

The Revenge of Sovereignty on Government? The Release of Neoliberal Politics from Economics Post-2008

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Abstract

Liberal government, as analysed by Foucault, is a project of measured, utilitarian political activity, that takes ‘population’ as its object, dating back to the late 17th century. The rise of nationalism, authoritarianism and populism directly challenges this project, by seeking to re-introduce excessive, gratuitous and performative modes of power back into liberal societies. This article examines the relationship and tensions between government and sovereignty, so as to make sense of this apparent ‘revenge of sovereignty on government’. It argues that neoliberalism has been a crucial factor in the return of sovereignty as a ‘problem’ of contemporary societies. Neoliberalism tacitly generates new centres of sovereign power, which have become publicly visible since 2008, leading to a dramatic resurgence of discourses and claims to ‘sovereignty’.

Keywords

Foucault, governmentality, liberalism, neoliberalism, populism, sovereignty

In his lectures on the genealogy of liberalism, Foucault states that ‘the essential issue of government will be the introduction of economy into political practice’ (Foucault, 2007: 95). To govern is to seek a ‘suitable end’, which requires new infrastructures of intervention and measurement, such that power is deployed precisely and with known effects. Liberal government treats individuals as driven by natural desires, producing aggregate effects that can be discerned scientifically at the level of ‘population’. To do this, whole fields of statistics, demography, political

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economy and audit are developed, which indicate what outcomes are being achieved, with a level of precision that is distinctively governmental (Burchell et al., 1991; Barry et al., 1996; Rose and Miller, 2013).

Modern governing is a utilitarian exercise, which harnesses technologies of measurement and quantification to discern whether welfare (however defined) is being increased, and by what amount. It depends on networks of expertise and surveillance, that span state and non-state entities, so as to render socio-economic processes visible, knowable and testable; this is broadly what Foucault referred to as the new 'governmentality' that emerged in the late 17th century. This 'introduction of economy into political practice' allows wasteful, inefficient, excessive and ineffective interventions to be identified and changed. At the same time, government seeks to encompass an indefinite growth of life and prosperity (Leshem, 2016). Governmentality involves a rise in the status and influence of experts in the running of state and non-state institutions, and for numerical facts to become a dominant form of public rhetoric (Desrosières, 1998).

Since the 1970s, neoliberal reforms have often extended this economisation and quantification of political practice. If liberal government deploys quantitative measures to evaluate matters of social and economic policy at the level of population (such as GDP), neoliberalism goes further by inciting individuals to view all choices as strategic investments for some calculable return (Foucault, 2008; Dardot and Laval, 2014). Social and political life is critically assessed using the same metrics as business (Brown, 2015), representing a form of 'economic imperialism' (Fine and Milonakis, 2009). The sovereign state itself is reconceived as a type of competitive enterprise, whose value is measured through blanket economic analysis and critique of its effects (Davies, 2014). Understood in these terms, neoliberalism implies a more relentless and suffocating form of 'governmentality' than liberalism.

In the decade following the global financial crisis, however, various political developments disrupted this apparent economisation of the political. The ascendancy of populist leadership and rhetoric brought questions of 'sovereignty' back into the mainstream of political argument (Mudde and Kaltwasser, 2017). Resurgent nationalism and protectionism refocus attention on territory and borders, as the objects and limits of sovereign power. The vision of the radical right is of unmediated sovereign power, derived from a single people, dwelling in the unique territorial container to which they historically belong.

There is an anti-economic quality to these political forces, which seeks excess in the form of political action, and not just as economic surplus. 'Penal populism', which seeks feelings of collective safety and solidarity via harsher regimes of punishment (regardless of effects), has increased since 2008 (Pratt and Miao, 2017; Carvalho and Chamberlen, 2018). Support for nationalists correlates strongly with possession of

‘authoritarian’ values, which translate into support for greater use of violence by the state and within the family on principle (Norris and Inglehart, 2019) and with ‘anti-vax’ attitudes and behaviours (Kennedy, 2019). The orthodoxies of liberal economics are flouted, on questions of trade, international regulation and immigration, resulting in acts of ‘economic self-harm’ such as Brexit. In its place, a desire for punishment of ‘elites’ appears to supplant faith in collective progress, creating a new economy of rage and retribution (Sloterdijk, 2012; Magni, 2017). Authority is reconfigured in ways that disregard the measurable consequences of actions, in favour of what they signal and how they divide people.

These developments are plainly opposed to the edifice of liberal government described by Foucault, but their relationship to neoliberal ideas and policy is more ambiguous. Populist leaders may take aim at centres of governmental power (such as central banks), but the relationship between neoliberalism and nationalism is less antagonistic than it may initially appear (Harmes, 2012). Nationalists such as Donald Trump, Viktor Orbán and Jair Bolsonaro have combined economic de-regulation with social and political illiberalism (Hendrikse, 2018). Forms of ‘mutant neoliberalism’ are developing, which successfully wed aspects of the neoliberal project to the new forces of populism and nationalism (Callison and Manfredi, 2020). Indeed, nationalism arguably radicalises and territorialises existing elements of neoliberal and financial rationality, against de-valued and dis-credited populations or races (Feher, 2019; Slobodian, 2018b). We may be witnessing a different applied neoliberalism from the pre-2008 variety, but elements of neoliberal rationality survive.

State theorists have theorised such ‘authoritarian’ developments in terms of the state’s declining concern with democratic and/or normative legitimacy. Following Poulantzas, the notion of ‘authoritarian neoliberalism’ sees a new strain of neoliberalism developing post-2008 that abandons the quest for democratic consent, in favour of exceptional and extra-democratic means (Poulantzas, 1978; Bruff, 2014). The key conflict here is between the executive branch of government and the legislature, a conflict which can be heightened by the ‘authoritarian populist’ claim that only the executive is truly acting on behalf of ‘the people’ (Hall et al., 1978; Hall, 1985). But in this paper, I approach the problem somewhat differently, taking inspiration from Foucault rather than Poulantzas. The conflict that concerns me is not between democratic and executive authority, but between governmental and sovereign problematics and technologies of power. If ‘the essential issue of government will be the introduction of economy into political practice’, what might it mean for economy to be ejected from political practice? How and why might forms of excessive, wasteful and violent power be re-introduced? This re-introduction represents what I term the revenge of sovereignty on government.

