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Summary

We live in a society that is straining for control. Driven by fears about the risks of being a victim of crime, that intermingle with a more diffuse and inchoate sense of insecurity, we clamour for new measures to try and regulate the people, places and behaviours that we believe threaten our sense of security. As a consequence, our public and private lives are increasingly subject to a range of formal and informal controls. For example, public interactions increasingly take place under the gaze of the unblinking electronic eyes of CCTV surveillance systems, whilst many people undergo forms of therapy in an effort to repair what they believe to be their 'flawed' personalities. At the same time, politicians from across the political spectrum respond to our demands, introducing punitive measures to control crime, such as 'three strikes and you're out' laws, or advocate a philosophy of 'zero tolerance', to deal with the seemingly encroaching disorder.

This is not of course a movement in one direction. At the same time as our society is straining for control, it is also straining for freedom. Much has been written about how contemporary late-modern societies are defined by changes in the institutional order and particularly the increasing erosion of the traditional systems of class stratification that were constitutive of modernity. Indeed, perhaps somewhat counter-intuitively and paradoxically, it is in part the increase in freedom that is responsible for the increasing demands for enhanced control. In a world where we believe that the traditions, bonds and social ordering of society are increasingly

fragile and fragmented, our cognitive and affective responses are to try to manufacture more of what social scientists term 'social control'.

Social control is one of the key concepts in the lexicon of the modern social and political sciences. It has been found to be present across a range of fields and establishments including: the education system (Willis 1977); the welfare state (Offe 1984; Gough 1979); psychiatry and psychotherapy (Horwitz 1982); workplaces (Zuboff 1988); and more obviously crime control (Garland 2001a). As a concept, its centrality stems from its intimate connection to the issue of social order. One of the central and recurrent concerns for social scientists has been the question of how individuals, groups and societies organize their lives together? How is it that patterns, conventions, routines, traditions, formal organizations and institutions, come into being, are maintained and reproduced? That is, how do social actors, both intentionally and unintentionally, on a personal level and when acting in groups, come to conform with norms and rules so that the social world can be understood as ordered, rather than chaotic? And then relatedly, what happens when they deviate from these orderings?

We can see then that the concept of social control is potentially extremely useful in understanding social life. Indeed, it is because it is so important and so central to the concerns of social scientists that it has become something of a 'fuzzy' concept. It has been used in so many different ways in relation to so many different contexts that its meaning is often difficult to define.

In this book, I will explore what is meant by the concept of social control in order to understand how and why it has been used in different ways by different writers. In so doing, I will also describe and analyse some of the key dimensions of how social control is performed in late modernity, thereby showing how a focus upon the conduct of social control can assist in understanding some important aspects of contemporary society. This approach reflects my belief that ideas about social control, and the ways in which control is carried out in practice, are intimately connected. Ideas shape how social actions are conceived of, in turn though, the conduct of controlling acts and the problems that are experienced in performing them, are often reflected in the ideas that surround practices.

In what remains of this short introductory chapter I will rehearse the argument to be developed throughout the rest of this book. This rehearsal reflects the fact that, as will become apparent, social control is an especially complex area of social life and of social theory, and therefore an overview of the area is useful to the reader in terms of showing how the various ideas and practices to be discussed connect up. I will start by considering how the concept of social control is understood today and then progress to a discussion of how this definition can inform the ways in which we look at and interpret what is going on around us.

A contested concept

Today, the term social control is often used to refer to some form of organized reaction to deviant behaviour. This approach is based upon the seminal work of Stan Cohen, who defined social control as:

... those organized responses to crime, delinquency and allied forms of deviant and/or socially problematic behaviour which are actually conceived of as such, whether in the reactive sense (after the putative act has taken place or the actor been identified) or in the proactive sense (to prevent the act).

(Cohen 1985: 3)

This is very similar to the definition used by Donald Black (1976: 1-2), who posits that:

... social control is the normative aspect of social life, or the definition of deviant behaviour and the response to it, such as prohibitions, accusations, punishment, and compensation.

According to this formulation, social control refers to the purposive mechanisms used to regulate the conduct of people who are seen as deviant, criminal, worrying or troublesome in some way by others. Over time, the ways in which different cultures understand and respond to different forms of problematic behaviour changes and alters. The cause of the problems may be attributed to criminality, deviance, immorality, wickedness, perversity or some combination of these. Similarly, the mechanisms employed to achieve control can variously include forms of punishment, treatment, deterrence, segregation or prevention (Cohen 1985). Whatever the combination of factors that is used to understand and react to trouble, the objective is to enact control over behaviour that is viewed as deviant in some sense.

Cohen developed his 'narrow' definition because, as he saw it, the ways in which social control had previously been defined by some theorists had led to it becoming a 'Mickey Mouse' concept. He was concerned that the more 'open' definitions in circulation lacked sufficient analytic precision to capture a specific quality of social life. The concept had been used in so many different ways and in respect of so many social problems that it had lost all sense of meaning. In his words, it had simply become 'dissolved' into everything (Cohen 1994).

Reviewing the sociological literature in this area, Meier (1982) identifies that social control can be found in three main contexts:

- (a) *As a description of basic social process or condition.* This approach is associated with classical sociological theory and as such was the dominant definition in the first half of the twentieth century.

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- (b) *As a mechanism for ensuring compliance with norms.* This position has its roots in the earlier definition and comes to prominence in the 1950s.
- (c) *As a method by which to study (or interpret data about) social order.* This is the most recent formulation, but in many ways represents a return to earlier views.

An example of the loosely defined version of social control that Cohen is so critical of can be found in the work of Joseph Roucek writing in 1947, who understood social control as:

... a collective term for those processes, planned or unplanned, by which individuals are taught, or compelled to conform to the usages and life-values of groups.

(Roucek 1970: 3)

And, more recently Horwitz (1990: 5) has suggested that, 'Social control emerges out of and serves to maintain the ways of life and social practices of groups.' Many social scientists would tend to see such descriptions as more akin to processes of 'socialization', than social control. For Cohen, as definitions of social control they are too 'loose' and are so flexible that they could be used to describe too many different types of situation and behaviour.¹ This lack of definition is what Cohen attempted to overcome. Nevertheless, they are important in terms of signalling the extent to which the idea of social control is coherent with and overlaps with some of the central concerns of the social sciences, particularly – processes of inequality, power, coercion, socialization and persuasion.

Although restricting its focus to programmed responses to deviant acts, Cohen's definition remains sufficiently flexible to encompass the direct enactment of social control strategies by the state or by more autonomous professional agents such as employees of private corporations and psychiatrists. This recognition of the part played by non-state agents is afforded an even higher profile in the work of Donald Black (1976; 1984a) and his students. Black, who has been a highly influential figure in the field of social control studies, argues that much work in this area has been overly concerned with the role of the state and legal institutions, ignoring the fact that state action is perhaps only a comparatively minor component in terms of how social actions are controlled in everyday life (Black 1984a). Developing this position, Baumgartner (1984) argues many authors have neglected the potential for 'social control from below'. As Black (1976; 1984a) explains, people tend to use the formal state apparatus of social control, underpinned as it is by the law, relatively infrequently. Most conflicts are resolved without recourse to the law or formal social control. A solution is often negotiated or the deviation tolerated and the imposition of formal social control tends to be a function of increased relational distance. The better people know each other, the less likely they are to use formal social control to resolve their conflicts. Extending the logic of this 'norma-

tive' argument, Black (1984b) posits that much of what in Western societies is typically classified as criminal activity, for example violence against the person, can in many cases be understood as a form of self-help, where one person seeks to exert a degree of control over another. Therefore, Black argues, we need to be aware of the extent to which the performance of the majority of social control in society is informally based.

The definition of social control as an organized response to deviant behaviour is not uncontentious. As will be discussed across several chapters in this book, it has been suggested (or at least implied) by a number of contemporary authors that the nature of social control in late-modernity has changed to such an extent that Cohen's definition no longer captures all of the ways in which control is routinely enacted. Stated briefly, they maintain that control-type technologies and processes no longer tend to be restricted to focusing upon those activities that are defined as deviant. Rather, controls have become embedded within our key institutional forms to such an extent that we are all subject to different types and combinations of control as we go about our daily lives, whether our behaviour could be considered deviant or not. Thus it has been suggested that these circumstances necessitate a markedly different conceptualization of social control from that provided by Cohen, and over the course of this book, I will examine the strength of this line of argument. In so doing, I will suggest that this revisionist position is effectively developing an understanding of control as behavioural modification where it is construed as any action intended to change people's behaviour.

Throughout this book I tend to rely upon Cohen's definition to orientate my analyses of different modes of social control, because this is the more established approach. However, in the final chapter I will reflect upon the ways that contemporary developments are stretching Cohen's formulation to such an extent that we need to revisit the definition of the concept. Synthesizing aspects from Cohen's definition and the more revisionist approach, my argument will be that social control can be thought of as a master-concept, comprised of an array of different control modes and technologies. And, as such, if we introduce three additional concepts of 'ambient', 'organic' and 'manufactured' social control, we can reconfigure Cohen's definition in such a way as to retain its analytic purchase for the conditions of late-modernity.

Social order and social control

From my opening remarks it should be apparent that I perceive there to be a close affinity between social control, and social order. Goffman (1971) provides a useful definition of social order where he suggests that:

When persons engage in regulated dealings with each other, they come to employ social routines or practices, namely, patterned adaptations to the rules – including conformances, by-passings, secret deviations, excusable infractions, flagrant violations, and the like. These variously motivated and variously functioning patterns of actual behaviour, these routines associated with ground rules, together constitute what might be called a ‘social order’.

(Goffman 1971: x)

This is a deliberately broadly conceived array of conduct, reflecting Goffman’s belief that, ‘The study of social order is part of the study of social organization; however, a weakened notion of organization is involved’ (Goffman 1971: x).

Drawing upon this definition we can distinguish between the meanings of social order and social control. The enactment of social control is often intended to protect a state of social order, but social order is not solely the product of social controls. Rather, the concept of social order refers to the conditions of existence of a society, in that every society intrinsically has a degree of organization and thus a social order. A social order is not static, but is constantly in process, being produced and reproduced by the combined attitudes, values, practices, institutions and actions of its members. Thus social order is composed of the diverse sets of ideas, actions and interactions, which in some fashion contribute to the ongoing constitution of societal organization. The boundaries between social ordering practices and social controls are neither fixed nor stable, and over time, shift their balance. But as will become apparent, especially in Chapter 4, establishing such a distinction is useful in undoing some of the confusion that has emanated from the ways in which the concept of social control has changed over time. For, if social order refers to the state of a society, and the organized arrangement of its key knowledge, values, actions, institutions and establishments, social control refers to the process by which attempts are made to manage that which deviates from or conflicts with the social order.

Refining the concept

A further layer of complexity, in terms of understanding the idea of social control, stems from the fact that, within the literature, a distinction is routinely made between ‘formal’ and ‘informal’ social control. Black (1976) suggests that formal social control relates to any occasion where the imposition of control is based upon, or informed by, the presence of law. Any other controlling activity can be defined as the informal kind.

Whilst Black’s solution is attractive, in that it provides a sense of clear unambiguous definition to the territory, its problem is that when applied to

many empirical situations it is perhaps too simplistic, failing to capture the complexities involved. For instance, studies of the police and other law enforcement agencies have frequently documented that there is a marked tendency towards the under-enforcement of the law by officials (Hawkins 1984; Reiner 1992). In effect, many conflicts and problems are formally dealt with through informal and negotiated means. Thus we are left wondering whether such incidents should be classified as examples of formal or informal social control? Further ambiguities of this kind are presented if we consider an establishment such as a school. It has been convincingly argued that, through instilling particular norms and knowledge in young people, schooling constitutes one of the most potent and important sources of social control that exist in complex societies (Willis 1977). And yet, whilst many would recognize this function, perhaps few would see it as being the primary intended purpose of the school system to do this. We are therefore left to ponder whether this should be classified as an example of formal or informal social control.

An alternative way of understanding how social control is conducted reflects the fact that social control can be either reactive or proactive. Reactive social controls are those used to respond to something after it has taken place, an example of which would be the conduct of a police investigation into a crime. But some controls are proactive: this involves the calculation of the probability of an act occurring at some point in the future and the manufacture of some form of intervention in anticipation of this. In essence, this is a predictive form of control. As will be discussed in due course, it is the development of forms of proactive social controls and their application in relation to a range of social problems, that has been one of the most important features of the development of the late-modern social control apparatus.

Cohen (1985) usefully differentiates between controls with a ‘hard-edge’ and those with a ‘soft-edge’. Hard-edged controls are those where coercion is present and evident in the controlling action. In contrast, soft controls are more subtle involving psychological and therapeutic forms of diagnosis, persuasion and intervention, that aim to deal with deviancy of different kinds without recourse to the ‘harder’, more coercive, techniques employed by the formal social control system.

