also being limited by late modern governments who attempt to manage bodies by contriving delimited options. Governments present desirable and undesirable modes of subjectivity in an effort to influence bodies to choose a desirable mode of subjectivity. A subject is constituted through the act of choosing between these available options (Butler, 1997, 94). While Foucault might say that it is a power strategy to organise populations and target populations, Deleuze would say that assemblages are subject to flow that can be *molarised* by abstract machines of desire; these are effectively the same thing. The way that governments achieve this control (or *molarisation*) is through discourse. Discourse can be understood as a group of related statements that produce meaning and effect (Carrabine, 2004, 40; Foucault, 1972, 80) and justifies what governments seek to do. While sometimes contradictory, discourses circulate common sense notions about what is good and bad, and desirable and undesirable (Foucault, 1981b, 67). For Foucault discourse, as *power/knowledge*,[11] is a claim to truth which can emanate from surveys, theories, statistics, observations, reports, discussions and all manner of discursive events. It is only a *claim* to truth because a post-structuralist perspective sees truth as context bound (Foucault, 1988a, 112).[12] Such truths

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[11] *Power/knowledge* is a concept which denotes the reciprocal roles of power and knowledge. It incorporates power relations as well as information seeking (Foucault et al., 1980)

[12] For post-structuralism every manifestation of the self is also similarly situation dependant, as will be discussed at length in Chapter Six (Sermijn et al., 2007, 41)

allow institutions to divide populations into manageable binary categories so that populations and not individuals can be targeted. The presentation of these kinds of binary categories eliminates the need to present the world in its true complexity.   Binary options are a more efficient method to manage populations because choice is reduced to: 0 or 1; yes or no; compliance or deviance. Essentially modern governments invite us to choose between failed or ethical at every juncture in the hope that we will normalise our own behaviour by self-fashioning an ethical subject.

In *Madness and Civilisation* (1974) Foucault examined the way in which institutions created the distinction between the categories of mad and sane. In *Discipline and Punish* he did the same for the discourse surrounding incarceration (Foucault, 1979). In relation to incarceration he recognised two main categories within this discourse: those on the *inside* who are criminal; and those on the *outside* who are law abiding. The use of such categories is integral to the production of incarceration discourse because it allows governments to efficiently identify and target relevant population groups. For example, this binary category allows governments to target populations on the *outside* with specific funding like job start allowance, election campaigns and letters to the householder concerning victimisation risks. All of these strategies are irrelevant to the *inside* population as prisoners, at least in Australia, are: ineligible for job start allowance; ineligible to vote in federal elections if they are serving a sentence over three years; and are unlikely to be the subject of victimisation reduction mail outs (and are more likely to be the object of such campaigns). This categorisation also allows the *inside* to be targeted with rehabilitation programs, surveillance and interviews for the purposes of developing further discourse. Even within the *inside* population are subsequent binary categories such as those used to select institution type: man/woman; youth/adult; and convicted/on remand.   These binary categories enable governments to efficiently target populations instead of having to manage individuals.

The use of binary categories not only allows power institutions to efficiently target populations, but also creates a landscape where citizens can manage themselves (Foucault, 1983, 134-135). Binary categories are vital to self-management because they invite us to choose between two contrived pathways: one desired and one undesirable. The presentation of multiple pathways creates unpredictability. So by contriving only binary options populations become more predictable because they can either accept or reject the option. Integral to this process is the Cartesian conceptualisation of the subject who is free to choose between these two pathways. Returning to the prison example, incarceration discourse presents a Cartesian view of the subject who is free to choose either an ethical (outside/law abiding) or failed (inside/criminal) mode of subjectivity. The categories invite us to normalise our own behaviour by relying on the notion that we have the free will to choose not to commit an offence (and keep your freedom and autonomy) or choose to offend (and lose it). This strategy sustains the Cartesian view of the subject who is free to choose and fails to reveal the power at work beneath. As Foucault suggests, the fact that we identify ourselves as individuals or subjects is evidence of "one of the prime effects of power" at work (Foucault et al., 1980, 98). Put simply, we think that we are autonomous Cartesian subjects who are free to makes choices about modes of existence, but it is this belief which allows power to conceal itself and operate so effectively (Mansfield, 2000, 55). We happily maintain this illusion of a free and autonomous subject and it encourages us to become preoccupied with ourselves. As Butler suggests, this act of choice cannot be separated from the act of constituting subjectivity (Butler, 1997, 94); this is how the subject is constructed. We recognise our place in a social system and in doing so willingly fashion a subject according to the available modes of subjectivity presented (Foucault et al., 1980, 98). This of course does not mean that the subject will choose the desired mode of subjectivity.