Led by Agamben, numerous scholars of economic theology have challenged the depth of Foucault's separation between 'government' and 'sovereignty', together with the chronology that Foucault attributes to this split (Agamben, 2011 ; Leshem, 2016; Dean, 2016, 2019). From such perspectives, the modern *appearance* of a wholly immanent and physiological domain of politics (which Foucault takes often at face value) hides not only its theological precedents but also the residual ways in which sovereign power acts vicariously via governmental power. The model of political power that Agamben traces from early Christianity through to the present is one of delegation, which stands back from active intervention so as to allow 'providence' to work, and yet – by force of analogy and 'signatures' – mediates the transcendent and immanent. This means that government and economics are not as isolated from either metaphysics or political sovereignty as their positivist discourses presuppose.

Nevertheless, we can follow Foucault in tracing the emergence of a liberal *problem* of government, where a plane of political immanence is discursively and technologically constructed, as a site of intervention and knowledge. In Desrosières's useful term, this space of political physics 'holds together' with the aid of numbers, methods, material technologies and experts, in relative (though never absolute) independence from the state (Desrosières, 1998). No doubt, its capacity to cohere as quasi-natural objectivity requires a supportive state, willing to impose 'economy' upon itself and secure a space of emergent, decentralised processes. This space is equally liable to 'fall apart', which may occasion a collapse between spaces of government and sovereignty. With this in mind, it becomes apparent that, in recent years, the terrain on which government seeks to operate has become *visibly and publicly* re-constituted by sovereign action.

The question to be addressed here is of the role of neoliberal rationality in this re-emergence of sovereignty as a problem, and its manifest departure from instruments and discourses of government. In Agamben's terms, we are witnessing a move against 'vicarious' logics of power in favour of direct, unmediated and patriarchal forms of power, or pure sovereigntist decision. Foucault uses the metaphor of a 'blockage' to government, that was 'unblocked' following the Westphalian settlement of sovereignty. In a similar vein, neoliberalism has contributed to an 'unblocking' of sovereign discourses and problematics, which have been brought into the open since 2008.

The paper is structured as follows. In the next section, I return to Foucault's account of the distinction between 'government' and 'sovereignty', and of how the perspective of the former became 'unblocked' in early modern Europe. Though not without their limitations and critics, Foucault's insights point to various conditions of government, and various ways in which it can fail or recede, that are relevant to our situation

today. Secondly, I consider the shifting relationship between government and sovereignty under neoliberalism. While neoliberal rationality is frequently associated with ubiquitous economisation, it also facilitates a crisis in the perspective on *population* that is so central to governmentality, opening the space for *populism* as an alternative. And finally, I consider some of the empirical symptoms and implications of this crisis of governmentality, manifest in new and conflicting centres of sovereign decision.

The ‘Unblocking’ of Government (or the ‘Blocking’ of Sovereignty?)

The modern distinction between sovereignty and government typically hangs on the potential of the former for excessive, unmeasured action, that offers the preconditions of law and civil society (Hobbes, 1996). Schmitt’s focus on the capacity to decide on ‘the exception’ highlights that sovereignty transcends the distinction between legal and illegal, providing law with its condition of possibility (Schmitt, 2010). The extra-legal dimensions of such power, whose decisions can encompass matters of life and death, are mirrored in the figure of what Agamben terms ‘bare life’, a type of living being who lacks either legal or religious status, and whose very existence is decided on by another (Agamben, 1998).

Foucault’s account of sovereignty shares this necro-political interpretation: ‘it is the right to take life or let live’ (Foucault, 2004: 240; Mbembe, 2019). He then contrasts this sharply with a type of biopolitical power (‘the power to make live’), which is dedicated to producing life, and which is manifest in modern government (Foucault, 2004: 247). Government produces and acts within a wholly immanent plane, as a naturalistic perspective on economy and society, aimed at the growth of life and wealth. Distinguishing between power to kill and power to satisfy vital needs and desires, Foucault sees liberalism progressively reducing (though never eliminating) the space of the former. Government exists only in being exercised, rather than as power held in reserve, and penetrates non-state and ‘non-political’ spheres of conduct, so as to test, measure and optimise them (Barry et al., 1996; Foucault, 2007; Rose and Miller, 2013). This is a decentralised and heterogeneous set of processes, that deploys various forms of knowledge to improve society in various ways. It treats society as a natural object, amenable to its own internal laws, which are responsible for the growth, health and prosperity of populations in the aggregate.

Such a strict separation between power to *decide on* life (sovereignty) and power to *produce* and *optimise* it (government) may present an unduly benign picture of actually existing liberal government. It risks obscuring the extent to which liberal societies have been ruled with combinations of force and calculation, law and economics (Dean, 2016).

It potentially obscures the extent to which biopolitical expertise has crossed almost seamlessly between liberal and totalitarian political systems, where it is deployed by executive diktat (Agamben, 1998). Contra Foucault, economic theologians have highlighted that economic reason remains shaped and guided by metaphysical accounts of life and growth, that exceed the limits of immanence (Agamben, 2011; Leshem, 2016; Dean, 2019).