In his study, Black (1976) distinguishes between forms of ‘vertical’ social control to account for the power differentials that frequently exist between controllers and the controlled. ‘Downward’ social control is the most common form, involving someone with more power or authority regulating the behaviour of individuals or groups with less. However, social control can also be ‘upwards’, involving the less powerful shaping the behaviour of normally more powerful individuals or groups.

Black (1976) identifies four key ‘pure styles’ of social control, each of which has its own way of defining deviant behaviour, its favoured responses, language and logic.² In *penal control*, certain conduct is prohibited and enforcement of these prohibitions involves the whole group

seeking to determine the guilt or innocence of the alleged offender. In *compensatory control*, the initiative is taken by the victim alleging that someone else has an outstanding obligation to them. Whereas both of these styles of social control are accusatory, *therapeutic* and *conciliatory* styles emphasize a sense of restoration and repair. In the former, a condition is diagnosed for which therapy is taken in order to restore normalcy to an impaired personality. Conciliatory control aims to repair the harm to a relationship caused by some dispute.

It is evident that there are a variety of permutations present in terms of how social control is both understood and practised. The purpose of this discussion has been to review some of the conceptual issues that pertain to understanding the concept of social control. These theoretical concerns will be developed and elaborated upon in the next chapter. For now, in what remains of this chapter I want to sketch out an overview of how these conceptual ideas can be used to diagnose the ways in which social control is conducted in contemporary society.

The late-moderns

Many social scientists are agreed that, to a greater or lesser extent, over the past three decades or so, Western societies have entered a new phase in their ongoing development. A number of different labels have been used to describe this new era, including post-modernity, hyper-modernity, high modernity and late-modernity. For my current purposes, the subtle distinctions and different emphases captured by the different labels are not that important. I will use Giddens's (1990; 1991) analysis of late-modernity to describe the contemporary situation, because of the sense of connection it provides to the earlier period of modernity, thereby suggesting that the current period is probably best understood as marked by an amplification, intensification and acceleration of trends first noticeable in modern societies.

If there is disagreement amongst theorists as to the label that is to be used, there is widespread agreement that we are living through a period where there are fairly profound revisions taking place in respect of some of our key social structures, institutional and organizational arrangements, and modes of understanding both who we are and the world around us. This involves transformations in: the logics of capitalism (Lash and Urry 1997); a shift in the composition and role of the state and its agencies (Rose 1996; Rhodes 1997); the spread of networked forms of social organization (Castells 1996; 2000); a more malleable and fluid sense of identity (Hobsbawm 1994; Bauman 2000; Williams 2000); changes in the use of space (Harvey 1995); and a shift to routinely exchanging, interpreting and storing information through media of interpersonal and mass communication (Thompson 1995; Castells 1997).

Overall then, the late-modern experience is the combined outcome of these social forces, giving the sensation of a world that is constantly undergoing change, moving at pace, and based upon a more fluid form of social order. Traditional systems of stratification have been eroded, if not abolished, and traditional moral orders feel less binding than they did before. People are more mobile and this has implications for the sense of connectedness that they feel with each other. At the same time though, situated in the midst of this flux, in a world that feels as though it is both falling apart and yet still hanging together, many people feel vulnerable and seek a sense of security. For Giddens (1991), the management of this deeply ingrained, existentially based 'ontological insecurity' is a key component of late-modern citizenship. There is a diffuse 'ambient insecurity', and as might reasonably be predicted, its presence has induced important changes in the logics and practices of social control. As Altheide (2002) has suggested, the presence of fear and insecurity has been crucial in articulating demands for more and better controls.

The argument that will be developed in the rest of this book is that recently the ways in which social control is both conceptualized and practised have started to be reconfigured. These changes are part and parcel of wider and deeper shifts in the prevalent conditions of late-modern social order. Stated briefly, the reconfiguration has involved an increasing pluralization, diversification and layering of controls. Social control has also been embedded in the routines of many everyday situations, permeating the fabric of social life and thereby becoming more opaque. As part of these changes, it appears as if previously distinct control institutions and systems are starting to join up, producing a control apparatus composed of interleaved and interlocking practices, mechanisms and objectives. Thus the social control apparatus is expanding, at the same time as parts of it become more intense.

In developing the argument sketched out above, it is important to note that I do not argue that social control in late-modernity is a fully-integrated, holistic, all-encompassing system – this is not an accurate description. Rather my argument is that we are experiencing a situation where previously separate systems are *starting* to connect up in new ways. It is not inevitable that such connections will be made or sustained. Furthermore, it is also the case that not all parts of the control apparatus are changing, some continue much as before, whilst others fall out of use. Reflecting on some of these issues, later in this book I will propose that analyses of social control can benefit by separating out the ideas and intentions, programmes, evaluations and explanations that attend to empirical instances of social control. These different dimensions point to some of the tensions that exist in the literature and also in terms of how social control is enacted in late-modernity.

In order to refine this sketched outline, it is necessary to show how and why these ongoing and emerging arrangements have evolved out of those

institutions can be understood as contributing to the construction of social order and the performance of social control. I have also discussed the ways that constructed classifications such as gender and race may interact with these other factors. To conclude this chapter though, I want to consider the influence of a factor that has served to shape the very constitution of social order – mediated communication.

The impact of media on social life has been diffuse and multifaceted (Briggs and Burke 2001). From the point of view of this book, its especial significance is that the proliferation of media of communication has changed both what people know and how they come to know it. Mass communication through television, newspapers and radio allow people to know (or at least have an approximation of knowledge) about events that they have never, and possibly will never, directly experience. They create the sufficient conditions for what Marshall McLuhan famously dubbed 'the global village'. That is socially and temporally distant individuals can hold knowledge in common, as a result of the ways in which these media of communication transcend time and space (Thompson 1995).

In so doing, according to Meyrowitz (1985), the proliferation of media has altered the very nature of contemporary social order. He maintains that the transfer of information provided by media, as channels of communication, facilitates an awareness of issues and problems that we might otherwise remain ignorant of. The crucial impact of mediated communication is the progressive erosion of the boundaries between public and private. Coverage of stories by journalists and other media workers routinely transform private troubles into public issues.

The fact that media can function in this fashion has sometimes been mistaken for the idea that it always works in this way. A number of oversimplified analyses have cast media as an explicit mode of social control. Indeed, just such an approach was a feature of many early forays by social scientists into discussions of media effects. In various guises and under a number of theoretical frameworks, early studies often identified media as a primary form of social control, directly determining the responses of audience members. But to conceptualize the workings of media in this way misses the more subtle and nuanced ways in which it works. It is for this reason that I have argued above that media is best understood as a social ordering mechanism. This is not to say that mass media are never used to generate social control, but more often in late-modernity, media are important not because they determine what people think, but because they shape the issues that people think about.

It is an established orthodoxy of studies of mediated factual communications that one of the primary functions of news organizations is to select which events become news. They function as bureaucracies, utilizing institutionalized criteria of 'newsworthiness' to select events which they believe will cohere with the interests of their target audience (Rock 1973; Altheide 1976; Gans 1979). Pragmatic imperatives are thus central to

the selection of events for coverage – for example, can a reporter and if necessary a camera crew get to the location in time? News is often time dependent and news organizations view themselves as being in competition to 'break' new stories. Moreover, news has to have a sense of 'newness' about it, there are thus pressures to maintain a flow of potentially interesting stories, which often establishes a form of 'symbiotic' relationship between reporters and their key sources of stories (Chibnall 1977; Innes 1999a). From such arrangements, journalists obtain access to a succession of potentially interesting stories, whilst the suppliers of the stories are provided with an opportunity to engage in a form of 'impression management', promoting a positive image of themselves to the public (Schlesinger and Tumber 1994).

This selection effect may be significant in as much as it may contribute to the definition of what are the kinds of issues that members of the public come to be concerned about and thus which incidents control agencies focus their attention on. Moreover, in certain circumstances, it has been suggested that media become more explicitly involved in the conduct of social control. In his discussion of the dynamics of 'moral panics', Cohen (2002) shows how the reportage of events can, if the prevailing social conditions are right, institute a process whereby isolated events are constructed in a fashion that they demand a coercive law enforcement response and become a 'politicized' issue – what Manning (1996) has latterly dubbed 'an axiological political event'. The processual qualities of a moral panic, as identified by Cohen, show how journalists' reporting of events can enhance the law enforcement apparatus of the state. By reporting events that key to people's fears in an emotionalized tone, and by focusing upon particular types of issues, news media contribute to defining what problematic issues the public are thinking about, channelling their insecurity and guiding demands for enhanced control (Altheide 2002).

A recent example of this phenomenon in both America and Britain over the past decade or so, has been the social construction of the problem of child sexual abuse and paedophilia. Through a comparatively small number of serious crimes against children, such as the cases of Michael Jackson and Sarah Payne, which have received 'saturation' media coverage, the idea of child sexual abuse, and fears about predatory paedophiles, has emerged as a key social problem. In both America and Britain, governments have introduced measures to increase the surveillance of children and to control the activities of those who are thought to pose a risk to children's safety. This has emboldened the processes of encouraging welfare agencies to become involved in social control work, as described above. The small number of serious crimes against children which have been extensively reported by media organizations have been central in creating popular fears which have been translated into politicized demands for expansion and intensification of the control apparatus.

By focusing upon and disseminating the details of a small number of especially dramatic, but fairly rare crimes, journalists construct

which preceded them. A useful resource in conducting such a diagnosis is Cohen's (1985) metaphor of the 'social control net' and the processes of 'net widening' and 'net deepening'. Describing the 'destructuring' movement of the 1960s, he sought to explain how reforms motivated by well-intentioned, humane interests to limit the spread of state social control and to identify alternative responses to deviance, could have unintended consequences that resulted in the almost paradoxical expansion, rather than contraction, of the social control system (Cohen 1994).

One of the most noticeable aspects of living in late-modernity has been the ways in which new forms of technologically based social control, such as surveillance cameras, listening devices and the analysis of genetic materials, have been introduced in an effort to assist in the control of different forms of deviant behaviour. A metaphor of 'layering' can be used to capture the sense in which the introduction of these new forms of social control has frequently tended to supplement and augment, rather than simply replace those already in use. This is an important dynamic in terms of understanding the nature and logics of social control in the late-modern era. For it is not simply a question of new controls replacing old. Traditional approaches to the control of deviance have continued to be used, but increasingly they are supplemented and/or refined by new laws, technologies and agencies, the overall effect of which is to expand the extent to which different aspects of our lives are regulated and controlled. Increasingly, control has been established as a more explicit function in a variety of social arenas, extending the reach of control, thereby encouraging previously discrete control systems to become joined up.

Reconfiguring the control apparatus

Contemporary definitions of social control tend to combine a sense of it being either conformity inducing or deviance repressing (Hudson 2002). This reflects the sense in which late-modern social life is profoundly shaped by the institutionalization of attempts to exert a degree of control over an array of dangers, hazards and risks that are perceived to impinge on our levels of security (Beck 1992). Garland (2001a) argues though that crucial to understanding the reconfiguring of social control has been the issue of crime. For Garland, it is the problem of crime and the related phenomenon of fear of crime that have emerged as central concerns for late-modern social life. His analysis of the emergence of a 'late-modern crime complex' and its constitutive 'criminologies of everyday life', and 'criminology of the other', suggests that a range of factors have coalesced to produce a situation wherein crime has been established as emblematic of a number of different forms of deviance, over which control is routinely sought and demanded. It is a vehicle where wider concerns about order/disorder and security/insecurity are acted out.

Massive increases in the levels of recorded crime and the spread of 'the criminologies of everyday life' to manage the risks and fears associated with it, have transformed the social problem of crime from an exceptional occurrence to one that appears to be part of everyday living. Crime (or at least the belief of the potential to become a victim of crime) is significant because it is a problem that ordinary people experience fairly regularly, and can thus use as a metaphor and vehicle to articulate the sense of existential insecurity they feel (Girling et al. 2000). By talking about crime and crime threats, they can give a material form, both to their immediate concerns about victimization, and to more diffuse and nebulous anxieties that stem from the institutional structures (or felt lack thereof) of late-modern living. It is for this reason that a number of the more profound developments in the late-modern social control apparatus have pivoted around issues of crime and disorder.³

Having identified that the logics and practices of social control have changed, what is required is an analytic framework to identify how these have changed in particular ways. A number of theorists including Young (1999), Rose (2000) and Garland (2001a) have argued that there is a detectable trend towards a bifurcation of control. The socially included sections of society, when subject to censure for engaging in deviant acts, tend to be subject to reintegrative forms of control, whereas, individuals drawn from more economically and politically marginalized groups, are dealt with via means that serve to reinforce their exclusion.

As crime has been constructed as a symbolic as well as an actual threat to people's sense of security, so increasingly a diverse array of institutions and establishments have been reconfigured in order that they should play a part in assisting to control crime. So for example, architectural design has increasingly had to incorporate ideas of 'natural surveillance' to help design out crime. Welfare benefit agencies have been given greater enforcement powers to help them detect and censure bogus claimants and their mission is increasingly presented in discourses of control rather than assistance.