Resistance

Having already acknowledged the incongruities of Foucault and Deleuze's conceptualisations of resistance, it is unproblematic to suggest they merge on the idea that resistance is inherent and inevitable. For Foucault at "the very heart of the power relationship, and constantly provoking it, are the recalcitrance of the will and the intransigence of freedom"(Foucault, 2001, 342). In this way Foucault sees "points of resistance…present everywhere in the power network; these resistances are … an irreducible opposite" (Foucault, 1978, 95-96). In essence, resistance is an inherent and inevitable feature of any exercise of power. Whereas for Deleuze the primary determination of lines of flight mean that resistance is always already happening (Deleuze et al., 2004b, 559). From this perspective resistance is not an exercise of power but is inherent and inevitable. Acquiescent to this idea that resistance is unavoidable, this thesis does not pre-occupy itself with questions as to why speeding and drink driving occurs on the road. The thesis views this, and all other types of resistance, as unexceptional.[13] From this viewpoint the thesis does not examine the nature of resistance but rather the strategies used to manage this inescapable resistance.

In the same way that resistance is viewed as unexceptional, the thesis also views the high level of government intervention into driver behaviour and road regulation as equally unremarkable. It is unremarkable because the primary motivation behind this intervention is the well-being of road users. As Patton has suggested, "the exercise of power over others is not always bad, and states of domination are not always to be avoided" (Patton, 1994, 65). This is because not all power is detrimental to the interests of the one who it is being exercised over. Patton suggests that providing advice, moral support and passing on skills and knowledge is affecting the actions of another; but not to their detriment (Patton, 1994, 65). Following this theme, not every exercise of power by

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[13] This is not to say that resistance cannot be revolutionary. Deleuze and Guattari speak to this issue in their discussion of the *nomadic war machine* (Deleuze et al., 2004b, 420). Similarly Foucault suggests: "There are revolts and that is a fact. It is through revolt that subjectivity (not that of great men but that of whomever) introduces itself into history and gives it the breath of life" (Foucault, 1981a, 8).

governmental institutions is detrimental to its subjects: such as inoculation programs, sanitation, and free healthcare. In the same way road traffic regulation is another exercise of power that should not be avoided. Drivers on roads are subject to all manner of regulations, not just licencing, insurance and registration requirements but also regulations in regard to flows of traffic and driver behaviour. These regulations are not put in place to repress drivers: repression is not only a negative perception of power (Foucault, 1979, 194) but also an inefficient and expensive way of managing populations (Foucault, 1991, 95). Rather, late modern governments are concerned with road traffic flows and driver behaviour because they are essentially concerned with the well-being of road users as a population and hence attempt to reduce injury, death and loss on the road. Governments try to reduce and manage this risk through the implementation of signs, lane markings, speed restrictions and punishments. This management is affected through the implementation of *disciplinary* technologies, like breath testing and speed cameras, which attempt to inspire the driver to be responsible for their own behaviour and make ethical choices. Similarly this management is effected through the implementation of *biopower* technologies (technologies of the self), like road safety advertisements which try to pre-empt resistant behaviour and prevent it before it occurs. It is to this issue of prevention that the thesis will now turn.