We ought therefore to approach Foucault's binary between sovereignty and government with some caution, and attend to periodic combinations of the two. Nevertheless, this conceptual distinction names and illuminates a series of political transformations that characterise liberal modernity, even while none of these has been perfectly realised under actually existing liberalism. We can trace four key areas in Foucault's thought where the contrast between sovereign and governmental problematics of power emerges most clearly, and often maps onto distinctive political technologies. Firstly, sovereignty is exerted over *territory*, whereas government is exercised through the *population* (Foucault, 2007: 11). Sovereign power is limited by geography: it stops at certain borders, which are publicly declared. Governmental power, on the other hand, is limited by epistemology. Its capacity to discern the logic of demographic, social and economic change depends on the ability to collect adequate data and to produce adequate mathematical models that can represent population. Population emerges as a new site and construct of power, which lies between that of the state and that of the family, and only becomes visible via demography.

The status of the family is critical here. Where the family had once provided a template for political and moral authority, and an analogue for the authority of the state itself, it now became a quasi-natural feature of populations to be acted upon and through. 'The family will change from being a model to being an instrument; it will become a privileged instrument for the government of the population rather than a chimerical model for good government' (Foucault, 2007: 105). Thus, as liberal government advanced over the 19th and 20th centuries, new ways of governing families so as to produce growing, healthy, active, productive populations were developed, including social workers and public health policies, where the family is one site of behavioural intervention among many (Rose, 1999).

Secondly, sovereignty deploys restraints on movement, whereas liberal government aims for constant circulation and movement (Foucault, 2007: 45). Questions of sovereignty arise where borders are involved, as the delineation of territorial integrity and identity. The challenge of sovereignty is to keep the territorial order as it is, to prevent change, and to defend the sovereign (2007: 65). It depends equally on the capacity to overpower individual volition, and to remove freedom – to say 'no' to certain desires and choices, through law and the constraints of physical

punishment (2007: 73). It follows that freedom (from the perspective of sovereignty) consists in doing whatever is not illegal. Government, on the other hand, seeks to keep trade flowing, populations moving, prices fluctuating and so on. In keeping with the logic of liberal economics, the territorial border becomes something to minimise and overcome, and price must be left to change 'naturally'. The motor of population dynamics is individual desire, the natural spring which drives people to seek prosperity, social reproduction, health, security and longer life. Government works *with* desire rather than against it, harnessing the power of individual freedom to expand the life and wealth of the population (Rose, 1999). Maintaining and governing the circulation of people and goods is a means of securing the conditions of prosperity and social security. Even punishment is conceived as a process, through which the guilty party is rehabilitated and their 'interests' are served.

Thirdly, Foucault stresses, the logic of sovereignty is circular, whereas that of government is teleological. Sovereignty is exercised to demonstrate that it exists (as in the public torture and execution of its enemy), and therefore requires public performances. The reason for obeying the sovereign law is that it is the sovereign law. Government, by contrast:

is not a matter of imposing a law on men, but of the disposition of things, that is to say, of employing tactics rather than laws, or of as far as possible employing laws as tactics; arranging things so that this or that end may be achieved through a certain number of means. (Foucault, 2007: 99)

Where the purpose of sovereign acts is to assert themselves as sovereign, the goal of government is contingent on its object. It seeks to optimise populations and processes, in line with their immanent natural processes – to increase health, welfare, productivity and vitality, and to reduce the risk of disease, death, poverty, crop failure and destitution. This does not mean that there is no performative dimension to governmental practices, nor that they do not depend on affective and symbolic modes of authority, but it does imply that interventions are geared towards nurturing and releasing processes that are internal to the 'natural' mechanics of society (Agamben, 2011).

Finally, and as discussed at the outset, sovereignty exists as an excess of power, whereas good government consists in its precision and economy. The force of sovereignty lies in its capacity to *over*-power resistance and disobedience, and its public displays will typically involve parades of weaponry and force, as symbols of violent potential. Government, on the other hand, aims to intervene just enough to divert naturally-occurring processes towards the optimal outcome. As government morphs into liberal political economy, 'the whole question of critical governmental

reason will turn on how not to govern too much' (Foucault, 2008: 13). Economists and calculative devices perform a critical function within and without the state, in questioning and delimiting the use of governmental power. Where government *does* make space for excess is not in force of political will, but in the constant growth of life and its satisfaction, brought within the mathematical constraints of economic reason (Leshem, 2016). The latent metaphysics of government, unacknowledged by secular social science, is its assumption of burgeoning, self-directing vitality, that is ultimately benign.

According to Foucault, a space of governmental problems opened up in late 17th-century Europe, just as a central problem of sovereignty had been resolved by the Westphalian territorial system. Governmental reason was thereby 'released', and 'law recedes', at least in the sense of not providing answers to the biopolitical questions that government strives to answer (Foucault, 2007: 99). This implies reduced reliance on spectacular symbols and gestures of power, and greater reliance on enclosed communities and networks of governmentality, or pure administration, though the spectacular is never abandoned altogether (Agamben, 2011). Mercantilism served as a transitional phase, between sovereign problematics (of territory, defence and warfare) and liberal governmental ones (with naturally occurring processes and movements). Growth in population size, trade, life expectancy, manufacture and agricultural production during this period served to authorise the naturalistic and expert perspective of government, and to highlight the limitations of sovereignty. The very notion of 'progress', as a measurable and predictable collective historical process, is a combined artefact of empirical expansion in material welfare and methodological advances in the modelling and tracking of that expansion. The ability to represent population statistically co-evolves with the ability to improve and grow population, and sovereign law can do neither.

The political art of government, combined with new techniques of demographic knowledge, was therefore 'unblocked' as its benefits became more abundantly obvious over the course of the 18th century. Viewed from the opposite perspective, however, the question is how sovereignty becomes periodically 'blocked' or concealed. From the perspective of political theology, the separation of liberal government is never absolute, seeing as it depends tacitly on underlying reserves of sovereign power, and provides the very biopolitical territory that is most vulnerable to extra-legal sovereign decision (Agamben, 1998). Schmitt blamed the positivist epistemology of the natural sciences for encroaching into legal philosophy and representing the metaphysics of sovereignty in merely mechanical terms (Schmitt, 2010: 48). Vogl has argued that the emergence of a separate space of government at the close of the 17th century was a side-effect of the creation of national debts, which meant that

sovereignty was now inevitably *shared* between military states and financial markets (mediated by central banks) (Vogl, 2017: 161).