One of the defining characteristics of late-modern forms of social control is that, whereas previously different sites and sources of control were fairly distinct and discrete, increasingly the boundaries between them are being blurred. Discourses of welfare have been usurped by those of control, and the implementation and delivery of social control is increasingly based upon and leading to the establishment of overlapping and interspersed strategies, technologies and actors. These connections are 'vertical' in that individuals, communities, and a variety of public agencies have all been enlisted into a plethora of state sponsored programmes designed to tackle crime, fear of crime and antisocial behaviour. They are also 'horizontal' in that public and private agencies have been encouraged to participate in multi-agency partnerships cutting across traditional jurisdictions and boundaries. Thus we have policing, prisons, probation, youth offending teams, private security officers, social workers, drug action teams and

Conformity inducing or deviance repressing

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Crime & fear of crime are central

Crime as vehicle of concern

doctors, routinely working alongside neighbourhood watch, community renewal projects and crime and disorder partnerships. It should be apparent, that to some extent, we are all both the subjects of control efforts, and at the same time encouraged to participate in the conduct of control, both of ourselves and others.

One field where such trends have been particularly evident is policing, where there has been a succession of new strategies introduced in an attempt to address various dimensions of the problem of fabricating social order from social conflict, as well as preventing and detecting crimes. Community policing programmes have deliberately sought to enhance police-community relations in an effort to encourage community members to participate in order maintenance work and in supplying information to police to assist in solving crimes. Such reforms have focused upon the role of the public police, but increasingly their role has been augmented and supplemented by the provision of private policing services (Johnston and Shearing 2003). Indeed, this is indicative of a broader and more pronounced trend, wherein the performance of formal social control functions has come to rely less on state agencies and to involve a whole host of public and private organizations and individuals.

Equally radical transformations have been taking place in the penal system, in terms of how deviants are punished and the justifications provided in terms of why these punishments are imposed. Of particular consequence to the argument that will be developed over the course of this book, is the implementation of a range of new community based punishments, sometimes utilizing new technological advances, as is the case with electronic tagging schemes.

Technological advances have been especially important in relation to the rapid growth of surveillance. Arguably, it is the growth of a range of different types of surveillance, together with their integration into a variety of social situations, enacted with different purposes, that represents the most important shift in terms of how social control is conducted. But it is not just in the field of surveillance technologies where important changes have occurred. An especially important issue in any discussion of contemporary control strategies is the ways in which the very landscape of late modernity has been transformed to enable more control. Controls have increasingly been designed into the physical environment, in an effort to improve the efficacy and efficiency of social control. Such shifts in practice have been premised upon the idea that reforming deviant people is difficult, it is therefore more practicable to change the nature of the situations in which they act, particularly by reducing their opportunities to engage in deviance (Felson 1998). For a number of commentators and theorists, the reforms associated with situational crime prevention initiatives constitute one of the most important dimensions of late-modern approaches to social control (Hope and Sparks 2000).

Although some of the most profound and noticeable changes in the conduct of social control have pivoted around issues of crime, there have been

allied shifts in terms of the reactions provided to other types of deviant behaviour. For example, there has been significant growth in the arenas of economic life that are subject to some form of regulation. In turn, the growth in the number of regulatory agencies and the areas regulated, has been accompanied by an increasing awareness of the importance of acting appropriately in respect of a range of risks. Risk provides a particular way of thinking about potential problems and issues that could be controlled, and also the consequences that might flow from implementing particular strategies to address these problems. In effect, it provides a predictive and anticipatory epistemology, that can be employed to control future uncertainties. Risk has proven to be an important ingredient in relation to some of the transformations I have discussed so far.

Late-modern social control is thus comprised of a range of participants, utilizing a variety of practices and technologies, with the intention of addressing a number of different problems. Taken overall though, there is a feeling that the underpinning logic of social control in late-modernity combines both principles of seeking to reform some deviants and deviance, whilst at the same time identifying exclusion as the only response to other forms of deviants and deviance. In this sense then, there is something of a continuity with past approaches. But significantly, non-deviant members of the population are also increasingly subject to forms of social control and this is accepted as part of an attempt to manufacture a sense of security in insecure times.

Summary

The aim of this chapter has been to anticipate the argument to be developed over the coming chapters. I have sought to give a sense of the complexity involved in trying to understand both what the concept of social control means, and also, how control takes place in a range of situations on a day-to-day basis. The rest of the book will go on to expand, develop and refine the argument I have outlined herein. In the next chapter, I trace the history of the concept of social control in order to identify its beginnings, the conflicting definitions that have been drawn up and its contemporary form. I follow this in Chapter 3 with an equivalent discussion focusing upon the histories of key practices of social control. Chapter 4 considers the operation of social ordering mechanisms in everyday life, in an effort to examine how non-deviant conduct is organized. This serves as a precursor for the subsequent chapters where the focus is explicitly upon different modes of control. Pivoting the discussion around these modes is intended as an analytic device to both identify some of the key themes in studying social control, whilst at the same time appreciating that some developments in terms of how control has come to be practised in late-modernity are coherent, whilst others are apparently contradictory.

The modes have been selected because each of them involves control of individuals, communities, formal organizations and society as a whole. In essence, depending upon the 'analytic lens' adopted, each of these modes of social control can be, and has been, studied at the micro-, meso- and macro-levels of society. In Chapters 5 and 6 I discuss policing and punishment practices respectively, as the principal examples of formal social control. I then move on to examine the role of surveillance and environmental design in facilitating social control. Chapter 9 considers three emergent modes of social control that are increasingly important in late-modernity – risk, regulation and audit. The concluding chapter draws the various themes together and considers the implications that this discussion has for the future of the concept of social control.

chapter two

A history of the idea of social control

The basic idea

Communication and irony: the symbolic interactionist perspective

Normative controls: the functionalist tradition

States of control: the legacy of Marx

The dispersal of discipline: post-structuralism

Post-social control

On talking about control?

Summary

The definition of social control as an organized response to deviant acts has become widely established as the dominant conceptualization in the academic literature, having informed a number of studies into the ways in which societies, groups and individuals react to a variety of different forms of deviant behaviour. Indeed, the particular strength of this definition is that although it limits the range of acts that can properly be counted as social control, it remains sufficiently adaptable to be applicable to an array of events and settings. In achieving this balance, the definition draws upon and co-opts a much broader concern with the nature and logics of social order, and its relationship to social control, found throughout a number of different disciplines in the social and behavioural sciences. The concept of social control has been, and continues to be, used and developed in sociology, criminology, political science, social history, anthropology, socio-legal studies, social psychology and geography amongst others.

Whilst a disciplinary framework obviously shapes how the concept of social control is operationalized, cutting across these disciplinary boundaries have been a smaller number of key ideas and values about the theory and practice of social control, associated with some of the fundamental theoretical perspectives in the social sciences. In this chapter, I will trace the development of the concept of social control, to identify how and why

these different theoretical perspectives have come to understand the causes and consequences of social control in different ways. In the process of conducting this analysis I will also show how its current accepted meanings have been arrived at.

In performing such an analysis there are a number of general issues to be borne in mind. I identify five key perspectives on social control, which relate to particular traditions in social theory, but in so doing, due to limitations on space, I cannot provide a detailed discussion of the subtleties and complexities that are to be found within each of the perspectives. Rather my aim is to simply identify the key themes that underpin each of the particular positions adopted in respect of the causes and consequences of social control. In addition, there are important contributions to debates about the nature of social control, which do not easily fit into this framework. For example, Zerubavel's (1997) formulation of the workings of 'socio-mental' control and its 'insidious' shaping of social cognition, does not align with the framework and consequently is not discussed further. To re-iterate, the objective herein is to map the dominant ideas in the study of social control, rather than to provide an all-encompassing account.

Although focused upon explicitly theoretical concerns, the discussion at times references developments in control practices, as the theoretical refinements frequently result from attempts to explain developments in terms of how control is being practised at a particular historical juncture. Furthermore, it is also important to note that whilst for the purposes of analytic clarity it is useful to separate out the alternative ideas and theories, in actuality, the development of the idea of social control has involved processes of assimilation, exchange, rejection and agreement across and between the representatives of the different theories. So whilst there is a sense of chronological development of the concept of social control, by focusing upon the underlying themes associated with different theoretical perspectives, the mode of analysis utilized herein is more adept at detailing how different philosophical tenets and values have resulted in alternative ways of understanding social control.

The basic idea

A definition of the term social control was first introduced by Edward Ross in 1901. Effectively, Ross's formulation provided a social psychological approach to explaining the production and reproduction of social order, identifying 23 mechanisms by which social groups influence individuals. However, as Ross acknowledged, the actual term social control was first used by Herbert Spencer some years earlier. The coining of the term social control provided a useful label for a diverse range of issues and problems that had been a focus of attention for political leaders and thinkers since people had established permanent and stable communities. 'The problem

of order' was most famously formulated by Thomas Hobbes as part of his reflections upon the proper role of the state in ensuring that the lives of people were more than 'nasty, brutish and short'. But not dissimilar concerns can be identified in Aristotle's writings 'On Politics' and the writings of several other of the great Greek philosophers.

Concerns with how social life is, can, and should be ordered, were central to the seminal early writings of modern sociology by Simmel, Weber, Durkheim and Marx. A key theme of their writings was to illuminate how it is that societies exert control over their members, thereby reproducing a particular form of social order. For Simmel, conflict in a society diffused tensions and thereby over the longer term acted to reproduce social order. For Marx, control was both explicit and hidden, buttressing the operations of the conflict ridden capitalist system. Whereas for Durkheim, social order was based upon the institutionalization and ritualization of traditional moral values, some of which were codified into laws. In contrast Weber saw the 'iron cage of bureaucracy' as representing a rationalized logic of social ordering practices, which would, he believed, increasingly constrain and mould the physical and subjective qualities of individuals. We can see then, that although not explicitly called 'social control', there are an array of concerns predating the introduction of this term, that today we would be inclined to understand as part of these debates.

Mannheim's (1935)² discussion of the need for social control as a precondition of complex, democratic 'planned' societies, co-opts dimensions of the various approaches outlined above. His conceptualization of social control as a form of influence that can be used by governments to pressure and persuade individuals and communities in a top-down fashion, but also as a mechanism by which these latter groups can exercise a degree of democratic control over elite groups, is a multifaceted attempt to analyse how societies can and should seek to resolve conflicts of different kinds.

It is widely recognized that the authors discussed above were amongst the key figures in the formulation of the most important traditions in social thought. And indeed, a key concern throughout the development of sociology has been with matters of social control. However, the problem of social order and the conduct of social control has been conceptualized and thought about in different ways by some of the leading theoretical perspectives in the social sciences.

Communication and irony: the symbolic interactionist perspective

The development of the early concept of social control and its instantiation in sociological thought owes much to the work of the Chicago School of sociologists, who were themselves influenced by the American Pragmatist

tradition of philosophy. They took Ross's formulation, reworked it and in the process demonstrated the degree of analytic purchase it provided in respect of a number of social problems. More latterly, this approach to social control has been integrated into the concerns of Symbolic Interactionist sociology and developed by Labelling Theory in criminology. Discussions of social control from this perspective have tended to gravitate around three key problems:

1. Processes of control in democratic society;
2. The role of social interaction in the manufacture of self-control;
3. The role of social controls in the production of deviant behaviour.

As such, this pragmatist formulation of social control tends to emphasize the role of processes of communication in the production and enactment of social control, and the ironic consequences that frequently flow from control efforts.

The development of the social sciences in America has been strongly influenced by the Pragmatist philosophical tradition, a set of ideas which directly informed the Chicago School of Sociology, and subsequently Symbolic Interactionist sociology (Rock 1979). For John Dewey, one of the central figures in early Pragmatist philosophy, the key problem for students of society at that time was to understand how societies based upon democratic principles, rather than traditional values and structures, could develop systems for ensuring social order. As Joas (1993) details, the solution he proposed is that communication is required for processes of collective problem solving in order for democratic institutions to operate effectively. The theme of control through communication is even more evident in the work of George Herbert Mead. But whereas Dewey was concerned with political philosophy, Mead was focused more upon matters of social psychology. He described how tacit processes of communication that took place in social interactions, resulted in an almost unconscious, self-regulation of behaviour by those involved. As he put it:

... social control depends ... upon the degree to which individuals in society are able to assume the attitudes of others who are involved with them in common endeavour.

(Mead 1925: 275)

This notion has been pivotal to the concerns of Symbolic Interactionist sociology, in that transposed to a societal level, it suggests that through participation in social life individuals are induced into a form of 'collective self-control', wherein competent engagement in social actions inherently involves a form of self-control. As Cooley (1902) described, the social self was cast as inherently 'a looking glass self', shaped and moulded according to the reflected sense gained through interactions with others.