Prevention strategies

In *Discipline and Punish* (1979) Foucault highlighted a change from the focus of punishment of the body (punitiveness) to punishment of the mind (correction). Since this time many theorists have noted a shift back toward the body. Cohen (1985) suggested punishment has shifted away from the mind and back toward observable behaviour (Jewkes, 2004, 178). Similarly Lianos has argued that "the modern subject is well behind us...no soul is trained" (Lianos, 2010, 75). Jewkes and O'Malley agree that there is a shift back towards the body but see the body as no longer the site of punishment but rather the target of

preventative strategies (Jewkes, 2004, 178; O'Malley, 2010a). Jewkes presents a new governmentality whereby late modern governments have moved away from being reactive when rules are broken and are now proactive, attempting to predict behaviours before they happen (Jewkes, 2004, 179; O'Malley, 2010a, 1). Whether this pre-emptive approach is a new style of governmentality or merely a *biopolitical* technology as O'Malley seems to infer,[14] is not something that this thesis intends to take issue with. If viewed as another style of governmentality, then the discussion above still holds true whereby successive styles of governmentality do not replace each other but rather work together. In this way *biopolitics* remains relevant to the discussion of prevention. This recent focus on prevention looks at "criminogenic situations" instead of individuals and populations, and attempts to restrict opportunities for resistance (Jewkes, 2004, 180). Crime prevention through environment design (CPTED) is a good example of this kind of pre-emptive management, whereby the criminogenic situations of a particular setting are predicted and built out. The road safety advertisements that feature in this thesis are another example of this pre-emptive approach. Institutions resign themselves to the notion that the road toll is inevitable (resistance) and instead of attempting to change an offender *a posteriori*[15], they attempt *a priori*[16] management of their behaviour through imagery and truth statements concerning risk and safety.

O'Malley suggests that every aspect of our lives is governed by risk; crime control being no exception (O'Malley, 2010a, 2). He suggests that this movement towards risk as a tool for managing criminogenic populations is caused by: the failure of penal modernism to reduce crime rates; exposure of the

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[14] "risk … invents new techniques for self-government (or 'techniques of the self')" (O'Malley, 2009a, 10).

[15] After the fact.

[16] Before the fact.

professional middle class to crime; the lack of support to correctional justice; and the rise of neo-liberal government (O'Malley, 2010a, 38). This risk based approach, known as the 'new penology', prefers to remove risks from society through the containment and incapacitation of behaviour, instead of reforming offenders (Young 1999 in O'Malley, 2010a, 5). Risk removal is necessary, according to the risk society thesis (Beck, 1992) because society is driven by "manufactured uncertainty" (Adam et al., 2000, 5) which in turn causes widespread insecurity (Ericson, 2007) and anxiety (Salecl, 2010; Salecl, 2004). In order to respond to this uncertainty a precautionary logic is used, relying on actuarial (risk based) models (Ericson, 2007, 22). O'Malley goes further to argue that post '911' risk consciousness and risk-based governance has intensified, raising concerns that risk is not enough because the environment is one of "extreme uncertainty" (O'Malley, 2011, 5).

O'Malley suggests that risk analysis is over-emphasised because we see ourselves as plunging into chaos without it. Nonetheless he argues that scholarship in this area must go beyond risk (O'Malley, 2011, 5). He argues that this environment of extreme uncertainty has created three innovative technologies in the area of governance that he describes as being similar to Bentham's 'yoke of foresight': *precaution*; *preparedness and enactment;* and *speculative pre-emption* (O'Malley, 2011, 6). He describes *precaution* as "imagining the worse" through a combination of imagination and an assumption of harms that cannot be tolerated (O'Malley, 2011, 7). The result of which is a preventative logic that assumes that prevention is possible (O'Malley, 2011, 7). *Preparedness and enactment* explains the idea that we cannot prevent the uncertain but we can be prepared for the worst. It assumes that uncertain futures are inevitable but good management can ensure preparedness (O'Malley, 2011, 8). Finally, he describes *speculative pre-emption* as extreme uncertainty being used as the justification for a pre-emptive strike (O'Malley, 2011, 9). O'Malley uses the invasion of Iraq as an example of this logic. In this way pre-emption can eliminate other uncertain futures by creating its own.

O'Malley uses these strategies to demonstrate a move beyond risk, and toward an approach that is part preventative, part resignation and part pre-emptive.

