

CRITICAL APPROACHES TOWARDS SOCIAL CONTROL: FROM AN ANALYSIS OF STATE'S POWER TO CONTEMPORARY URBAN MARGINALITY IN ITALY

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This paper will describe type of new political identity social order will have to be displaced from the legal-coercive level to a consensual level, so the "State" will have to produce social control as self-control and to contribute to fill an almost empty space - apart some good studies led by Massimo Pavarini and Alessandro De Giorgi- about Italian security policies, specifically in the city of Milan. How social control by state will effected to urban marginality societies.

The studies about social control in general and urban social control in particular, are various and cover different perspectives and geographical areas. In this brief essay I have decided to deal specifically with three authors that have greatly contributed to a critical approach to social control: Dario Melossi, David Garland and Loïc Wacquant. The first two are interesting for a more general study on what can be considered social control, its critical aspects and the conception of crime and criminal. Instead, the study of Wacquant's theory is more important to focus on urban social control policies and their link with neoliberal "zero tolerance" practices and urban stigmatization. When I mention a critical approach I don't mean exactly what has been considered the Critical Criminology of the early '70s, even if the main work of Melossi and Pavarini *Carcere e Fabbrica* (1977) is usually placed in that field, but instead I prefer to focus on the subsequent developments of that theory, with an approach that is less connected with a Marxist view, following the analysis of Michel Foucault and taking into account the new elements of contemporary society such as the building of European Union and its impact on crime policy and immigration or the policies that have been implied in marginalized areas of European and non-european metropolis (Paris, Madrid, Buenos Aires). In this first piece of essay I'm dealing only with a theoretical background not pretending to cover all the theoretical studies about social control. In particular I have not analyzed the important contribution of Mike Davis in his *Beyond Blade Runner: Urban Control, The Ecology of Fear* (1992) as I expect to study his literary production in a much more deeper way. The empirical studies about urban social control ,urban ethnography and security policies have been several focusing especially on France (Wacquant 2001, 2008), United States (Wacquant 2001, 2004, 2007, 2008; Beckett 2010) and several cities of Central and South America such as Buenos Aires and Mexico City (Campesi 2010) and Brazil (Pengalese 2009). What my master thesis will try to do is to contribute to fill an

almost empty space - apart some good studies leaded by Massimo Pavarini and Alessandro De Giorgi- about Italian security policies, specifically in the city of Milan.

Dario Melossi describes two different models of social control: one that comes out of the European tradition and that considers the State “like a metaphysical construction of knowledge, that imposes a concept of unity and social cohesion guaranteed by a coercive power” (Melossi 2002:141). The second one is the North-American social science that focuses on the transformations of social relationships: “the problem is not of *describing* reality as united, but instead of *building* that reality in the practice” (Melossi 2002:141). In the U.S.A during the 20s and the 30s, in particular with the *New Deal* reforms, was created a society dominated by the consumerism principle and by mass media, in this context advertisements are not only there to sell a product but to sell a lifestyle. “This is an attempt to retrieve those masses that had become the political protagonists of the historical process through their transformation into consumers and their cultural homologation” (Melossi 2002:147). In this context, the acceptance of the democratic rules becomes crucial in the ability to move from coercion to consent and there's no more place for an uncritical view of social control like the one drawn by Parsons where social control consists in the reestablishment of an equilibrium broken by the sudden and sociologically unexplained emergence of “deviance” (Parsons 1965:249-325). Melossi instead has decided to rely on George's Mead's *active* concept of social control, that means a special focus on the reproduction of social relations avoiding to imply an ideal standard of social peace. This idea of social control isn't only active but also plural “as it refers to the field of action within which specific groups in society exert social control, sometimes in a conflictual manner. The mainstream concept of social control instead is reactive and monistic, social control being the property of *the* social system”. (Melossi 1992:13). Democracy, its concept and its practice, is central in playing with motivation that is much more stronger in a decentralized type of society than fear and outer regulation. With this latter concept of social control we can easily understand how Foucault's analysis of social control and positive power in the institutions is perfectly suitable with a democratic social control that plays with will, creation of desires and building of consent. Tocqueville stated that in order to control public opinion the “liberty of the press” is a much more powerful instrument than censorship as the principle of freedom can guide personal convictions in the line desired by those who control a “free” press. (Tocqueville 1962). Melossi also reminds us of an eloquent example of social control: the Durkheim's one, “Because government is the great rationalizer of collective consciousness, and because the higher degree of communication typical of democracy allows for a much higher and more pervasive degree of