The twin themes of democratic communication and collective self-control directly shaped the work of the Chicago School of sociologists, and in particular the work of Robert Park. For Park 'All social problems turn out finally to be problems of social control' (Park and Burgess 1924: 209). As Turner summarizes in his introduction to Park's 'On Social Control', 'The social order is governed by communication, directed by the conceptions of the self and other which the members develop as social beings' (Park 1967: xxvii-xxviii). In his famous essay 'The City', Park (1925) clearly identifies the importance of communication in processes of social control, where he considers the ways in which 'social advertising' functions as a set of elaborate techniques for the control of public opinion. Here then we can see an explicit connection drawn between the role of communication and Dewey's earlier concern with the workings of democratic governance, a theme that was reworked subsequently by Herbert Blumer in his reflections on the problems of maintaining civilian morale during the Second World War (Lyman and Vidich 2000).

For the members of the Chicago School, the rapidly evolving city of Chicago was their social laboratory, providing an opportunity to study the impact of processes of urbanization and the connected problems of 'social disorganization'. Study of successive waves of immigrants into Chicago seemed to suggest that they brought with them attendant social problems, such as crime, disorder, vagrancy and alcoholism. But rather than explaining such problems as symptoms of an individual or group pathology, Park's explanation centred upon a notion of what I would term 'control deficit'. He argued that the ongoing influx of immigrants into the City resulted in the erosion of community stability by destroying or preventing the growth of social institutions that ordinarily provide collective values and shared norms. It was thus the lack of collective norms and controls that created the conditions for 'social disorganization'.

Whilst these theories were popular up until the 1930s, they fell out of favour with the rise to dominance of functionalist sociology. However, in the late 1950s and 1960s, stimulated by a reaction against functionalism, and increased interest in Blumer's (1969) Symbolic Interactionism and the related 'Labelling Theories', there was a revival in the fortunes of some of the themes found in the work of members of the Chicago School. In particular, Edwin Lemert (1967) and Howard Becker (1963) are recognized as introducing a new perspective to the study of social control.

Labelling theory inverted the criminological orthodoxy that control was a reaction to deviance. Both Lemert (1967) and Becker (1963) showed how it was the imposition of control that in essence 'caused' deviance. For Lemert the apprehension of an offender by an authority figure and the imposition of punishment could, in certain circumstances, invoke a form of stigmatizing communication causing the individual to refigure their sense of self, encouraging them to assume a deviant identity and as a consequence engage in more deviant acts. More fundamentally, Becker argued purely and simply that deviant acts did not share some inherent quality or

characteristic. Rather they were simply acts that were labelled as deviant, and as such, it was acts of control and the application of the deviant label that separated deviant from non-deviant acts. This 'ironic' approach to the study of social control underpinned a number of studies that sought to unpack the symbiotic relationship between control and deviance.

An interesting application of these ideas concerning the unintended consequences of social control is Ditton's (1979) concept of 'control waves'. Developing the implications of a number of the key themes of labelling theory, he argues that apparent rises (or falls) in crime levels are often better explained by changes in the enforcement practices of agents of social control, than actual shifts in the amount of deviance or number of deviants in society. The irony that the concept of 'control waves' points to is that, by focusing upon a particular kind of deviance, police, other enforcement agents, or journalists, are more likely to discover instances of this deviance occurring that otherwise would have remained undiscovered, thus giving the appearance that the problem has got worse, thereby justifying calls for more or better forms of social control of the apparently worsening problem. It is an approach that has similarities to Cohen's (1980) notion of 'moral panic' and ideas concerning 'deviancy amplification' (Wilkins 1964; Young 1971).

A more recent continuation of the theme of the ironies of social control is provided by Gary Marx (1995). The 'maximum security society' he describes, composed of the engineered, dossier, actuarial, suspicious, self-monitored and transparent societies, has increasingly sought to develop and integrate 'soft' forms of social control (Marx 1988; 1995). The result though has not simply been one of more control, but a dialectical spiral of violations, social engineering responses, new violations and new responses (Marx 1995). In essence, Marx argues that the attempts to solve particular social problems through control oriented methods have tended to create pressures for more controls.

These discussions of the manufacture of social control differ according to the intellectual and practical contexts in which they are situated, in that they have been shaped both by what has preceded them, and also the prevailing concerns of the particular moment in history. Despite these important differences, what unites them, and casts them as belonging to a particular perspective, is a shared emphasis upon the role of communication and the ironic consequences of control efforts. In particular, communication is central to the production and reproduction of forms of collective self control.

Normative controls: the functionalist tradition

An alternative understanding of the nature, production and uses of social control can be found in the Functionalist tradition. Here, reflecting some

of the central concerns to be found in the writings of Durkheim, control is held to be founded upon a shared normative order, preserved and reproduced through traditions, collective representations and the presence of social institutions.³

The sense that normative control is a pivotal facet of Durkheim's work owes much to Talcott Parson's (1949 [1937]) reading of Durkheim's formulation of the causes of 'anomic' normlessness described in *Suicide* and *The Division of Labour in Society*. According to Parsons (1949: 386) '... Durkheim had been preoccupied with the problem of control'. In analysing Durkheim's contribution to understanding how moral orders become, through processes of institutionalization, systems of 'normative controls', Parsons makes the important observation that '... unless in "individual" desires there were this inherently chaotic "centrifugal" quality the need of control would not be present at all' (1949: 377-8). Thus for Durkheim, the functions of normative controls were to constrain the asocial qualities of individuals through the enforcement of rules of conduct. Certainly in the way that Parsons describes it, Durkheim provides a sociological supplement to a Freudian schema.

For Janowitz (1975), Parson's work in and around the concept of social control is important because he made a distinct contribution to 'narrowing' the sociological definition of the concept. Prior to Parson's intervention, many formulations remained ill-defined, being applied to a wide range of circumstances, referring, in effect to the collection of processes that today we would term socialization. However, as Janowitz (1975) implies, although it was Parsons who started to focus the definition of social control upon reactions to deviance, the basis of this narrowed conception can be traced back to Park and Burgess's usage.

Durkheim famously sought to understand the role of collective ceremonies and rituals in the maintenance of social order. He argued that such forms of group enactment were important in symbolically restating the collective values of the group, thereby reminding the individual members of their shared bonds. A particularly interesting and important development of this dimension of Durkheim's theories relates to Halbwachs's (1992) concept of 'collective memory'. Halbwachs was concerned to document how the sense of a shared collective history is actively constructed via participation in ceremonies of remembrance, ritual commemorations and the display of symbolically loaded artefacts. He maintained that a belief system in the present shapes how the past is remembered. The outcome of which is to preserve and reproduce a sense amongst individuals of them having a shared past and intertwined interests, thereby developing a notion of collective identity in the present circumstances. For Halbwachs, the symbolic construction of the past was a product of a social order, but in turn it served to reinforce the order. In this sense we can detect a degree of overlap with Mead's (1932) theory of the past.

For my present purposes though, we can use Halbwach's concept of 'collective memory' to develop an important insight into the nature of

social control. That is our remembrance of the past is frequently actively controlled and shaped in an attempt to exert control in the present. By constructing symbolically loaded collective memories, people are encouraged to believe to a degree in traditional values and ways of doing things. Perhaps one of the most vivid historical examples of the use of deliberately manufactured collective memories to enhance levels of control relates to Stalin's Russia, where history was deliberately rewritten to legitimize and create the conditions for a particular style of rule. Similarly in Nazi Germany symbolism and stories from the past were invented to support the activities of the regime of the time. More recently, Cohen (2001) has applied similar analytic logics to the role of the Truth and Reconciliation Commissions of post-apartheid South Africa. These examples are perhaps rather extreme, but all states and all collective draw upon shared remembrances of the past to establish or preserve a sense of shared identity and a collective belief system.

A coherent approach to understanding the functions of social control for collective life is to be found in Erikson's (1966) discussion of the social control of witchcraft in seventeenth-century New England. Erikson shows how the trials and punishments used in attempts to control the activities of alleged witches, functioned to reinvigorate the normative order at a time when the community was under pressure from wider structural changes in society. As Downes and Rock (1988: 103) expound, Erikson, by focusing upon this particular example, is looking for 'a deep structure of deviance and control' that is a fundamental property of social organization. A similar aim can be detected in Mary Douglas's (1966) anthropology where she demonstrates how cultural orders necessarily provide ways for their members to distinguish between 'the pure' and 'the dangerous'. The implications of her study are that whilst different cultures define good and bad things in different ways, such systems of classification are always present. Classificatory systems of the type Douglas describes, are important because they identify what is viewed as contrary to the social order and thus should be controlled, as well as indicating an appropriate mechanism for carrying out this control.

Parsons's contributions to the functionalist emphasis on the importance of normative controls and in particular his work in narrowing the definition of social control is especially apposite for the criminologist Travis Hirschi's (1969) social control theory of deviance. Focusing specifically upon criminality, Hirschi sought to develop an answer to the conundrum of why it is that some people commit crime, whilst others do not. In constructing his answer he in effect inverted the problem and said that the question that needed answering is not, what are the causal factors that make some people commit crime, but why don't we all commit crime? His answer was that through processes of socialization and civic engagement we are subject to differential levels of social control. The greater our attachment, involvement, commitment and belief in society, the more controls we are subject to, and thus there is a reduced risk of us committing crime.

One of the criticisms that is often made of Functionalist theories is that they tend to assume that everybody accepts the norms of society and is equally committed to the established social order. Although, in Parsons' treatment of Durkheim's writings, recognition is given to individual desires as a source of conflict in social relations, ultimately the consensual orientation of functionalist theorizing tends to see the suppression of these conflicts as comparatively unproblematic. As a result, there is little sense provided of how and why conflict should emerge in a society. This is particularly problematic for a discussion of social control as one of its primary functions is the resolution of conflict. In contrast, Marxist and Marxist theories stress the sources of conflict and the use of an array of control strategies in response to such frictions.

States of control: the legacy of Marx

For theorists of social control drawing upon a radical perspective, the capitalist order is an unstable order. As a consequence, in capitalist systems social control enacted by the state is intrinsic to the operations of political economy, due to the ways in which capitalism inherently generates conflict. For Marx himself, under such conditions the state played a role in quashing any threats to the capitalist order through the use of coercive force. Subsequent reworkings and developments of these themes have tended to elide the subtle and nuanced ways in which conduct is controlled through various capitalist institutions. As Turk (1982) describes it, minimal control strategies and tactics seek to perpetuate power structures, but their optimum aim is to transform them into authority structures. Such accounts have emphasized that although 'hard' forms of social control are designed into the capitalist framework, the vast majority of control is of a 'softer' kind.

One well known example of this 'soft social control' is Gramsci's (1971) concept of hegemony. Gramsci argued that the effective control of the proletariat relied not simply upon repression, but the establishment of a perceived legitimacy for the capitalist regime through the control of the dominant ideas and values in a society. Similar themes can be identified in Louis Althusser's (1971) discussion of the role of 'the ideological state apparatus'. For Althusser, whilst the power of the state and thus the capitalist system is buttressed by the presence of a 'repressive state apparatus', the more subtle, pervasive and effective mechanisms by which control ordinarily takes place are embedded in institutions of education and the welfare state. The control of the dominant ideas in society works to regulate people's beliefs and desires, thereby functioning to reproduce the overall domination of society by capitalist elites.

The idea that the provision of welfare benefits by the state was not simply benign humanitarianism, but an act intended to extend the penetration of

the state's social control apparatus has emerged as a key theme in a number of analyses of this hue. For example, Ginsburg (1979), Gough (1979) and Offe (1982; 1984) have all respectively sought to show how, what on the surface seem to be caring activities that alleviate poverty, actually work to enhance the control of what are seen as potentially troublesome sections of the citizenry. Relatedly, Andrew Scull's (1977) work shows how oscillations in the economic cycle structure the state's understanding of social problems and thus the approach to control that is adopted.

The welfare state is held to be a key component of how capitalism ameliorates its inherent contradictions and conflicts. As will be discussed in more detail in Chapter 4, a similar latent function is often attributed to media organizations. Media provide an opportunity to control the circulation of dominant ideas and they are, according to certain versions of radical theory, routinely co-opted by state agencies in the fabrication of hegemonic crises, manifested as 'moral panics', which establish the conditions for the extension of the social control apparatus by the state (Hall et al. 1978).

More recently, the direct influence of Marxist inspired discussions of social control, centring upon ideas of coercion and ideology, have waned in popularity. In their place have emerged a number of what, for want of a better label, I will term post-structuralist theories of social control.

The dispersal of discipline: post-structuralism

What separates the post-structuralist theories from the radical theories is a different conception of the nature of power. Whereas concepts and theories of social control that take their lead from Marx see power as a monopoly possession of the state and the owners of the means of production exercised in a top-down manner, the post-structuralists see power as more decentred and dispersed throughout society. Therefore, rather than seeing power as emanating solely from the state, the post-structuralist imagery of power is more akin to a network of multiple, nested, power centres that are distributed at strategic points throughout societies. The state is still important in the conduct of control activities, but the role of the state itself has been transformed and there are other important actors whose roles need to be recognized.