Although O'Malley discusses these three strategies in respect of international security threats, all three can be seen within governmental approaches to road safety. *Precaution* is at play in all of the road safety advertisements that feature in this thesis. Television advertising of this type uses filmic techniques that can inspire the spectator to imagine the worst (O'Malley, 2011, 7) possible consequences of their driving behaviour. Clearly this approach comes from the perspective that undesirable driving behaviours are preventable. *Preparedness and enactment* is a strategy also at work in road safety regulation through the implementation of traffic cameras, air bags and police emergency numbers (000/911). It focuses on the management but not prevention of the inevitable occurrence of road traffic collisions. Lastly, *speculative pre-emption* is also a strategy used in road safety regulation through the impounding of vehicles, driver's licence disqualifications and alcohol interlock devices.[17] These strategies assume that a previous road traffic offender will offend again. Consequently they attempt to create a different future whereby the offender does not drink and drive. Together such strategies attempt to regulate the extreme uncertainty of a driver's behaviour. While O'Malley's latter two technologies play a role in road safety regulation, it is the precautionary technology that is the focus of this thesis. The preventative strategies used in road safety regulation are an attempt to make secure the unpredictability, both of the road and of the subject. This notion of unpredictability is a central focus of Chapter Six of this thesis. It is argued that the road traffic regulation advertisements that feature in this thesis are an attempt:

> to make society less open and less mobile: to fix identities, immobilise
> individuals, quarantine whole sections of the population, erect boundaries,
> [and] close off access (Garland et al., 2000, 17-18).

[17] In Australia these devices can be fitted to a vehicle part way through a driver's licence disqualification (at the driver's cost) and require a sample of breath to be supplied before the engine will start.

One essential boundary that is erected in order to render these populations more predictable is the division between *self* and *other*.

The other

The discursive categories of good and bad, or *self* and *other,* are a contingent aspect of the late modern governance of populations. Reliant on Hegel's master-slave[18] dialectic (Hegel, 2009, 86), *othering* is a process of demarcation where "a line is drawn between 'us' and 'them'" and whereby "social distance is established and maintained" (Lister, 2004, 101). Binary categories assist this *othering* process because it allows the world to be split into two positions: those who answer to the name (same or *self*) and those who do not (different or *other*) (Bauman, 1991, 2). This process creates a social insider and a social outsider (Becker, 1963). As Young suggests:

> *The denigrated others are cast into an elsewhere of demonization or of rank inferiority, the desired self is allocated to a fantasy elsewhere of fundamental superiority, whether of national, religion, class or gender (Jock Young, 2007, 197-198).*

In this way *othering* helps to define one's own identity because it creates a *self* through the identification of those that fall outside the known. This is however problematic, as Deleuze observed:

> *The other who is nobody, but who is self for the other and the other for the self in two systems, the a priori Other is defined in each system by its expressive value…The Other cannot be separated from the expressivity which constitutes it (Deleuze, 1994, 260).*

In this way it is a problematic notion because the *other* does not exist without an assessment of what is the same followed by a measurement against this

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[18] Or more accurately translated as lordship-bondage.

standard of whether there is either too much or too little of some characteristic (Mansfield, 2000, 93). The precariousness of this process makes it impossible to "fixate on a deviant and distant other" and as such the *other* can be both elusive (Jock Young, 2007, 211) and "misunderstood"(Deleuze, 1994, 260).

The *other* is traditionally the object of fear and is perceived as reckless, criminal, failed and violent (Halsey, 2001, 413) but also sometimes indecent and disgusting (Dalton, 2006, 281). The label varies from the *other* to the stranger (Merry, 1981), the deviant (Cohen, 1972), the outsider (Becker, 1963) and in more literary contexts, the villain; but the meaning largely stays the same. The disciplined and ethical *self* measures and interprets the action of *others* as being safe or threatening in order to assess a level of safety (Warr, 1990, 892). This is not a careful numeric assessment of probability and consequence but rather a qualitative judgement based on emotional feelings, imagery, assessment of control, familiarity and impact (Farrall et al., 2009, 15). A stranger is not perceived as having a personal history, reputation or location in social space. Only visual cues are read like age, sex, dress, ethnicity and demeanour, which place a stranger in a social category associated with certain expected behaviours (Merry, 1981, 160). The problem with qualitative judgements of this nature is that we have limited information about strangers in order to make accurate assessments. Another problem, particularly relevant to the road, is that we drive amongst a sea of strangers every time we travel in a vehicle. As Merry suggests, the less contact an individual has with members of another group, the less accurately the individual can predict their behaviour (Merry, 1981, 161). This is how entire ethnicities and age groups become labelled as deviant or dangerous, such as the moral panic concerning young 'hoons' (Fuller, 2007).[19]

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[19] For example, the municipality of Frankston (Victoria, Australia) have a "hoon hotline" where residents can call 1800 NO HOON, 24 hours a day, seven days a week to report anti-social driving behaviour (Frankston City Council, 2013).