In seeking to understand the shifting balance between government and sovereignty over time, we should note Foucault's somewhat cryptic comments on how projects of government can fail, recede or meet resistance. Firstly, viewing people via the lens of 'population' does not guarantee that they will act according to the natural and mathematical logic of population. It is possible that people will refuse to be governed according to the rationality of risk, price and utility maximisation, not least because these rationalities remain tacit and hidden as far as political actors are concerned. When this happens, they go from forming a 'population' to forming a 'people':

The people comprise those who conduct themselves in relation to the management of the population, at the level of the population, as if they were not part of the population as a collective subject-object, as if they put themselves outside of it, and consequently the people are those who, refusing to be the population, disrupt the system. (Foucault, 2007: 43–4)

Secondly, throughout the history of governing (and long before the art of government began to displace sovereignty), governors have faced the problem of individual refusal: conscientious objectors, disruptors, dissidents. The quest for consensus in government is disrupted by forms of 'counter-conduct', of the single individual who refuses the authority of the governor, be it the priest, the teacher or the vaccinator. In the modern era, these disruptions and refusals may not claim any sovereignty of their own, but they nevertheless play a crucial role in reversing the 'introduction of economy into political practice', as we witness today in cases of populist leadership, anti-vax movements, and rebellions against the 'liberal elite'.

On the basis of these reflections on government and sovereignty, the question might be posed: if Foucault is correct about some of the means by which problems of government expand, and those of sovereignty contract, how and why might this process be reversed? It is relatively clear, on the basis of Foucault's analysis, what this reversal would consist of. Firstly, we would witness a resurgence in the politics of territory, protection and borders, and a decline in the politics of population and risk management. Secondly, we would see an expansion of political interventions aimed at fixing people, goods and prices in place, rather than releasing them to move according to their inner nature. Thirdly, we would encounter authority that operated with a logic of circularity, rather than of teleology, focused on performing the symbols of power rather than delivering the outcomes of policy. And finally, we would see a demand that states rediscover the use of excessive force, including to kill,

and dispense with the economic logic of efficiency and measurement. Fluctuations back and forth of this nature are no doubt frequent features of liberal and illiberal states. But the revenge of sovereignty on government has a particular character in the neoliberal context, which is initially counter-intuitive.

The Ambivalence of Neoliberalism

Neoliberalism is frequently identified with ubiquitous economisation, that reduces political metaphysics to a form of economic physics (Davies, 2014). By that account, neoliberalism represents a more complete 'governmentalisation' of the state (Foucault, 2007: 108) than had previously been achieved. The rise of 'new public management', national 'competitiveness' agendas, privatisations and outsourcing of public services from the 1980s produced a new type of state, modelled on the idea of business enterprise, and seemingly shorn of its sovereign qualities. The rise of 'governance' discourses over the 1990s was emblematic of neoliberal trends towards suppressing the distinctiveness of political and democratic spheres (Brown, 2015). The period in which this anti-political governmental expansion was underway was also the one in which participation in democratic politics was steadily declining (Mair, 2013).

Brown has argued that neoliberal critique originates in opposition to fascism as much as to socialism, and it is the need to constrict or eliminate 'the political' that shapes and motivates the neoliberal project from its inception (Brown, 2015). To use the taxonomy derived from Foucault in the previous section, neoliberalism certainly witnesses an ascendancy of governmental over sovereign interventions in a number of critical respects. Firstly, the long history of neoliberal critique demonstrates an effort to transcend the constraints of territory, at least as they are asserted over market activity. Slobodian's history of the Geneva School summarises their project as one of 'ordo-globalism', in which economic regulations would be lifted out of any territorial container and operate on a global scale (Slobodian, 2018a: 11–12). The birth of the European Commission, NAFTA and the World Trade Organisation represent victories for the anti-national, de-territorialising project of neoliberalism.

Secondly, and following this, neoliberalism is quite explicitly dedicated to securing spontaneous movement, at least where prices, goods, services and capital are concerned. It is a project in constraining the power of states with respect to the movements that emerge spontaneously from markets. The 'spontaneous order' imagined by Hayek encompassed prices, consumption, investment and trade, although it didn't necessarily allow a similar freedom to people (Slobodian, 2018b). Nevertheless, there is a distinctively neoliberal mode of social government that aims to energise, activate, 'de-proletarianise' and coach the population, such that it is

psychologically and culturally adapted to enterprise, innovation and risk-taking (Dardot and Laval, 2014; Bonefeld, 2017). As seen in the case of the ‘third way’ during the 1990s, this can manifest itself in high levels of social spending, where investments are aimed at upgrading ‘human capital’ and reducing ‘dependency’.

Thirdly, neoliberalism can be seen as a governmental project inasmuch as it has unleashed a wide range of new forms of utilitarianism. Regulation and anti-trust have been refashioned around the Chicago School doctrine of consumer welfare maximisation, or what is referred to in the anti-trust world as the ‘effects-based’ approach (Davies, 2010). The logic of capital and capitalisation injects a calculative mentality into new spheres of education, the family, healthcare and community (Cooper, 2017). Excess and surplus are funnelled into the economic realm, in the maximisation of profit, consumer satisfaction and private wealth, rather than permitted to be exercised in public in the form of sovereign action.