The central figure in the development of this approach to the study of social control and social order is Michel Foucault. In an effort to circumvent the problems associated with the concept of social control, resulting from some of the issues reviewed earlier, Foucault only rarely used the term itself. Rather in his work he makes use of a range of concepts such as discipline, panoptic surveillance, governmentality and bio-power, in an effort to understand the different dimensions of how power is enacted and control exercised in different settings, in respect of different problems.

Nevertheless, one of the abiding themes underpinning much of his work is an attempt to unmask the varied range of controlling technologies and practices that societies use in respect of deviant acts and to induce conformity. Indeed, for Foucault, perhaps the defining quality of modern societies was the development of powerful disciplinary technologies, that sought to control both the body and mind of all subjects. In this sense, he was interested in the production and reproduction of what in relation to the pragmatist perspective I labelled 'collective self control'. For Foucault (1988), collective self control resulted from the strategic deployment of specific 'technologies of the self', which were themselves generative of and generated by a particular rationality of government, or what he termed 'governmentality'. The 'art of government' as Foucault saw it, especially in his later works, was the development of mechanisms of security that regulated relations between citizens, between the sovereign state and citizens, and between sovereign states (Gordon 1991). Thus although there are compatibilities in the analytic focus of his work with aspects of that of Mead and his followers, Foucault understands the production of collective self control in a very different manner.

Foucault saw control efforts as being directed ultimately by a concern to effect 'normalization' over different forms of deviance. His discussion of the practices of incarceration illustrates this theme. But importantly, Foucault argues that projects of normalization were themselves dispersed throughout the operations of a range of social institutions, founded upon bodies of knowledge that facilitated classification and definition of different forms of deviance. He thus implicates the human sciences in the development of the apparatus of modern forms of social control. It was knowledge generated by disciplines such as psychology and criminology that was intrinsic to the refinement of the methods for identifying, classifying and responding to different types of deviant behaviour, thereby creating the possibility of a rationalization of the imposition of power and control (Pasquino 1991).

This critique of the role of the social and human sciences in the development and refinement of the apparatus of social control is a key theme in the work of Stan Cohen (1985). Cohen identifies a pivotal role in the development of control strategies for the discursive classificatory frameworks employed by professional practitioners, who are directly involved in the design and implementation of specific interventions. His work is seminal important, because in developing the work of Foucault, and moving beyond it to trace some of the current 'master-patterns' in the development of social control, Cohen maps the outlines of a theoretical framework that has been developed and refined by the contemporary post-social control perspective.

Beginning in the 1960s, Cohen argues that there has been a process of destructuring, wherein the monopoly of state bureaucracies in the business of controlling deviancy has been increasingly eroded. As he terms it, there have been concurrent moves: 'away from the state'; 'away from the expert';

'away from the institutions'; and 'away from the mind'. The 'profound destructuring impulse' that he describes had its roots in a radical and progressive move to restrict the use of some of the more coercive elements of the control system. What Cohen shows though, is that although motivated by good intentions on the part of the reformers, the ironic and unintended consequences of these reforms were to develop new forms of control, refine the logics of those already in place and extend the reach of the state – providing a deeper penetration and permeation of control into the lives and routines of communities. As he puts it:

The benevolent-sounding destructuring package had turned out to be a monster in disguise, a Trojan horse. The alternatives had merely left us with 'wider, stronger and different nets'.

(Cohen 1985: 38)

Cohen is a key figure in contemporary debates on the logic and conduct of control. In developing aspects of Foucault's historical works, and articulating the trajectory of the destructuring impulse, he bridges the divide between the post-structuralist and post-social control theories. It is Cohen who effectively identifies a number of key themes that have emerged as central to the latter position. First, he recognizes that although Foucault's historical analysis of the 'disciplinary society' identifies some important and relevant trends, the contemporary situation is not simply continuous with them, particularly with regards the role of the state. In addition he notes that one of the most remarkable shifts has been a shift of focus in control efforts, from individual deviants, to whole populations and environments. Critiquing the rise of what he labels 'the new behaviourism', he recounts how the guiding logic of 'community control' has been replaced by the 'control of communities'. Connected to which he explains that the master-patterns of social control in late-modernity have involved a gradual expansion and intensification of the system, and an increasing invisibility of social control as it increases its degree of penetration into the social body.

Post-social control

As outlined above, the ideas of Foucault and Cohen have been highly influential in shaping what Hudson (2002) labels the 'post-social control' perspective. It is 'post' social control, because, heavily influenced by Foucault's efforts to develop a new language for talking about such processes and problems, some advocates of this approach have increasingly sought to construct their arguments in a way that does not rely upon the social control concept. This is best exemplified by Johnston and Shearing's (2003) recent attempt to formulate a theory of the nodal (or networked) governance of security.

In setting out their approach, Johnston and Shearing argue that in the contemporary context the concept of social control should be avoided for several reasons. First, they maintain that it prioritizes the notion of 'the social', which following Rose (1996), they believe is an increasingly problematic concept.⁴ According to both Rose and Johnston and Shearing, the generalized notion of 'the social' as a 'governing rationality' (that is as a mechanism of and target for governmentally based interventions) has been progressively replaced by a more fractured and decentred notion of heterogeneous community based interests. As part of this pattern of development, they maintain that the power of the state to deliver security has been reduced, and across many situations the state is now simply one amongst a host of actors whose activities are directed towards this outcome. A further justification that Johnston and Shearing (2003) provide for avoiding the language of social control, is in order to separate their work from what they see as the unwarranted tendency amongst many recent social control studies to identify the dispersal of social control technologies as a negative development.

In addition to Rose's (1996) obituary for 'the death of the social', Hudson (2002) identifies two further contributions that have made pivotal contributions to the formulation of the post-social control perspective. She notes that Foucault's later work on 'governmentality' has supplied a general framework for rethinking the role of the state and other institutions in relation to the inculcation of discipline at the level of the individual. Importantly though, Hudson argues that whereas for Foucault the principal objective of the various 'theatres of punishment' was 'normalization', for those who have latterly drawn upon his work this aim is no longer recognized as being central. Rather, concern has focused upon risk calculation and risk management. Feeley and Simon's (1994) notion of a new rationality of 'actuarial justice' exemplifies this, where they argue that the dispositions of both criminal justice and welfare agencies has shifted to the predictive identification of, and response to, risky behaviours and individuals. It is an approach that is more 'managerial' than 'transformative' in its outlook, seeking to reduce exposure to 'problem' people, rather than attempting to reform or rehabilitate them (Sparks 2001). For Hudson (2002), the increased prominence of actuarial justice is both a reflection and constitutive of a more profound decline in a collective willingness to share exposure to collective risks (see O'Malley 1992; Rose 1996). In sum, this post-social modality of control involves technologies of prediction and risk management, where those people who are adjudged to be dangerous, are increasingly excluded from situations where they threaten the prevailing social order.

Although utilizing slightly different terminology, Castel (1991) has argued that we have started to see the emergence of 'a post-disciplinary order', wherein individuals are 'assigned' to 'different social destinies' on the basis of profiles constructed for them. He posits that it is increasingly the case that the social system is providing some people with enhanced

opportunities for self-actualization, whilst the life-chances of others are artificially restricted. People are being locked into 'circuits of inclusion and exclusion' (Rose 2000), and control in late-modernity adopts what Young (1999) evocatively dubs 'cannabilistic' and 'bulimic' strategies, depending on who and what is the object of control. Some forms of actual or predicted deviance warrant an attempt at reform of the transgressor, but for others, exclusion is held to be the only acceptable and practicable response (Crawford 2000). This latter approach stems from a growing belief that changing the 'disposing dispositions' of potential deviants is difficult and frequently unsuccessful, and therefore it is better to alter aspects of the situations that they inhabit. Indeed, this idea of 'situational control' is one of the defining characteristics of late-modern social control strategies (Garland 2000; Hope and Sparks 2000).

This notion of a post-disciplinary order echoes Deleuze's (1995) contention that we are now living in 'control societies', wherein enacted social control is more fluid and permeating than it was previously. For Deleuze, disciplinary societies were founded upon fairly distinct and separate systems of social control. But increasingly, the boundaries between controls and control systems have been eroded, and so different types of control flow into one another, overlap and intermingle. A not dissimilar idea is promoted by Haggerty and Ericson (2000) in their discussion of the 'rhizomatic' expansion of surveillance assemblages.

On talking about control?

The post-social control perspective is a complex and emergent perspective. There is some important and innovative work being done that attempts to capture the changing logics and practices of contemporary control efforts. Nevertheless, there are a number of problems that can be identified with it that need to be acknowledged. First, whilst it captures some of the important changes that are occurring in relation to how social control is both imagined and delivered, some of the accounts fail to acknowledge the extent to which these new practices and logics co-occur with some more established and continuing modes.⁵ There is not a wholesale change throughout the entire social control apparatus, rather parts of it have continued using established scripts, whilst other components have been reconfigured.

The issue of terminology is also important in two different respects. Johnston and Shearing (2003) drop the term social control altogether from their analysis, in an effort to avoid some of the problems that they identify with it. In so doing, whilst this move does allow them to conduct a sophisticated and complex analysis of current patterns, there is also a sense in which much of what they have to say about governance, nodes and security, is simply a rephrasing of themes that others have opted to put in

the language of social control.⁶ Further to which, work that has manifest affinities to that of Johnston and Shearing, such as Rose (1999; 2000) and Deleuze (1995), continues to pivot around the central concept of 'control', rather than governance. At present then, the overall picture is one of terminological confusion, with different (and sometimes similar) concepts frequently being used to diagnose similar conditions and problems.

Despite this ambiguity about the concept of social control, in trying to capture and articulate some profound shifts in the constitution of late-modern societies, I think the post-social control perspective provides an important challenge to the established conceptualization. In arguing that in late-modernity the dominant logics of social control are increasingly less focused upon either deviance or deviants, and that everyone's behaviour is to a greater or lesser extent subject to control, as a result of the ways in which controls have permeated all our institutional forms, this body of work suggests a need to rethink how social control is defined. In effect, it posits that social control is no longer comprised solely of organized responses to deviant behaviour, but must include the plethora of behaviour modification technologies that routinely alter people's non-deviant behaviour in some subtle and not so subtle ways.

I will return to this theme in the final chapter, where I will outline an approach that integrates such changes within Cohen's established definition of social control. For despite the disagreements that can be detected concerning the most appropriate language via which to describe the current situation, there is broader agreement that can be identified in terms of the form that some of these changes are taking. Most commentators agree that the control apparatus is both intentionally and unintentionally expanding in some areas whilst contracting in others. This is perhaps best captured by a notion of a process of 'control creep', wherein the reach and/or intensity of different components of the control apparatus are incrementally, and often in isolation from each other, being extended. The overall effect being that control progressively extends and expands.

As part of these processes of control creep, the reformatory principle of the 'normalizing' impulse identified in Foucault's 'histories of the present', where through subtle, yet fairly pervasive, technologies of power, individuals subject to a regime were simultaneously persuaded and coerced into reforming their thoughts and conduct so that it conformed with 'normal' models of appropriate behaviour, has increasingly been foregone. In its place, is a more instrumentally based and future-oriented logic that aims at prevention and harm minimization (Johnston and Shearing 2003). Accompanying such shifts there has been a blurring in terms of how social control is enacted, who it is performed by and when, and why it is conducted. The widespread pessimism that Cohen (1985) identified with state based social controls in the 1960s was thus transformed in the context of the late-modern crime complex, and became part of a logic that positively encouraged the development of new controls in, of, and by communities. These new modes of control supplemented and augmented the existing

modes, some of which continued as before, whilst others were retooled and reworked to give the appearance of innovation. Frequently such reconfigurations were in the form of making them more explicitly coercive or punitive.

Over the past two to three decades the social order of late-modernity has created forces which have pushed forward these changes, at the same time as the institutional order has sought to accommodate and reconfigure itself in light of the ongoing transformations of social life. One particularly important symptom of which has been the blurring of the public and private spheres, and the increasing penetration of private interests in the delivery of control. This in turn has further promoted the commodification and fetishization of security, reinforcing and amplifying the dominant trends (Spitzer 1987).

The different perspectives on social control outlined previously are, as I have intimated, closely allied to some of the key theoretical positions in the social sciences. The epistemological and ontological standpoints associated with these theoretical frameworks effectively provide alternate lenses through which to view, understand and thus talk about issues of social control and relatedly social order. Thus what has been revealed are not incompatible and irreconcilable features, but rather different dimensions of how social reality can be understood.

Furthermore, thinking in particular about the Interactionist, Functionalist and Marxist perspectives on social control, it should be evident that over time there have been revisions in the dominant ideas espoused, and consequently different positions put forward representing permutations of particular core notions and values. Therefore, before I move on to a more detailed discussion of social control practice, I want to conclude this discussion of the idea of social control by analysing how the various theoretical perspectives are related and how they have mutually influenced each others' development. Because, whilst separating the different conceptualizations as I have done above allows us to identify the key issues in terms of how different theoretical perspectives approach the problem of explaining social control, in actuality, the relationships between them have been more complex than such an approach might be taken to imply. The various approaches to the study of social control have not developed in isolation. Rather, they have reciprocally shaped and guided the development of each other. This has largely taken place in two different ways. There has been a process of 'incorporation', where ideas originally associated with one perspective are taken on board and developed by a subsequent perspective. Alternatively, subsequent perspectives have clarified their position by a reaction against and rejection of the ideas associated with earlier theories.