Moral panics can be created when sweeping assessments are made of groups who are unfamiliar and outside the predictable world of the *self*. The fear of crime is a moral panic which gains legitimacy by exiling the *other* and criminalising their behaviour (Scraton, 2007, 233; Goode et al., 1994, 31). The unpredictable and unknown stranger becomes a scapegoat or folk devil (Cohen, 1972) for the ethical majority and represents a visible symbol of what is wrong with society (Merry, 1981, 165). Interestingly only one rule needs to be broken for the *other* to be labelled as criminal (Becker, 1963, 33) and this label is perpetuated, both for the individual and the group that they are deemed to belong to. As Jewkes suggests, "in order to construct offenders as 'others' their 'outsider' status must be unequivocal and incontestable"(Jewkes, 2004, 203). In this sense the *other* is viewed as a perpetual, fixed and incontestable position that is apportioned by those who identify themselves elsewise. Again, this is problematic because the *other* does not actually possess this identity. Rather the criminal *other* is socially constructed through an exclusion that is created by rules. Becker suggested that social groups who recognise sameness in themselves create rules, which when infracted constitutes deviance (Becker, 1963, 9). As such, deviance is not a quality possessed by rule breakers but rather a label to be applied when rules are broken (Becker, 1963, 10). These labels, like bad and criminal, help to maintain the Cartesian model of subjectivity as it reinforces the idea that we have the free will to choose to be criminal or law-abiding. This choice is presented to us in various forms and is regularly influenced through fear.

The fear of the criminal other

The fear of the *other* serves to "reinforce the ideology of good and evil, of the things that are permitted and prohibited"(Foucault, 1977, 226). Invoking such fear is a strategy used to promote our own self-regulation. Through a hostile yet supportive relationship, late modern governments and media organisations contextualise crime in a way that inspires fear of the *other* (Green,

2008, 270; Farrall et al., 2009, 255). De-contextualised images of crime are presented to the public, persuading them to imagine themselves as potential victims of the *other* (Lee, 2007, 188). The result is an employable and productive fear of victimisation. Media organisations can tap into this fear of the *other* to secure an audience and gain advertising revenue (Lee, 2007, 167). Similarly, individuals and groups within government organisations can use this fear to secure political position and justify draconian legislative change (Lee, 2007, 69; Muncie et al., 1996, 55). While these claims may have their merits, what is of particular interest to this research is the manner in which the fear of the *other,* or fear of crime, can regulate populations (Weber et al., 2009, 65; Lee, 2001, 471).

Fear of crime as a technology

Returning to the governmentality framework, the fear of crime can regulate populations because it is both a disciplinary technology and a technology of the self. Firstly it is a technology of the self, or technique of *biopower*, because it enables subjects to constitute themselves through systems of power. By engaging with discourse a body can recognise its place within a system of power, allowing an identity to be formed, maintained or even transformed (Foucault, 2000, 87). The discourse surrounding the fear of crime, which includes binary categories like good/bad, safe/dangerous, and criminal/victim, creates an environment where a body reflects upon these possible modes of existence. When one of these possible modes of living is chosen, then a subject is constituted. In this way the fear of crime can cause a person to reflect upon a scenario and align themselves as a potential victim. In doing so the discourse assists in constituting a fearful subject who can then take steps to prevent their future victimhood (Lee, 2007, 141). Future victimhood can be averted because the same discourse can be used as a technique to produce reflexive bodies, capable of being used, transformed and improved (Foucault, 1979).