At the same time, neoliberal states have displayed some strongly punitive and authoritarian qualities, that dispense with economic rationality. As observers of Thatcherism and Reaganism noted early on, these regimes combined respect for economic freedoms with more aggressive criminal justice policies (Hall, 1979; Gamble, 1988; Wacquant, 2009). In the sphere of criminal justice, the demise of Benthamite rational punishment, and the rise of ‘penal populism’, coincided with the start of the Thatcherite era (Pratt and Miao, 2017). This is consistent with elements of neoliberal thought, especially in the ordoliberal tradition, where elements of authoritarianism were present from the outset, as a way of rescuing the free market from socialism and the type of democratic collapse witnessed in Weimar Germany (Bonefeld, 2017). The separation of market laws (and especially property rights) from the space of democratic politics is itself an act of sovereign decision, pitting a de-territorialised market sovereign against that of the nation-state (Slobodian, 2018a: 138).

Crucially, while neoliberalism may resist national territorialism, it’s not clear that it commits to the liberal perspective on ‘population’ (which Foucault saw as a hallmark of liberal government) as its alternative, either in theory or in practice. For instance, the Keynesian statistical construct of ‘the economy’ (Mitchell, 1998) is viewed with scepticism within the Austrian neoliberal tradition, which instead treats ‘the economy’ as sublime and invisible (Slobodian, 2018a: 86). In the space of welfare and social policy, neoliberal reforms act against the logic of ‘the social’ as a macro-object of risk calculation (Rose, 1996). Neoliberal policies may involve increased public spending and policy intervention in social life, but specifically so as to re-privatise risks of unemployment, ill-health, and family breakdown, and create a greater sense of personal responsibility on the part of job-seekers, patients and

parents (Cooper, 2017). Foucault argues that ‘civil society’ was born during the 18th century, as a new sphere of conduct that lay *between* sovereign law (governed by norms) and market reason (governed by calculation), that is irreducible to either the political or the economic (Foucault, 2008: 295). ‘Society’ becomes a space and object of governmental intervention with the rise of the welfare state in the late 19th century (Donzelot, 1991). But neoliberal critique gradually undermines the integrity and visibility of this once-separate domain of existence, re-dividing ‘social’ concerns into those that are matters to be dealt with by law, and those that are the moral responsibility of the individual. While this project may not entirely succeed, its aspiration is the dismantling of infrastructures of governmentality that view events such as unemployment and ill-health as problems that are distributed across populations, to be viewed in terms of statistical probability. These are amongst the reasons that some have read Foucault as an enthusiast for neoliberal critique (Zamora and Behrent, 2016).

Neoliberal political reason therefore weaves between the zones of government and sovereignty, muddying the distinction itself. It deploys an immanentist governmental logic to attack sovereignty, and a sovereignist logic to attack governmentality. The result is an integration of sovereignty and government that bestows a form of extra-legal authority upon economic decision and calculation. Traditionally sovereign centres and modes of power become constrained and hollowed out by rationalities of calculation (as manifest in Chicago School law and economics, for example) while conventionally governmental institutions (such as the welfare state) are empowered to act with impunity and without regard to measurable consequences. The icon of this hybrid sovereign-governmental power is the central bank, where economic calculation is wedded to decisionism, embodied in the figure of the charismatic central banker. Vogl captures this unwieldy fusion, in describing central banks as ‘government of last resort’: the sovereign becomes governmental, and government becomes sovereign (Vogl, 2017: 121). This is not sovereign power deployed vicariously, but sovereignty displaced to monetary institutions.

The ambition to create a hybrid sovereign-governmental power has long been a discrete feature of European neoliberal thought. Slobodian reveals numerous schemes proposed by the Geneva School (such as Mises’ Eastern Democratic Union), which sought to hand legal powers over to transnational technocratic bodies that would be virtually invisible to the nations they ruled over, while traditional symbols of national sovereignty would survive as ultimately meaningless and empty cultural artefacts (Slobodian, 2018a). But the precise effect of the global financial crisis has been to bring this into the open: to reveal *publicly* that sovereignty resides with the technocrats of the central banks and the regulators, inasmuch as they possess the power to declare the ‘exception’ and to

draw on the limitless power of the state to rescue the market system in its state of emergency (Davies, 2013; Tooze, 2018). Government is no longer the *delegate* of the sovereign or a separate space of immanence, but now appears as executive decision-maker. Demanding that this sovereignty be returned to ‘the people’ (which currently belongs to institutions such as the ECB or the Federal Reserve) has, at least rhetorically, been a key component of the populist surge since 2008 (Revelli, 2019).

The fusion of law and economics, sovereignty and government, was neoliberalism’s secret that was never meant to be acknowledged in public, and struggles for legitimacy once revealed. The liberal *appearance* of an immanent economic space, separate from the state, is (or was) crucial to the authority of economics that presents itself in wholly epistemic terms. As Vogl argues, the power of central banks prior to 2008 had depended upon the illusion that they were not political actors at all, and they struggle to define their public role once their autonomy and political power is nakedly visible (Vogl, 2017). Prior to 2008, neoliberal welfare reforms could be justified on the basis that they were ultimately welfare-enhancing, but in the post-2008 context of austerity, the very same policies and reforms appeared nakedly punitive, gratuitous and harmful (Davies, 2016). Austerity itself, justified on the false basis that it would generate prosperity, is exemplary of a new style of neoliberal policy-making that has broken free of utilitarian calculation, operating instead with a sovereign logic of circularity: it is exercised simply because it must be, not because of its effects. The liberal-economic ontology of governing in the name of individual ‘interests’ evaporates. The global financial crisis famously did not derail neoliberalism (Crouch, 2011; Mirowski, 2013), but it fundamentally altered its optics, with destructive implications for the kinds of legitimacy claims that the neoliberal state was able to make. Once the neoliberal state appears simultaneously more authoritarian and more technocratic, it is both strengthened and weakened at the same time (Bruff, 2014).