As an example of the process of incorporation we can examine the links between labelling theory, grounded in a tradition of pragmatist philosophy, and the Marxist inspired radical criminology theories. Labelling theory identified that the imposition of control could promote deviance. This

fundamental rationale was incorporated by subsequent more radical theories that used it to argue that the state should curtail its activities in attempting to control crime. The relationship between these state centred theories and the post-structuralist orientation provides an example of how a reaction against established conceptualizations can stimulate innovation. As previously documented, the post-structural approach to social control rejects the notion of an overarching framework of power possessed by the state. Instead it recognizes that the power to exhibit control in different domains is dispersed and pluralistic, taking on different forms according to what is being regulated and by whom. The implications of this dispersal have been worked out by the advocates of post-social control perspective.

Summary

To summarize then, over the course of approximately a century writing on and around the topic of social control it has been studied at micro-, meso- and macro-levels (Blomberg and Cohen 1995). Over this period two key changes have occurred. First and most importantly, the concept has been refined and increasingly narrowly defined. Secondly and relatedly, it has become more complex. Each subsequent theoretical formulation of the processes of social control has tended to both incorporate and reject elements of the variety of theories that preceded it.

This history of the concept provides important background information in terms of explaining the complexities surrounding contemporary debates about social control and why some favour dropping the term altogether. However, I have started to set out an argument that suggests that if we look at the substantive content of these different theoretical debates, there is seemingly a broader sense of agreement about the nature of contemporary control than the terminological disputes might imply. In an effort to further develop this position, having looked at the history of the idea of social control, in the next chapter I will focus upon a history of how and why control practices have altered and adapted.

chapter three

A history of social control practices

A social history in fragments

The penal-welfare nexus

Rationalization and the administrative apparatus of control**Juridification****Turning ourselves outside-in and inside-out****Summary**

In the previous chapter, I traced a history of the concept of social control in the academic literature. In this chapter I will again adopt a historical perspective, but this time focusing upon the development of practices of social control, my aim being to describe how the conduct of social control has developed over time, related to wider changes that have taken place in liberal democratic capitalist societies. I am especially concerned to map out how practices of social control have been shaped by the prevalent social context in which they are situated, and how, in turn, the conduct of social control has been central to the reconstitution of this context. The analysis presented herein, will address how the contemporary situation described in the opening chapter came into being. It will not describe contemporary practices of social control in any detail, as that is the focus of other chapters.

All historical accounts have to strike a balance in resolving the tension that exists between focusing upon the continuities that can be identified across different historical periods, and emphasizing the changes that take place between eras. This history is no different. What will become evident from the ensuing discussion is that there is no master-narrative, no sole overarching pattern presented to explain how and why social control practices have been constituted in their present form. This is because in complex societies there are complex forces at work consisting of sometimes convergent, at other times divergent patterns, distributed across various domains of social, political and economic life. To argue that there

is a cohesive unifying logic that explains the ways in which social control is practised is to oversimplify what is a messy and somewhat confused state of affairs. Any such account necessarily glosses over the contingent and contradictory trends involved. Thus in order to avoid any such oversimplification, in what follows I simply try to identify some of the more important trends that have shaped and guided the development of social control practice. Therefore, I provide a selective account of changes and continuities in the conduct of social control in modern societies. It is not exhaustive, rather it seeks to shed light on some of the key occurrences that have served to shape more contemporary control practices. The opening part of the chapter seeks to describe the key historical moments where fundamental changes in the logics and practices of social control occurred, thereby providing a somewhat discontinuous history. In the latter half of the chapter I seek to identify some of the longer-term trends that are apparent.

A social history in fragments

Today's media are replete with stories where someone expresses anxiety about the state of society and the sense that life has become increasingly dangerous. But as Geoff Pearson (1983) has shown through his historical analysis, such concerns about the degradation and dissipation of society and social order seem to be a common feature of modern life. Indeed, surveying society over a longer time-frame, if anything social life has become progressively more ordered. In his theory of the 'civilizing process' Norbert Elias (1994) famously describes the long-term process by which norms, traditions, morals and customs have been adopted, adapted and agreed upon, to provide enhanced regulation of individual and collective conduct. From medieval times onwards, there seems to have been a gradual pacification of social life, wherein the definition of deviance and its control has become increasingly specified and effective.

This is not to imply that prior to the development of the modern institutions of social control that there was no social control; for as many legal and social anthropologists have shown, all forms of social organization require mechanisms to ensure that the behaviour of individuals accords with the norms and expectations of the wider group. Anthropological accounts make evident the fact that all social orders necessarily involve classificatory schemas to identify those facets of the world that are held to threaten their continued existence (Douglas 1966; Needham 1979).¹ Furthermore, it is apparent that although such groups do not have formalized systems of law, or formal mechanisms for the enforcement of their socially maintained rules, there is nevertheless social control in action. In effect such groups are self-policing, utilizing informal mechanisms of social control to enforce a particular social order.

This notion of communities being self-policing was the principal way in which social order was maintained and social conflict resolved throughout pre-modern forms of social organization. The vast majority of the problems of order were dealt with by local communities, and indeed, the expectation was that communities themselves would be responsible for the identification of deviance and the maintenance of order. There was a rudimentary system of justice to supposedly support them in this, but it was somewhat haphazard in its coverage and was employed only in respect of the more serious transgressions. As the forms of social organization became more complex, serious problems of public order which occurred periodically were dealt with by the application of coercive force delivered by the army and militia. As Rock (1983) identifies, even by the end of the seventeenth century, although there was a rudimentary system of policing in place in England, some areas remained unpatrolled and unpatrollable. Thus even at this stage many communities remained effectively self-policing and the basis of social control was decentralized.

When crime occurred, the absence of a regular specialized constabulary meant that the identification and capture of the felon relied upon the efforts of the adult male population of a parish. Through the 'hue and cry' the population of the parish was supposed to perform formal social control functions as and when required. The participation of citizens in such activities was encouraged through methods of exhortation, bribery and coercion. For instance, those members of a community who failed to muster to a hue and cry could be subject to punishment. Under legislation introduced in 1691, the state introduced rewards payable to those persons who successfully prosecuted individuals for certain offences. The offences that came to be covered by this principle included burglary, highway robbery and horse-stealing.

Provision of state sponsored rewards served to initiate a transformation in the basis of crime control, it was turned from a communal obligation into an entrepreneurial activity. This trend was emboldened by the standard practice of victims of crime offering rewards. The reward system formed the basis of the English thief-taker system of the eighteenth and early nineteenth centuries, where thieves and receivers of stolen goods were effectively employed by the state to catch criminals, thereby earning the reward monies. The most (in)famous of the thief-takers was Jonathan Wild who established an organization that at the same time as it tracked down criminals, itself engaged in robberies on commission, whereby goods would be stolen by an associate of Wild, who would then return the goods to the owner thereby earning a reward for their safe return. Although, by the end of the eighteenth century the role of thief-taker had fallen into disrepute, in effect it was the real predecessor of the Bow Street Runners, who in turn formed the basis of the Metropolitan Police (Emsley 1991). And, of course, the practice of paying informers for information to assist in the detection of crimes continues to this day.

The motivation for supplying rewards was less about making crime

control a business, than encouraging people to inform about the criminal activities of others. In the absence of a systematic approach for the prevention and detection of criminal and deviant activities, the encouragement of informing became a central component of social control strategy. Informing was done not just for monetary rewards though, arrested suspects or convicts could earn a pardon by informing on the activities of others (Rock 1983).

The widespread use of impeachment to encourage informing is indicative of the extent to which legal and control practices at this time were almost wholly dependent upon negotiation and collusion. For example, those sentenced to imprisonment could purchase comparatively limited punishments if they had sufficient wealth to do so. Of course, the ability to engage in such negotiations was premised upon the social status of the individual concerned, reflecting the distribution of power in society. Indeed, the whole system of control was based upon a clear demarcation between those groups who were understood as part of society and the large numbers of marginalized people, on the periphery of society (Neocleous 2000). These liminal groups were believed to be less than human, posing a continual danger to the existing social order. The members of the included groups could act with a fair degree of impunity from the systems of control, whereas socially excluded persons could expect only harsh and brutal treatment.

The story then is of a messy and confused approach to the provision of social control. The boundaries between legality and illegality were blurred, with some comparatively powerful groups fairly immune from the controls of state, whilst at the same time encouraging the patchwork and arbitrary system of controls to punish harshly the activities of the poor and marginalized.

The penal-welfare nexus

It is widely recognized that by the end of the eighteenth century the effects of the linked processes of urbanization and industrialization were placing the extant institutions of government under increasing pressure. Urbanization and industrialization caused new social problems which if not addressed, it was felt, threatened the stability of the nascent liberal-capitalist social order. It was thus no coincidence that in the 1830s in Britain there were important changes both in the state's response to poverty in the Poor Law Amendment Act, and in the 1829 inception of the 'new police'. Taking the former reform first, the establishment of the workhouse system to provide for the poorest sections of society was motivated by a desire to provide a degree of social care, but also to effect control over potentially destabilizing sections of the populace (Neocleous 2000). Furthermore, the ethos of the workhouse with its principle of 'less eligibility' was deliberately designed to reinforce the work ethic amongst those living outside of the workhouse regimen.

The progressive development of modern welfare systems was of vital

importance in transforming the fundamental bases of social order. It functioned to modify attitudes, behaviours and practices in relation to work and the family (Bauman 1998). It is well documented that changes in the political constitution of liberal-capitalist societies and especially the progressive extensions of the electoral franchise were driving forces in the movements for welfare reform. But democratization was in turn dependent upon the transformations occurring in the state's approaches to the conduct of social control. A working democracy is, according to Melossi (1990), a political form that has an elective affinity for social control. For it is the latter, that induces a degree of 'cognitive consensus' and 'co-orientation' towards shared objectives.

The establishment of a full-time professional police force, albeit on a limited scale, was also symptomatic of the start of a shift in the position of government in respect of the production and reproduction of social order. For what we see subsequent to these developments is the gradual, yet progressive expansion of the role of state agencies in respect of both the provision of welfare and the control of crime. This brought into being a penal-welfare nexus where the causes of a number of social problems were addressed via proactive forms of welfare intervention, and the consequences of these problems were dealt with through the criminal justice process. For example, in the latter half of the nineteenth century, there were several legislative reforms which established that the state had a role in areas such as education, the protection of children and public health. At around the same time there were important developments in policing and the prison system.

Once these principles were in place, then economic imperatives and those of national security served to reinforce their salience, and created pressures for an expansion of state interventions to address an increasingly diverse array of social problems. From the point of view of this analysis though, the significance of such developments is their role in facilitating new opportunities for social control.

Garland (1985) argues that this shift in governmental rationality wrought a change from what he terms 'Victorian penalty' to 'modern penalty'. Critiquing and refining elements of Foucault's (1977) genealogy of incarceration, Garland identifies a fundamental transformation in the strategies of punishment and control at the very end of the nineteenth century. He describes a move away from the Victorian model of a calibrated, hierarchical structure of punishments, including fines, incarceration, corporal punishment and death, to modern penalty, founded upon a discourse of penal-welfarism where the system is:

... an extended grid of non-equivalent and diverse dispositions into which the offender is inscribed according to the diagnosis of his or her condition and the treatment appropriate to it.

(Garland 1985: 28)

As part of such manoeuvres, the aims of punishment by the state were

recast from 'blind repression' to an attempt to reform and 'normalize' the deviant individual. This reformatory principle was tied into the development of an investigatory and diagnostic form of knowledge and apparatus, whereby the defects and deviations of the individual were to be ascertained and acted upon in order to discipline and normalize them.

The important point about Garland's analysis and that of Foucault before him, is the sense in which they connect transformations in the penal realm with wider currents in society at that time. They show that the inculcation of discipline and the attempts at normalization were not techniques restricted to incarceration, but were integral to the role of state interventions. For example, Donzelot (1979) describes the ways in which social workers and those involved in the protection of children employed similar rationalities and strategies in their work. Over the course of the first half of the twentieth century there was a marked development of the state's capacity and desire to be involved in the delivery of social control. Through expansions and diversifications in fields such as policing, welfare and punishment, involving new forms of expertise and new agencies, the state increasingly became routinely involved (as opposed to a more exceptional role) in social control work.

There are of course other developments which will be filled out in more detail in subsequent chapters, but the next significant transformation to be discussed here concerns shifts in the logics of control that took place in the 1960s. For Cohen (1985), the 1960s witnessed the ascendance of the profound 'de-structuring impulse' detailed in the previous chapter, composed of a number of interrelated ideologies including decarceration, diversion, decentralization and decriminalization amongst others. The implementation of reforms informed by these logics was justified on the basis that they would prove to be more effective and efficient, more humane, and less stigmatizing. But as Cohen documents, the unintended consequences of the resultant turn to community-based controls was the development of a new form of subtle and amorphous discipline, that would in time create the sufficient and necessary conditions for what, in the concluding chapter, I have termed 'ambient social control'.