As a technique of *disciplinary power*, or disciplinary technology, fear of crime can responsibilise fearful subjects to take action in order to reduce their own risk of victimisation (Lee, 2007, 141; Garland, 1996, 452). Fear of crime discourse does this through categorical statements (truths) which can inspire the fearful subject to take responsibility for their own safety (Garland, 1996, 452). Examples of this strategy in use include: texts advocating movement and time restrictions for high-risk public spaces, and signs reminding drivers to lock their cars and take valuables with them (Garland, 1996, 452). Lee states that this type of communication paradoxically induces fear because the images and examples used are actually frightening (2007, 149). A good example of this kind of communication are the texts that are analysed in Chapters Two through Five, as they have been selected on the basis of their potential to be frightening to the point of inducing fear. Halsey goes further to suggest that this kind of fear inducing communication can contribute to the production of the crime it intends to reduce (2001, 410). While these remarks are worthy of consideration, the point to be elucidated here is that the fear of crime, as a technology of the self and a disciplinary technology, constitutes a fearful subject and then inspires them through fear to take responsibility for their own safety. The expectation of this approach for late modern governments is that crime may decrease, by cost effective means, if the potential victim is motivated to take steps to decrease their own risk of victimisation. This focus on crime regulation through the disciplining of the fearful subject is indicative of the heuristic of victimhood within fear of crime scholarship. One goal of this thesis is to go beyond this boundary and posit the feared subject as an object of this same technology.

A dual technology

The fear of crime is a technology that regulates the behaviour of both the fearful and the feared subject. As with the constitution of a fearful subject, this technology presents the same categorical truth statements, which after reflection upon the available modes of existence can constitute a failed subject.

Figure 1.1 depicts an advertisement that presents fear of crime discourse in order to constitute a failed subject. The displayed text features on correspondence envelopes sent by the Queensland Transport Authority[20] to drivers when they renew their vehicle registration and licences. The advertisement is situated on the rear of the envelope, below the opening flap. Through this method the advertisement can be said to be targeting any person who registers their vehicle or obtains a driver's licence in Queensland (QLD) and opens their own post. Putting aside those drivers who actively drive unlicensed and unregistered or have exemptions not to wear a seatbelt, the advertisement is capable of capturing a large section of the population; and is thus an efficient exercise of this power.
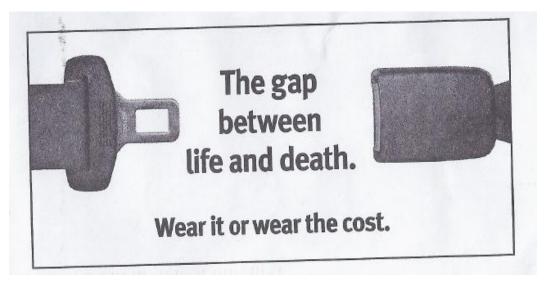

The gap between life and death.

Wear it or wear the cost.

Figure 1. 1

The QLD government, concerned with the safety of road users as a population, exercise this combination of *biopower* and *disciplinary power* (regulation) by relying heavily on the discourses surrounding road safety and fear of crime. The advertisement presents a truth claim to the viewer that if you wear your seatbelt you are safe, and if you do not, then you will 'wear the cost'.

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[20] Australia.

The cost of not wearing a seatbelt can, of course, include a fine or an injury, but the cost represented in this advertisement is 'death'. The cost is fear inducing because it depicts the persistence of a possible unwanted future for the viewer, namely death. The 'gap' represents the moment of decision where the active subject can choose to prevent the possible unwanted future by fastening their seatbelt or alternatively constitute themselves as a failed subject who will 'wear the cost' and presumably die.

Death is a common category presented in road safety discourse, as will be shown throughout the case studies in Chapters Two through Five. In most cases, as with the correspondence depicted in Figure 1.1, the binary distinction between life and death is analogous to the binary distinction of ethical and failed. Through a reliance on the categories of ethical and failed, this correspondence can constitute a failed subject by inspiring reflection upon past seat belt regulation compliance. The spectator contemplating past modes of subjectivity may recall events where they failed to wear their seatbelt once or even 1000 occasions previously. The individual's failure to wear a seatbelt may be intermittent with compliance and the reasons for past non-compliance may be varied: they forgot; were too busy; were uncomfortable; or perhaps were exerting a distinctive act of resistance against road traffic regulation. Equally, the subject of this discourse may have constantly complied in the past but may in the future fail to comply because of: forgetfulness; distraction; discomfort; or resistance. Nonetheless, once a spectator considers their past behaviours and aligns themselves with the failed mode of subjectivity presented, the disciplinary aspect of the correspondence can then work to responsibilise the failed subject to make ethical choices.