The legitimacy of neoliberalism, from the mid-1970s to 2008, was therefore heavily dependent on carefully managed optics that concealed contradictions. Neoliberal political rationality offered no space for the public, performative aspect of state sovereignty qua sovereignty, hoping to locate executive decision-making out of sight. Instead, various mirages of sovereign authority are offered instead: nation-branding takes the symbols and traditions of the nation-state and subsumes them under a logic of business investment and market positioning (Aronczyk, 2013); ‘national competitiveness’ agendas subject the executive branch of the state and ‘the people’ to an economic audit, in terms of their attractiveness to mobile capital (Davies, 2014). What Mirowski terms the ‘double truth’ of neoliberalism, namely the ‘truth’ presented to the public (the market as natural order) versus the ‘truth’ understood by neoliberals themselves (markets require construction and enforcement), leads

inevitably to a type of phenomenological crisis in which the displays and the exercise of sovereignty end up in different places, generating a crisis of credulity (Mirowski, 2013). The year 2008 pulled back the screen on this optical illusion, undermining its liberal and democratic ambitions to legitimacy or hegemony.

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The ‘Unblocking’ of Sovereignty (or the ‘Blocking’ of Government?)

The event of the global financial crisis, and the decade that followed it, contains considerable instances of ‘economy’ being ejected from ‘political practice’. Crucially, and unlike prior historical instances of this reversal, this transition is one that has occurred *within* the logic and historical practices of neoliberalism, producing populist mutations of neoliberalism, rather than as a challenge to it (Callison and Manfredi, 2020). If the project of neoliberalism had always been ambivalent towards the place of sovereignty, choosing instead to discretely merge it with government behind a liberal veneer, sovereignty becomes wholly ‘unblocked’ and visible from 2008 onwards. Meanwhile, the perspective and the visage of liberal government recede. This is manifest in the following ways.

First and foremost, the initial state response to the financial crisis was clearly one of excess, and not of economy. The entire logic of the bank bail-outs and subsequently the response to the Euro crisis was to do ‘whatever it takes’. The authorities acted in a way that was distinctively Hobbesian, in the sense that their interventions were geared to performing their limitless willingness and power to act, as an optical effect. Hank Paulson told a Senate Banking Committee:

It you’ve got a squirt gun in your pocket, you may have to take it out. If you’ve got a bazooka, and people know you’ve got it, you may not have to take it out. (quoted in Tooze, 2018: 173)

Governmental tactics are the ‘squirt gun’, useful to the extent that they are practically effective, while sovereignty is the ‘bazooka’ whose power resides in not having to be used – a wholly Hobbesian line of reasoning. But in the process, the expert economic claims that had been made for ‘good’ regulation and policy dating back to the 1970s were abandoned, and the space for excessive political action in and over the economy was re-opened (Tooze, 2018: 165). Economists in treasury departments and central banks found themselves in the sovereign position of deciding on the exception, and were even installed as emergency Prime Ministers in cases such as Italy (Davies, 2013). Tooze notes that the Euro crisis of 2010–12 was only brought under political control at the moment in June 2012 when the President of the European Central Bank, Mario Draghi, publicly declared that the ECB would ‘do whatever it takes to preserve

the Euro. And believe me, it will be enough' (quoted in *Theory, Culture & Society* 2021, Vol. 38(6) 95–118, 438). Tooze notes that this statement was 'self-fulfilling. He spoke the magic words' (Tooze, 2018: 444). The authority of economic calculation shifts from a utilitarian one to an explicitly performative one, inasmuch as the task of the economist is to send credible signals regarding what the state is able and willing to do. To be sure, this had long been the case of central banking, albeit formally unacknowledged (Braun, 2015). The consequence of the financial crisis was to render the 'performativity of economics' (both in the state and in the financial sector) an undeniable dimension of how economic institutions worked (Callon, 1998). Experts who once sought only the acclaim of their peers (the basis of liberal consensus) now sought the acclaim of a people.

Meanwhile, if liberal government depends on the credibility of 'population' as a space and object of intervention, various forces have weakened the credibility of this perspective, especially those that followed the financial crisis and austerity regimes in Europe. As the previous section detailed, the critical logic of neoliberal reforms had long been to weaken the coherence and credibility of population (and associated rationality of socially calculable risks), such that macro-objects of economy and society no longer 'hold together', in the conventionalist sense (Desrosières, 1998). However, we can point to various developments both before and after 2008 that indicate that what Foucault termed the 'security' of population was no longer being pursued. In particular, austerity programs in Europe and the renunciation of fiscal policy from 2010 onwards demonstrated that economic growth was no longer a primary objective of economic policy. Arguably, neoliberalism has never privileged growth per se, and yet a remnant of Keynesian sensibility persisted, especially after the defeat of inflation in the early 1980s.

But other forms of growth also stalled, such as health and life expectancy. Mortality rates in Britain and France started to rise in 2011, for the first time in decades, and life expectancy in Britain fell in 2015–16 for reasons associated with austerity (Hiam et al., 2017; Dorling, 2017). In the United States, the so-called 'Case-Deaton effect' found a steady rise in the mortality rate amongst middle-aged white non-Hispanics starting at the turn of the century, eventually leading to a declining life expectancy of this group by 2013 (Case and Deaton, 2015). These deaths are associated with the absence or withdrawal of social safety nets and social healthcare provision, especially in the context of austerity programmes. However, they are also connected to self-destructive behaviours, resulting from increases in suicide, poisoning and lifestyles that result in heart disease – what Case and Deaton dubbed 'deaths of despair'. The fall-out from the financial crisis is estimated to have caused an additional 10,000 suicides globally (O'Hara, 2017), while in Greece the male suicide rate rose by 20 per cent in 2007–9 (Stuckler and Basu, 2013).