rationalization. Durkheim concluded that democracy is the most powerful form of government”(Melossi 1992:20) Melossi sees today in Europe, the clash of two different positions: on one hand there is a state-centered culture building a vision of Europe as a “centralized, bureaucratic, authoritarian Leviathan”(Melossi 1992:24). On the other hand we have the emergence of the hundred nations of Europe within the ideal of a democratic, federative, decentralized political community (Melossi 1992:91). In this type of new political identity social order will have to be displaced from the legal-coercive level to a consensual level, so the “State” will have to produce social control as self-control. As Foucault has proved describing his view of a productive power, this way of thinking at social control as self-control is a displacement of social power and not its elimination (Foucault 1976:85). The concept of self-control is central in Gottfredson and Hirschi's *General Theory of Crime*, focusing more on the processes of internalization of the norms: who is able to produce self-control by himself is also the one who's going to commit less crimes and viceversa (Melossi 2002:220). The two authors, in Melossi's words, rely on the instruments of social relationships: first of all the family.

One of the most interesting contribute of Dario Melossi has been as I said before the connection between social control and the strength of democracy, following Foucault's line society has moved from the paradigm of the *Leviathan* that manage a visible, cruel, impressive type of control directly on the body of the criminal to a less visible, softer in the symbolism implied and subtle type of control. Melossi sees how, first in north-american society and later in Europe, the process of explosion of a “criminality problem” has developed together with the building of a democratic form of government that has ended up with the conflicts existing in the society, underlining the need of reconciliation and social cohesion. As he clearly states “democracy turned out to be superior because it was able to provide the highest degree of mobilization, from the perspectives of élites, and the highest degree of freedom, from the perspective of the person in the masses”. (Melossi 1997: 65). In this sense, crime has become “one of the main flags for the unity of society” (Melossi 2002:259). The outsiders are not anymore an element of antagonism against power but a fragmented reality of excluded and marginalized people: “deviants” or “suitable enemies” as described by Nils Christie (Christie 1986). This suits perfectly with the European case, where the roots of crisis are severe: from the problem of State sovereignty to the crisis of the welfare State and what can be considered the search for European and local identities. So, “the process of democratization of European society together with the end of the Cold War has helped with the creation a common “internal” enemy, even if this is often identified with an “immigrant” enemy and so again an “external” enemy. In

the post –Cold War Era, the term “security” doesn’t seem to reflect anymore neither an external type of security nor a notion of internal security limited to the concept of “public order” as “internal product of an international division” (Melossi 2002:269). Nowadays the public enemies can be considered the criminals better if non- legal immigrants, the well-known “sans-papiers”. Melossi describes the problem of immigration as an “acid test for social control in the Europe of the late 90s” (Melossi 1997:70) The old centralized system of the State was more or less able to fight against an organized type of criminality that was directly attacking “the heart of the State”- as it was said during the 70s. Instead the micro-criminality, as the mass-media often describe criminality, has less to do with the wider aspect of the State and more with a “local routine”. In Europe the discourse about micro-criminality has always more been connected with the relationship criminality-immigration. Melossi says that the mechanisms of the “State” in Italy and in Europe are always more in the middle of two different situations: the loss of legitimacy of the bureaucratic, authoritarian and hierarchical European tradition of the State and the difficulty to create a new type of social control at the “service of the people”. In his concept, social control is not the single policeman or the judge but instead a constant activity in which we are all daily implied inside our social relationships “ a network that contributes to lead the social actors , I a way that could be represented graphically with a great number of arrows” (Melossi 2002:301). That’s the reason why Melossi sees the State as a “product of social control” (Melossi 1992), the State isn’t any autonomous subject of action , it is instead ” crossed by contrapositions, fractures, conflicts alliances of the so-called civil society so it is always going to be on the both sides of the “law” and of the “illegality”” (Melossi 2002: 303). In this context we can also consider the State’s social control as reproducing the main social relationships, together with that part of violence and illegality that the system needs in order to reproduce itself. That element of illegality is considered by Melossi as a “component of the *status quo* on which the system is built” (Melossi 2002:302). He’s convinced that the fight of a democratic system against criminality is condemned to remain only an ambition if it doesn’t work together with a reform of the basis of the society that challenges this *status quo*. Concluding this first part on the Italian sociologist is also fundamental to recall his emphasis on the changes in the representation of criminality and of the criminal, not only in criminology but first inside what we generally name “public opinion”.