After the failed subject is constituted the fear of crime, as a disciplinary technology, attempts to transform the active and reflexive subject from failed to ethical. In the advertisement depicted in Figure 1.1 the failed subject is motivated by the fear of death to 'wear it'. The categorical statements at work in the advertisement inspire the reflexive subject to make ethical choices that

may lead to more desirable modes of subjectivity. The possibility of death is (over) emphasised in order to motivate the failed subject to fasten their seatbelt in the future. If the subject does so, then they will be constituted anew, this time as an ethical subject. In this way the two key objectives behind the correspondence, to make driving populations safer and to maintain public order, become more achievable. The objectives are made more viable, not through force but by visually depicting a possible unwanted future on the back of an envelope. Of course the failed subject may choose not to heed the warning, or may not even understand the image in a way that conveys the intended warning. Nevertheless, through this advertisement the QLD government has created the potential for undesirable driving behaviour to reduce, with very little effort. It is clear therefore that late modern governments use the fear of crime as an efficiency strategy to constitute and transform the driving subject. The technique is not only utilised to constitute an ethical subject so that they might take steps to reduce their victimisation risks, but also failed subjects so that they might choose more ethical modes of subjectivity in the future. The use of this strategy to constitute and transform the failed subject is a central focus in the analysis of the advertising campaigns that form Chapters Two through Five. In highlighting this strategy the thesis hopes to expand fear of crime scholarship by going beyond the margins of victimisation to include the fear associated with criminality.

Methodology

The case studies that form Chapters Two through Five not only attempt to expand fear of crime scholarship, but more importantly are an exploration of how the subject is "gradually, progressively, really and materially constituted" (Foucault et al., 1980, 102) through road traffic regulation advertisements. From a post-structuralist standpoint, this thesis views the selected advertisements as text in the sense that they have a textual dimension that signifies and is represented but does not have a pre-existing meaning or essence (Halsey, 2006,

87; Barthes, 1968). Texts do not "capture the way things 'really are'" but rather are a reflexive site for experimentation that both performs and is performed upon (Halsey, 2001, 387). As Deleuze and Guattari suggest, a text is a device for mapping the virtual not the actual, which allows the "revolutionary force" to be extracted (Deleuze et al., 1986, 116). In effect, this means that by experimenting with traffic regulation advertisements as texts, the effects on bodies, flows of traffic and modes of subjectivity can be teased out and articulated (Blondel, 1991, 29). Thus in order to ultimately explore the affective processes that emerge between the spectator and advertisement, the modes of subjectivity that are constituted by the text must first be teased out and articulated.

The texts selected for analysis use the fear of crime as a strategy to constitute modes of subjectivity in order to manage populations (Foucault et al., 1980, 102). The texts were selected on the basis that they use fear inducing imagery and concepts relating to road traffic offending in order to constitute and motivate the spectator to be a safe (good) driver. Of course, not all road traffic regulation advertisements use fear to motivate the subject towards self-regulation, but those that do are relevant for discussion here. The first case study discussed in Chapter Two, *Creepers II*, constitutes an ethical subjectivity in an attempt to responsibilise the spectator to take responsibility for their own safety. The remaining three case studies that feature in Chapters Three to Five constitute a failed mode of subjectivity and attempt to transform the subject toward an ethical mode of subjectivity.[21] The analyses of all four case studies are influenced by Young's concept of *criminological aesthetics*.

Criminological aesthetics sees the crime image as an affective process which does things to individuals, like criminals and victims, as well as audiences (Alison Young, 2010, 84). While consideration of Deleuze's conceptualisation of affect

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[21] Save for one exception in Chapter Three, *Legend*.