These are symptoms of a state-driven economic and biopolitical recession that departs from the ostensibly progressive logic of liberal government. What Foucault calls the ‘problem of population’ came into being as a specific problem of aggregate *growth*: how to nurture it, manage it, accelerate it. Growth in population, health and wealth would arise naturally due to individuals acting on desires in the marketplace and society, so long as government calculated and offset risks of disease, crop failure, poverty and other threats to life. Absent growth, Foucault implies, and ‘population’ would not be a meaningful construct in the first place (just as ‘the economy’ comes into being as a result of policy-makers seeking to *grow* the aggregate). We might surmise that ‘population’ struggles to retain its epistemic and political hold over collective life, once prosperity, health and life are progressively shrinking rather than increasing.

Post-2008 neoliberalism witnesses a disintegration in the liberal governmentality that anchored individual subjectivity in broader infrastructures of security and welfare improvements. The liberal economic idea of ‘interests’ referred to a calculable telos for both individual decision-making (in the market) and for policy formation (in society), serving to weld the rationality of individual psychology to that of the governmental state. But this category no longer works, where markets, debt and labour market policies take on a moralistic and punitive function that is more focused on the allocation of responsibility and duty than the distribution of welfare (Lazzarato, 2012; Davies, 2016). Austerity regimes take on features that Foucault attributes to sovereignty, delimiting and destroying life, rather than of government, which exists to produce and expand life. As Foucault observed of sovereign power, the purpose is to ensure that things *don’t* change, and that the existing balance of power remains constant (Foucault, 2007: 165).

Foucault’s observation, that where people refuse to be a ‘population’ they form a ‘people’ instead, is highly relevant here. Only, it is less an individual *refusal* to be a population than a steady neoliberal disbanding of the ontology of population as a space of governmental action and improvement. Steve Bannon’s 2017 comment, that the goal of Trumpism was the ‘deconstruction of the administrative state’, represents a continuity between neoliberal critiques of liberal government and populist ones. The possibility and desirability of what Foucault terms individual ‘counter-conduct’ rises, under circumstances where government is no longer seeking to secure the conditions of increased prosperity and life. Post-2008, the space was opened for a new type of ‘dissident’ – the maverick celebrity and political entrepreneur, who challenges the foundational norms of liberalism – to disrupt the political arena. Thus the conditions are put in place to form and mobilise a ‘people’, who are resistant to the calculative logic of social risk and the governmental aspiration towards constant movement of people, goods, capital and prices. If the prime example of the population being ‘secured’ is that of

mass inoculation (Foucault, 2007: 62), which treats disease in the aggregate, anti-vax movements are manifestations of ‘counter-conduct’ in action, where individuals dissent from the logic of collective risk and form a ‘people’.

Linked to this politically is the development of digital techniques of data-mining and algorithmic analysis, which contest the power of liberal statistical tools of population construction (Savage and Burrows, 2007). If we accept that the liberal governmental ‘gaze’, which seeks to sort people into stable categories (such as ‘employed’ and ‘unemployed’; ‘married’ and ‘single’) is a constituent part of how individuals come to conceive of themselves as subjects within populations, bestowed with interests (Ruppert, 2007), then we should also consider how the spread of ubiquitous data capture facilitates a different relation of micro and macro, individual and whole. Crucially, the subject of data capture does not need to conceive of or present themselves in accordance with static categories, which translate into interests; rather, they leave traces of evidence, from which emergent patterns and classifications can then be discerned. And it is not their proximity to a statistical norm that is being evaluated (as is the case under liberal government), but their exceptional identifiers that are sought. There is no form of refusal or ‘counter-conduct’ that truly disrupts this technology, and the individual is never expected to form a stable unit within a population in the first place. Dissent, disruption and refusal become valuable data points through which to learn about affects and behaviours, a mode of algorithmic control that treats the subject as the bearer of passions rather than interests.

The apparatus of liberal governmentality emerged from the late 17th-century onwards through alliances between states, scientific societies and mercantile networks. The project that united them was an epistemological one of producing stable, public and consensual representations of economy and society, in the form of the ‘modern fact’ (Poovey, 1998). By contrast, the apparatus of digital data capture has developed through the meeting of two rationalities, both of which operate outside of the liberal public sphere: market research and military intelligence. The shared project is one of control, of pre-empting, steering and learning from behaviour, with a view to controlling it, not modelling or representing it. Aside from the fact that they necessarily operate in secret (and therefore do not produce statistical objects that ‘hold together’ as public conventions), they also produce new centres of sovereignty that can *decide* on which individuals are permitted to cross borders, receive credit, be picked out for questioning or receive social entitlements (Amoore, 2013; O’Neil, 2016). With techniques of predictive data analytics and psychographic profiling moving seamlessly between military, commerce, policing and electoral politics, so the Foucauldian distinction between sovereign and biopolitical power becomes untenable. Instruments and tactics of power that originate beyond the borders of

liberal society, exercised extra-legally over 'bare life', encroach into civil society.

These are amongst the various ways in which the problem of sovereignty has been renewed since 2008, and the terrain of government has shrunk. The fragmenting of the perspective on population, and the exposure of neoliberal technocracy as excessive and sovereign in nature, resurrects sovereign questions as to where the ultimate and final source of power lies. This produces the conditions in which nationalist, populist, protectionist, territorial and neo-reactionary appeals to 'sovereignty' can flower and take their revenge upon governmentality that had once appeared to eliminate metaphysics from the arena of politics. A cultural symptom of this has been the apparent epistemological crisis of liberal politics, in which modern facts and figures no longer seem to function publicly in a representative capacity, but become performative, affective and symbolic. Sovereignty, which seeks to prevent movement, to fix in place, and to resist progress, renders the border (and threats to migrants) a crucial part of the physics and metaphysics of the state.