Commenting on the Italian psychiatric reform movement and the experience of deinstitutionalization and de-professionalization, that took place at about this time, Offe (1984) notes that the reform programmes that were introduced were somewhat naive in assuming that the familial and community infrastructures of civil society were capable of absorbing a certain range of deviance. According to Offe, as these reforms were implemented it quickly became apparent that the sheer complexity of contemporary communities tends to make them intolerant of deviance. This was reinforced by the fact that through the development of the penal-welfare nexus and the professionalization of responsibility for dealing with social problems, communities had lost the popular knowledge necessary for dealing competently with people who have some form of mental illness. The state's response to the failings of these institutions was to introduce

supplementary controls into communities, with the intention that these should enable the social institutions to perform their desired control functions. Thus the unintended consequence of these reforms was to contribute to the emergence of the control logics and practices that are the focus of the post-social control theorists, and which were discussed in the previous chapter.

Rationalization and the administrative apparatus of control

Having provided a history in fragments, seeking to uncover key moments when social control practice was reconfigured, I now want to shift the temper of my analysis in order to identify several longer-term trends that are important in explaining the evolution of control practice. I will start by considering Weber's rationalization thesis and its impact upon social control.

It has become commonplace for those assessing Weber's sociology to argue that his diverse studies were fundamentally about explicating the processes of rationalization that he saw as providing the foundations of modernity (Giddens 1971; Dodd 1999). Whereas Marx saw the engine of history as class conflict, Weber saw the emergence and development of modernity, and indeed capitalistic organization, as the product of rationalization, understood as a form of instrumental calculation and basic belief. The spread of reason was, according to Weber, particularly important in the development of the administrative capacities of the state. The down-side to this was that the spread of bureaucracy as a means for the rational accounting of actions tended to produce the metaphorical 'iron-cage', whereby the citizen of modernity found their ability to act freely increasingly constrained. This dimension of Weber's work is taken up by Dandeker (1990) in his exploration of the expansion of the state's surveillance capacities in modernity. He notes that the underpinning logic of Weber's analysis concerning the institutionalization of rationality is not altogether distinct from that developed by Foucault's concern with the relations between power and knowledge.

Increasing levels of state intervention were premised upon the development of a bureaucratic apparatus, enabling the collection of administrative data that made it possible to identify and map the nature, scale and scope of different problems. As Ian Hacking (1990) explains in his treatise on the rise of probability as a mode of reasoning, and the resultant 'taming of chance', although governments had previously collected data on the populace, in the latter parts of the eighteenth century through into the nineteenth, there was an explosion of interest in Prussia, France, Britain and the rest of Western Europe in the uses to which such data could be put. This was driven by:

...new technologies for classifying and enumerating, and new bureaucracies with the authority and continuity to deploy the technology. There is a sense in which many of the facts presented by the bureaucracies did not exist ahead of time. Categories had to be invented into which people could conveniently fall in order to be counted.

(Hacking 1990: 3)

Thus the collection of data by the state itself promoted an extension of the reach of state power through the development of bureaucratic machinery to collect and process information, and then subsequently to act upon it. Furthermore, the publication of data made available new ways of classifying both oneself and the people whom one encountered, together with different ways of understanding society and its problems. As Foucault (1991) provocatively suggested in his discussion of 'biopolitics', the avalanche of numbers provided the basis upon which the normal could be divined from the abnormal, which in turn established objectives for the strategies of normalization that were imagined by the human sciences and practised by state institutions.

In addition to matters of population management associated with birth, marriage and mortality rates, states began to collect data on problems such as levels of suicide, illness and crime. These analyses served to provide the preconditions for the enactment of more effective social control strategies.

It is important to retain an awareness that, at least in part, these ongoing processes of rationalization have their roots in rather more prosaic and pragmatic concerns. The establishment of large-scale state bureaucracies is grounded in a confluence of interactions between taxation, representation and administration (Ferguson 2001). In order to maintain a bureaucracy capable of processing large amounts of administrative data (and thus rationalizing the conduct of governance) a source of financing this work had to be established by states. This necessitated a more comprehensive and sophisticated regime of taxation to acquire sufficient funds to pay for a professional corps of bureaucrats. In addition to the fact that a more extensive tax system itself required an enhanced administrative apparatus to function, the spread and diversification of taxation was connected to the widening of the electoral franchise. As citizens were increasingly required to participate in financing the activities of the state through taxation, so the idea that they had a right to help determine the nature of these activities through democratic processes was progressively propagated and accepted. Therefore, institutional rationalization, and consequently the ability of the state to exert more control over the lives of its citizens, resulted from a complex of adaptive manoeuvres. It was part of the ways in which the relationship between state and citizen was reconfigured. And it was not necessarily viewed unproblematically. As Ferguson (2001) documents, in Britain between 1690 and 1782, the number of 'fiscal

bureaucrats' more than trebled, and in a manner redolent of contemporary concerns about surveillance, the Excise became known as 'the monster with 10,000 eyes'.²

The development of the tax system provided a rudimentary example of how states could collect and process data on a comparatively large scale. Over time this system developed, and similar principles were used to collect data about other dimensions of social life. Amongst the most significant developments in respect of this latter aspect was the establishment of mechanisms that allowed state bureaucracies to refine their methods of data collection and analysis, and to shift from the collection of data on aggregate groups to the collation of records relating to individuals. Tax records, police records, prison records, health records and education records were increasingly detailed, but the problem, particularly in relation to matters of controlling deviant and troublesome populations was one of personal identification. That is, in an era before the routine use of photography, how could a bureaucratic organization connect a documentary record of data about an individual to that person? As part of a move to rationalize punishment, records of previous convictions became important in terms of identifying recidivist individuals who should be subject to greater degrees of control, than individuals whose criminal participation was a single aberration. Similarly, problems were encountered by welfare bureaucracies in terms of establishing which individuals were entitled to receive particular benefits. The earliest workable solution to this problem was provided by the discovery of fingerprints as a unique identifier, this provided a form of coding that could be used to link a person to the records kept about them (Cole 2001).

The progressive expansion and refinement of the administrative apparatus was continued by conditions under war-time. In an effort to prosecute war more effectively nation states began to collate increasingly detailed levels of data about combatants, which served to reveal the persistence of social problems especially related to health. But perhaps as important as the content of the data was the fact that the total war philosophy revealed that the state actually could develop bureaucratic mechanisms to collect, process and act upon data on a vast scale (Dandeker 1990).

This was not always to positive effect though. In a counter to discussions of the irrationality of the Nazi holocaust of the Jews, Zygmunt Bauman (1989) has argued that in fact it provides one of the most chilling examples of what can be achieved through bureaucratic forms of organization and a logic of rationalization. The holocaust was a highly organized and systematic attempt to engage in actions that most individuals would find reprehensible. And yet it was able to undertake the task set for it with considerable technical efficiency. The power of 'the machine' overwhelmed any resistance and moral qualms that individuals working in it may have had, providing a type of social control over their actions which enabled them to engage in their work without having to attend to its consequences. Rather than being irrational and anti-modern, for Bauman, the holocaust

represents the apotheosis, the ultimate example of what can be achieved if you follow the logic of modern rationality.

Drawing upon techniques developed in advertising commercial goods, war-time governments undertook to manipulate popular morale. Through public information campaigns, governments across Europe and in America sought to shape the public's understanding of the conflict, and to control and manipulate their desires in an effort to retain support for continuing to fight.³ What was made very evident by such work was that the state did not have to rely purely on coercion, or the threat of coercion, to get the public to conform to desired norms of behaviour. Subtle techniques derived from the principles of psychology and psychoanalysis, directed towards the hidden, often subconscious, desires of individuals and groups, could produce effective results in terms of reducing overt forms of social conflict.

Alongside the social, economic and psychological developments I have described above, there were also important developments in the realm of politics. Not least, there was a progressive widening of the electoral franchise which led to an increasing proportion of the population being possessed of political rights. In terms of the provision of control this meant that its exercise could no longer be undertaken in an arbitrary and somewhat haphazard manner, but rather had to be appropriate, proportionate and legitimate. Moreover, as participants in the democratic state, these groups of people were no longer to be simply controlled. Social control by the state had to take account of their interests if the legitimacy of the government and perhaps even the state itself was to be preserved.

According to Reiner (1992), by the 1920s there was broad acceptance and support for the idea that the state should take the lead role in the conduct of formal social control. Through the police, prisons and other institutions of the criminal justice process, a complex bureaucratic apparatus was established for responding to more serious kinds of deviant behaviour. These actions thus served to support and bolster the informal regulation of deviance taking place within communities. And in the post-war era, the setting up of fully developed welfare state systems continued the established trend for the state to collect data on the condition of its citizens and to use these to design interventions.

Weber's theory of the penetration of instrumental rationality into diverse arenas of social life as being the defining characteristic of modernity, provides a meta-narrative for understanding transformations in a number of areas. In his writings, a central component of rationalization is the role played by the expansion of law and the legal system as a source of authoritative rationalizing principles. It is to this subject that I now turn.

Juridification

Law constitutes one of the primary mechanisms via which social control is enacted. For Black (1976), law is 'governmental social control', being the rules and processes that the state uses to intervene in social conflicts between both organized and individuated interests. According to Black, there is an inversely proportional relationship between law as formal social control and other more informal controls. As a consequence of which, when increases in the formal quotient of law are enacted, there is a corresponding decline in the amount of informal social control in a society. As has been intimated in the discussion contained in the opening two chapters, Black's 'correlated proportionality' thesis⁴ has been called into question by theoretical analyses of the late-modern situation, which suggest that there has been a marked and substantial increase in, and interlocking of, both informal and formal modes of social control. This does not however, mean that other aspects of Black's approach do not help us to understand the patterns of development in the exercise of social control in modernity.

The driving logic of Habermas's (1989) analysis of processes of 'juridification' is not that dissimilar to Black's arguments. Habermas uses the concept of juridification to trace what he sees as a progressive expansion of the domain of law as a constitutive development of the modern social system. He argues that reform and development of the legal apparatus has been part of the trajectory of social change in modern societies. In particular, he distinguishes between what he identifies as the 'expansion of law', from the 'increasing density of law'. The former notion referring to the ways in which law has progressively 'colonized' new areas of social life, reshaping how these previously informally regulated domains are understood and thus enacted. In contrast, the idea of the increasing density of law refers to a trend for a movement away from reliance on generalized principles of law, to increasingly tightly defined and specified regulatory instruments.⁵ For Habermas, the concept of juridification is useful in capturing the extent to which class conflict has been progressively institutionalized within the confines of liberal-democratic capitalist systems. A similar point is made by Dahrendorf (1985), where he remarks on the fact that in late-modern societies the primary kinds of conflict with which states have to engage, are not the mass conflicts of the eighteenth, nineteenth and early twentieth centuries, but more discrete atomized incidents.

In tracing the development of social control practices then, I will adopt and adapt the concept of juridification in order to capture one of the axes along which the conduct of social control has developed. I stress the need for adaptation of the basic tenor of Habermas's ideas because he provides an overly deterministic account, which fails to acknowledge the extent to which the dynamics of juridification are contextually situated, shaped by different combinations of political-historical-cultural circumstances. This

is nicely articulated in Melossi's (2001) comparison of penal trends in Italy and America, where he contrasts the 'soft authoritarianism' and low levels of penal repression typical of Italian approaches to social control, with the tendency in American political culture towards an emphasis upon democratic values and high levels of penal repression. Thus, whilst the concept of juridification captures an overarching trend in the evolution of modernity, there are in actuality permutations of the juridification processes that can be observed. But to argue in favour of the fundamental utility of the concept of juridification, it is first necessary to identify the drivers in terms of how and why the domain of law has increased both in size and density.

Processes of juridification are both mechanism and outcome of the wider social changes that I have identified earlier in this chapter. Law has facilitated the ongoing rationalization of social life, supplying a diagnostic mechanism that can be used to effect decisions on those occasions where individuals and collectives experience divergent interests, and actual or potential conflicts. Furthermore, it also provides mechanisms for the enforcement of such decisions. Legal decision making and acting on the basis of principles determined through the apparatus of law, has reduced reliance on traditionally based moral orders, and thereby contributed to processes of de-traditionalization. In turn, the erosion of a reliance upon traditional mechanisms of social ordering has reinforced the power of law.

The above patterns are also implicated in developments in the conduct of government. There is a burgeoning literature detailing the extent to which there has been a shift in the guiding logics of statecraft from the idea of government to governance. Law has been central to such processes, frequently supplying a regulatory apparatus by which the institutions of the state can 'steer' without 'rowing' (Osborne and Gaebler 1992; Rhodes 1997). Furthermore, a plethora of new legal institutions such as the European Court of Human Rights have been developed which add a new layer of legal authority, effectively providing a form of 'meta-control' over the workings of the legal systems of individual countries.