will be developed later, affect can be understood as more than just an emotion or feeling. As discussed earlier in this chapter in respect to subjectivity, affect is a transition in a body's capacity, or potential to act. Affect is the by-product of our encounters because every encounter subtly transforms a body's affective capacities (Deleuze, 1992a, 220). This is why a text can be said to *do* things to a spectator, because it can change them. This perspective is a particularly helpful methodology when attempting to explore the consequences of watching a text. The approach is partly achieved through the use of the *scenographic method*, which Young suggests engages "with how we look at what happened" (Alison Young, 2010, 91). In keeping with this method, the thesis will attend to the point of view of characters and what this can *do* to the spectator. It will explore how the text is mediated and what this can lead the spectator to understand (Alison Young, 2010, 92).   Similarly it will look at the filmic components of characterisation, sound, narrative, editing and mise-en-scene in order to discuss how this can have an affective impact on the spectator. It will also explore what is contained in the scene and what is left out, and whether this can make the scene less or more affective? (Alison Young, 2010, 93).   Essentially, the *scenographic method* enables an exploration of how the screen binds the spectator to itself (Alison Young, 2010, 94).

While exploring the affective processes at work between the text and the spectator, this analysis still remains situated within the framework of governmentality discussed above.   The thesis incorporates *criminological aesthetics* and governmentality by dividing them into two separate research questions. The first question concerns how this technique of power is able to be exercised (Lee 2007, p.203), or how do these texts *work*? Governmentality is used as a tool to address this question. In this regard the thesis asks and responds to three sub questions: 1. *What truths and assumptions underpin the text*?; 2. *What modes of subjectivity does the text constitute*?; and 3. *What possible unwanted futures are presented and how do they inspire the subject to manage themselves*? The second and related question to be explored centres on the consequence of this exercise of power (Lee 2007, p.203), or what can the

texts *do*?   To address this issue the thesis employs the Deleuzian conceptualisation of affect (*criminological aesthetics*) excess and *becoming* to respond to two further sub questions: 4. *What can the text do*?; and 5. *What is problematic about the representation of the other in the text*? Chapter Six of the thesis is devoted to exploring this last sub question, whereas the other remaining questions are the concern of Chapters Two through Five.

The major contribution to knowledge contained in the thesis pivots on the question of what these texts can *do.* In order to explore this question the thesis relies on the Deleuzian concept of excess, which can only be understood through illumination of the larger concept of flow to be discussed in Chapter Six. For the purposes of this introductory discussion, from the perspective of Deleuze and Guattari everything that exists in the actual is evidence of the existence of the continuity of a flow in the virtual (Deleuze et al., 2004a, 6). Flows remain unbound in the virtual, unless they are cut off, intersected and organised by bodies. However, bodies never completely cut off a flow, but rather flow mutates and overflows to produce different flows. There is always excess flow that escapes: what Deleuze and Guattari conceptualise as a line of flight (Deleuze et al., 2004b, 305). Lines of flight are the conditions for change or newness in every event. The problem with a line of flight is that it cannot be known how it might mutate and where it might lead in advance. Of course change is predictable within a range of real parameters but it is always uncertain whether the event will lead to change or continuity. This unpredictable variation in each event also applies to the reception of a text. This is why Halsey suggests "a text always *exceeds* the intentions of 'its' author(s)"(Halsey, 2001, 413; Deleuze et al., 2004b, 98). An aberration of the intended meaning of a text can occur because texts are also subject to the dangerousness of a line of flight. For this reason a text does not have univocal meaning for all spectators but rather meanings emanate from the spectators that are attached to the text.   Texts are a site where bodies and statements converge to produce meaning: what Deleuze and Guattari call a collective assemblage of enunciation (Halsey, 2001, 414). The formation of meaning, like all things, is subject to the chaos of a line of flight.

Thus the intended meaning of a road safety advertisement, namely to reduce the road toll, may not always be received. The intended meaning may be rejected or, and more interestingly, it may produce a line of flight and mutate the meaning. These potential lines of flight, or excess, that spring from an encounter with a text can be traced in order to explore what a text can *do*. The tracing of this excess are the major focus of Chapters Two through Five.

Chapter Two that follows traces the excess that can be produced through an affective encounter with one road safety advertisement, *Creepers II*. *Creepers II* attempts to constitute and motivate an ethical subject through spectatorship so that they may take steps to improve road safety. This use of the fear of crime as a strategy aimed at the victim is explored for comparative purposes with the chapters that follow. The chapter traces a line of flight that can emanate from an affective encounter with the text producing an unproductive fear*.* Furthermore the chapter problematises the representation of the *other* in the text, making way for the discussion in Chapter Six.