Conclusion

There is rising appreciation that the populist and nationalist uprisings that occurred in the context of post-2008 neoliberalism were not so much reactions against neoliberalism as mutations within it. New synthetic categories such as 'neo-illiberalism' capture the fact that, in contexts such as the Trump administration and reactionary populism in Europe, neoliberal economic logic is being welded together with a punitive, moralistic one (Hendrikse, 2018; Brown, 2019; Callison and Manfredi, 2020). Moreover, the expansion of an 'enterprising', profit-seeking mentality into every corner of social and political life provides unexpected legitimation for the type of clientalist opportunism of populist leaders who exploit their power for personal and family gain, blending business interests with the state. This paper broadly shares this diagnosis, identifying a continuity between the neoliberal ambivalence towards liberal government that turns into hostility post-2008, and thereby 'releases' a fresh 'problem' of sovereignty.

While many perspectives on the new authoritarianism focus on the escalating conflict between constitutional democracy and executive power, my Foucauldian approach has emphasised the changing balance between sovereign and governmental problematics and technologies of power. This retains the central advantage of Foucauldian political theory: it de-centres the state, and always considers the state in relation to non-state networks of knowledge, calculation and control. Sovereignty is a curious entity, in that where it is most firmly established, it ceases to be a 'problem', and then appears to recede. It becomes ritualistically

performed to confirm its existence, but is no longer relied upon, precisely because it is recognised. It is at this point that it is able to act vicariously via delegates of experts and networks of governmentality, producing the illusion that it has withdrawn from 'economy' and 'society' altogether. Sovereignty is always a partly phenomenological achievement, which confirms the availability of limitless, quasi-theological reserves of power, through symbols and public performances. But it becomes a 'problem' when such performances cease to work effectively, when the identity of the sovereign is thrown into question, and when it becomes enmeshed in governmental problems all over again.

That sovereignty has reappeared as a problem post-2008 is initially a symptom of the fact that economy was violently ejected from political practice during the financial crisis. Once released like this, it is difficult to re-embed it again quickly. But, in conclusion, we might also speculatively consider the extent to which sovereignty is being problematised by uncertainty over where it ultimately resides. There are numerous contenders in play. First of all, there is the neoliberal ideal that sovereignty ought ultimately to lie with the price system of a sublime, un-knowable global economy, outside of any political control (Slobodian, 2018a). This is a type of 'negative theology', where the final decision rests outside of all institutions. The neoliberal financial system pulls towards this teleology, doing considerable harm to the credibility of democracy in the process (Streeck, 2017), but ultimately remains dependent on state sovereignty as exercised by central banks and treasury departments, an alliance that becomes public in the context of bail-outs and quantitative easing, resulting in political outrage that swiftly turns into a counter-sovereignty of 'the people'. The libertarian response to this is to push sovereignty towards state-less forms of finance and money – crypto-currencies and extra-legal types of code.

Secondly, giant technology platforms (and their algorithms) are increasingly acting as final decision-makers over the regulation of markets, security enforcement and arbitration of civil disputes (Pasquale, 2015). Pasquale refers to the 'functional sovereignty' of platforms such as Amazon, which act as regulators and lawmakers for markets, as much as competitors in the market (Pasquale, 2018). Van Loo refers to 'the corporation as courthouse', whereby ratings agencies and other intermediaries are responsible for dispensing justice to consumers, borrowers and internet users in general (Van Loo, 2016). Facebook announced plans in 2019 to establish its version of a 'Supreme Court' for content moderation, whose authority would be higher than any Facebook employee. And as data analytics firms become increasingly critical to state security services and border control, sovereignty drifts towards the private sector contractors who have the ultimate decision regarding the threat level of a given individual (Amoore, 2013). Judgement drifts

towards opaque codes and algorithms, which exist in a permanent state of exception, neither within nor without the law.

Then there is the populist appeal to ‘the people’ as the source of sovereignty, whose will is executed via their leader. Populism, as its leading theorists have noted, is a rhetoric first and foremost, and is heavily dependent on a complicit media (Mudde and Kaltwasser, 2017; Müller, 2017). It takes aim at those in public offices of various kinds (including journalists, judiciary, civil servants and professional politicians), and dismisses them as a single, corrupt ‘elite’, and suggests that sovereignty belongs to the ‘ordinary’ or ‘real’ people. No doubt this is highly dangerous, especially when it is wedded to ethno-nationalist delineations of ‘the people’. It accelerates the corrosion and dismantling of liberal proceduralism and creates space for demagoguery. It accelerates the ejection of economy from political practice, and especially from political rhetoric, with rhetorical excess and violent metaphor becoming crucial to the charismatic authority of the leader. However, beyond the rhetoric of national and popular sovereignty, the populists of the post-2008 era have not shown much willingness or ability to contest the non-national sovereignties of financial markets and platforms. In that sense, the appeal to ‘the people’ is a performative act of valorisation and differentiation, that has the ‘circular’ quality that Foucault associated with sovereignty and rejects the utilitarian logic of ‘population’. But lacking legal or constitutional foundations, it can equally be seen as an extension of a neo-liberal logic of accreditation and valorisation of human capital and national distinctiveness.

The ‘revenge’ of sovereignty on government is an effect of the neo-liberal ambition to discretely pass executive decision over to exceptional centres of technocratic decision-making, including private firms and central banks. It reasserts sovereignty as the ‘problem’, and not government, precisely because it becomes apparent that sovereignty is no longer centralised, unified and uncontested. To be sure, the metaphysics and divinity of decentralised economic government are arguably effects of the Christian valorisation of God’s infinite life-giving force, which marries biopolitics to transcendence, and not simply the achievement of neo-liberalism (Agamben, 2011; Leshem, 2016). But the crucial thing today is that this is now recognised, and ‘the economy’ can no longer be treated as an object governed by immanent causality. Sovereignty becomes a problem because it has broken free of its traditional solutions, as they had appeared as convincing displays and performances. Where the populist right finds itself in government, it does not dramatically rediscover a territorially-bound sovereign force, as in the Westphalian imaginary, but strikes alliances and combinations with non-state centres of sovereign power, in the financial sector and platform capitalism. One thing that these plural centres of decision share is a rejection of, indeed an antipathy to, the liberal perspective on population.

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