If we shift from looking at macro-structural changes to those that have taken place at the micro-level, the concept of juridification retains its importance. Both Hobsbawm (1994) and Giddens (1991) amongst others, have forwarded influential analyses which suggest that how we understand ourselves and who we are, is one of the most profound changes in the orienting dispositions of late-modern societies. Law has not been insignificant in such matters. Law has, albeit often slowly, been involved in determining which of these new forms of classifying ourselves have substance, and can and should (or should not) be officially recognized. For example, in South Africa under the apartheid system, law was used to enforce discrimination on the basis of ethnicity. But with the overthrow of apartheid, law reforms have also been used to try and overcome such discrimination.

In discussing the ways in which juridification processes have been

imbricated in wider social transformations, it is important not to overstate the reach of the changes that have occurred. In his seminal analysis of the impact of law on society, Galanter (1974) demonstrates why it is that legal systems do not tend to generate radical transformations throughout a social order. He argues that the internal institutional structurings of legal apparatuses tend to reproduce interlocking advantages possessed by certain participants in the legal process, thereby restricting the capacity of the system to function as an engine of social justice.

It is important also that juridification is not equated with an increased punitiveness of the type identified by Downes (2001) as characteristic of late-modern criminal justice systems – for as will be shown, this stems from other causes. Moreover, processes of juridification have also been important for guaranteeing freedoms as well as instigating more social control. Newburn (1992) discusses several law reforms in Britain during the 1960s to 1970s to do with issues such as abortion and homosexuality, showing how relaxing the laws in relation to specific acts was accompanied by a simultaneous tightening of regulation of related acts adjudged to be more injurious. This points to the complexities that attend when attempts are made to legislate in respect of issues of morality (Duster 1971). In such circumstances, the tensions that exist between the complex social realities of conduct and their legal portrayal is frequently reduced by recourse to simplified and essentialized paradigmatic cases, that serve to portray the issues concerned in an unproblematic light. For example, Gusfield (1981), in his discussion of the control of drink-driving through legal instruments, details the ways in which the 'myth' of the drunken motorist is actively manipulated by interest groups in pursuance of their objectives. Such myth-making and myth-manipulating thereby constructs an image of law as a form of public action, operating on behalf of, and in protection of, a unified collective belief.

My formulation and use of the notion of juridification is also sensitive to the fact that just because law is available for the control of a particular domain of activity, this does not mean to say that law is always enforced. Echoing the findings of empirical research on police officers' decision making, both Hawkins' (1984; 2002) and Hutter's (1988; 1997) studies of regulatory agencies in the United Kingdom point to the negotiated character of such work, and the fact that frequently law is enacted only as a last resort when other strategies have failed. This signals one of the most important findings of the socio-legal research literature, that the enactment and enforcement of law depends upon the discretionary, interpretative judgements of individual agents – thus introducing a distinction between the law as stated 'in books' and 'in action'.⁶ Consequently, whilst in principle there may be extensive juridification in a society, this may be mediated in practice by the ability, willingness and desire of individual enforcement agents to apply law to specific circumstances. To assist them in deciding how, when, why and against whom to enforce law, legal organizations develop scripts about the 'normal' and abnormal qualities that

should inform legal decision making (Sudnow 1965; Emerson 1995). In addition to which of course, powerful interest groups such as multinational corporations can simply resist and obfuscate attempts by legal agents to control their actions (Hertz 2001).

A further corrective to an analysis of juridification relates to the need to acknowledge that such processes have a situated rationality. In certain contexts juridification has been particularly pronounced, whereas in others it has been less important in understanding shifts in the balance of formal and informal social controls. Kagan's (2001a) analysis of the tendency towards 'adversarial legalism' in the United States as a reflection of wider normative principles and institutional orderings, provides an account of fairly rampant juridification. But this can be counter-posed with Tanase's (1995) account of the comparatively nonlitigious nature of Japanese society.

Kagan argues in support of the juridification concept, stating:

Everywhere in the modern world legal control of social, political and economic life is intensifying. Law grows from the relentless pressures of technological change, geographic mobility, global economic competition, and environmental pollution – all of which generate social and economic disruption, new risks to health and security, new forms of injustice, and new cultural challenges to traditional norms.

(2001a: 6)

His point though, is to stress that the particular values and principles of American legal culture, interacting with a refracted image of those of the political system, produces a situation wherein recourse to law to control the activities of others is an accepted part of the American way of life. This sense of the need to situate a legal apparatus in a wider institutional framework in order to understand its operations and orientations echoes, to some degree, the approach suggested by Nonet and Selznick (2001). But whereas they argue that the shaping of legal arrangements is largely the result of forces extraneous to the system itself, Kagan (2001a) stresses the need to recognize that the system participates in such processes, recursively and reflexively generating internal pressures to the reproduction and development of a particular approach.

Analysing the operations of adversarial legalism in America, Kagan (2001a) maintains it is an approach that has both negative and positive aspects. The negative effects are that it is comparatively costly, inefficient, punitive and unpredictable. More positively though, it tends to be quite open to new kinds of justice claim and new political movements. As a consequence of this, American courts, lawyers and litigation serve as mechanisms of social control over the activities of government and other powerful agencies (such as corporations), constraining their potential for corruption and arbitrariness.

Various examples can be marshalled in support of this argument. For example, Kagan (2001b) notes that for 10–15 years after 1963, American

legislatures undertook significant legal reform in areas such as race relations, the control of pollution, accident prevention and the regulation of big business. And that between 1960 and 1980, the number of civil rights cases against the government in the federal courts increased from 290 per annum to about 27,000. Other examples of the use of law to control the activities of the powerful might include mediated 'spectacles' such as the Watergate scandal and the aftermath of the Rodney King beatings in Los Angeles.

But here again I must inject a note of caution and thereby render more complex my argument. To argue that the American system offers greater potential for the social control of powerful actors is not to say that it is always successful in achieving this. In their detailed analysis of the *Iran-Contra* hearings, where members and associates of the Reagan government administration were investigated about illegally supplying arms, Lynch and Bogen (1996) dissect the ways in which the charges were negated and undermined. In this instance, the potential of the American legal system to exact control prior to the powerful protagonists engaging in their actions, or indeed after they had done so, was revealed as fairly fragile.

Lynch and Bogen's (1996) analysis is interesting because, although it is not directly about the workings of law or legal proceedings, it reveals a number of deeper qualities about the social functions of law. In discussing the performance of Colonel Oliver North who emerged as a key actor in the *Iran-Contra* hearings, Lynch and Bogen seek to elucidate the parameters of 'ceremonials of truth' and 'truth-finding engines'. The former concept is used to capture the ways in which legalistic, and legalistically styled proceedings can be understood as rituals for the production of an authoritative account, where there is a disputed understanding as to the reality of what has taken place. In a similar fashion, Rock (1993) in his study of an English Crown Court and Innes (2003) in studying police murder investigations, record how the establishment of 'facts' and truths in law is a pragmatic accomplishment, informed by particular understandings, values, principles and techniques.

Lynch and Bogen describe the workings of 'the truth-finding engine' of interrogation in law, and its immanent, dialogical and discursive properties. The importance of their analysis is in documenting the ways in which the truth produced via legal performances is not restricted in its effects to that social occasion. They show that, in deciding upon what is and what is not to be accepted as 'truthful', formal legal interactions are involved in the production of history. Particularly, in respect of high profile trials and hearings, where the occasion is a dramaturgic performance relayed to the outside world by journalists, the production of legal truth frequently provides the materials for the construction of a 'collective memory'. This will shape how the event is publicly remembered (Cohen 2001; Innes 2003).

The establishment of such collective memories can 'fold back' upon the system that produced them and thereby be consequential for processes of

juridification. In recent times, high profile serious cases such as those involving Polly Klass and Megan Kanka in America, and in Britain Sarah Payne and Stephen Lawrence, have functioned as 'signal crimes' that have resulted in either campaigns for, or actual, reforms of the law (Innes in press).

Turning ourselves outside-in and inside-out

As identified briefly in the earlier discussion on the emergence of the state's administrative control apparatus, an important element of modernity has been the production of new forms of knowledge about populations. The knowledge and techniques associated with discourses of the human sciences, and in particular what Rose (1998) labels the 'psy' disciplines of psychology, psychiatry and psychotherapy, produced new ways of 'making up people',⁷ together with new classifications of deviance that required control, new ways of thinking about who and what we are, and the problems we experience.

The 'psy' disciplines constitute a further dimension in terms of the diverse ways in which modern and late-modern societies conceive of deviance and organize responses to it. The metaphor of turning ourselves outside-in and inside-out, attempts to capture the ways that forms of expertise have been established that cast troublesome behaviour as an index of 'inner' deviance. Furnished with specialized discourses and epistemologies, these therapeutic versions of control are based upon the diagnostic principle that it is possible to interpret actions and conduct as performances or instances of 'acting out' deeper problems. Once the cause(s) of this inner deviance are divined, then therapeutic controls can be directed at 'the flawed' self, in order to return them to a more normal state.

According to Rose (1990), although our personalities, subjectivities and relationships feel like private matters, they have become socially organized and managed in minute particulars. This management of the self is part of the wider logic of 'governmentality' described by Foucault, wherein it has progressively been enlisted into the aims and objectives of ruling authorities. The desires, wants and needs of individuals are integrated into the political machinery of governance, co-ordinated by the practitioners of 'psy', who are nothing less than 'engineers of the human soul' (Rose 1990).

The inculcation of this form of collective self-control has, though, contributed to a multiplication and diversification of the identifiable and treatable forms of deviance. It has produced a state of 'normal deviance', wherein it seems that any form of inappropriate conduct, by anyone of us, can be explained and accounted for by reference to our emotional or

psychological biographies. We are persuaded and cajoled that these forms of normal deviance can be addressed through the application of expertise, knowledge and therapeutic control techniques derived from the psy disciplines.

Given the focus of this book, the importance of the rise to prominence of 'psy' discourses is not simply the ways in which they have contributed to a revitalized emphasis on the inculcation of self-discipline and self-control, but the ways they have blended with legal discourses. As remarked upon previously, for Cohen (1985), one of the most important developments in the trajectory of social control has been the blurring of the boundaries between the therapeutic and the disciplinary. For example, psychiatric and therapeutic discourses are now routinely employed in managing prison inmates. They are also often used by the courts, as part of a sentence imposed upon an offender to be served in the community. But these forms of therapeutic-disciplinary controls are not restricted to the harder parts of the system. Rather they exist on a continuum that extends from the most serious kinds of criminal deviance through to the milder, even trivial forms of normal deviance that we all experience.

This blending of therapeutic and disciplinary forms of control can itself be understood as connected to a wider phenomenon of 'medicalization'. This term refers to circumstances where a 'medical frame' is utilized in responding to different forms of deviance (Conrad 1992). Alongside mental illness, medical social control is commonly to be found in responses to problematic drug and alcohol use, sexual matters and homelessness. But reflecting my earlier comments about the continuum of therapeutic-disciplinary controls, we are all targeted by such controls. For example, through health promotion campaigns that urge us to eat, smoke and drink less, whilst getting more exercise.

Conrad (1992) identifies five primary species of medical social control. The first is *ideological* where a medical model is applied to a problem because of the accrued social and ideological benefits of doing so. The second is *collaborative* where medical professionals act as information providers, gatekeepers or technicians for other social control agents. By administering drugs, performing surgery and providing forms of screening, a third *technological* form of medical social control is enacted. Professionals working in health-related arenas frequently provide a *surveillance* function, where certain conditions or behaviours become perceived through the 'medical gaze'. Finally, there is a reflexive form of *professional self control*, where professional medical associations seek to exert control over the activities of their members.

It is developments such as these that create the conditions for the ongoing contemporary reconfigurations that I outlined in Chapter 1 and will return to in the final chapter. Tracing the histories of the conduct of control serves to make evident the ways in which developments tend to correspond to a combination of reforms, and innovations emanating within social control systems, and adaptations and adjustments to external

social forces. Therefore, in seeking to understand the patterns of development in terms of how control is practised, it is important to account for both internal and external factors.

Summary

The aim of this chapter was to provide an overview of how social control practices have changed over time in liberal democratic capitalist societies, and the relations that exist between these changes and the social contexts in which they are located. The story told was of the development of the role of the state in the provision of control as its capacity to do so was progressively rationalized. Central to this pattern of development and a trend that continues into the present day, is the process of juridification, whereby law and legal reasoning is increasingly relied upon to shape and constrain behaviour. A second significant trajectory of development has been the new knowledge and technologies emanating from the 'psy' disciplines.

In undertaking this historical analysis, my account was split between an emphasis upon moments of reconfiguration and tracing out the underlying forces that were involved therein. This approach thus establishes a framework for the analysis to be provided in subsequent chapters, providing a sense of the continuities and discontinuities that exist between contemporary arrangements and those that preceded them.