David Garland has dedicated the largest part of his studies analyzing social control and its specific application on crime and imprisonment dealing also with Foucault’s governmentality. One first concept that I would like to underline is: Garland states that “the dialectic between

freedom and control has characterized the last thirty years” (Garland 2001: 320). The social liberation that came out of the 60s and the free markets of the 80s are now being paid with “the coin of social control and penal repression” (Garland 2001: 320). It’s possible to say that we live in a world that has been built on the concepts of individual freedom and capacity of choice, the criminology that emphasized the connection between crime and external determination was much more followed during the years of the Welfare State. Thanks To Foucault analysis of “governmentality” and bio-power Garland explains his paradox of “governing through freedom” (Garland 1997: 196) that has been the central discourse of governmentality in the neo-liberal democracies. Garland thinks that this paradox is misleading as it brings a conflict between two different concepts: agency and freedom. Agency can be considered an attribute of socialized human beings and is the capacity of a person for action. Instead freedom is “the configured range of unconstrained choice in which agency can operate” (Garland 1997:197). In the space of the “governing through freedom”, people preferences and dispositions are oriented towards a set of objectives promoted by the authorities. One good example given by Garland is the one of the consumer. Following Foucault’s line, Garland underlines the power of internalized desires and the policies of “technologies of the self” that these authorities promote. But Garland tries also to overcome some of the limits of Foucault’s analysis: the idea of a “governmentalized state” can’t avoid some critics, in the sense that any state governs the conducts of the citizens- “all states must be more or less governmentalized in the same way that they are all more or less interventionist” (Garland 1999: 26). Another element of confusion is the use of the term “governmental” also for types of “agencies” that can’t be identified with the State or the government in its strict sense, as Foucault and Garland make particularly clear “power” is not only exclusive of the State apparatus but it is spread through different and various authorities. That’s the reason why it’s always more problematic to use “governmental” as a term. Garland has identified two different ways in which north-american criminology has reacted to what was happening from the 80s and he has grouped them in two attitudes: “criminology of the self” and “criminology of the other” (Melossi 2002: 223). In both types of theories the theoretical starting point is a society seen in darwinist and hobbesian terms, but between the two there’s still an important difference: the “criminology of the self” conceive the criminal as “an animal determined by the aim of the maximization of his well-being against the other human being” (Melossi 2002:228). That’s how this theories explain what happened in the 60s and in the 70s when with a high economic development and a low level of unemployment the crime rate in the western countries increased. This could be considered as challenging element for Rusche and

Kircheimer's theories of crime, but on the other hand this theory avoids to consider the different types of crimes and criminality such as the difference between theft on a street and a "white collar" crime- as Sutherland would say. The "criminology of the other" instead identifies the criminal and the member of ethnic communities as people with a lack in their IQ. This theory has been accused of clear racist discrimination. (Melossi 2002:222). What is even more interesting for my work is the analysis that David Garland does of the concept of surveillance, defining our times as the "Panopticon days" (Garland 1995: 3). He describes the immediate feelings of anxiety and paranoia that a lot of citizens feel when they listen of any new government plan of Identification Card schemes or CCT cameras, anxieties improved by the image of the Orwell's "Big Brother". He finds a justification for this kind of citizen's feeling: "given the routine abuses of power that occur and the clear divergences between the state authorities and those over whom they exercise control, most of us have a lot to be paranoid about" (Garland 1995: 3). Garland considers surveillance as a central element of social control that is present in all types of society in a more or less informal way: in small-scale or face to face societies there will be a much more informal and spontaneous type of control leaded by a group in the normal process of social interactions, instead in a large type of society surveillance becomes a more complex, specialized and technical task. As he argued in *Punishment and modern society* (Garland:1990) these types of complex phenomena have to be looked from different perspectives as each historical process produces its descriptions and peculiarities, that's why he explains how the field of social control must be explained in different and broader terms than penalty, as the first one includes a set of practices, relationships of power and policies, lead by governmental and non-governmental actors, including punishment but not considering it as exclusive (Garland 2007: 5).

Till now I have tried to deal more with theoretical studies about what can be considered as social control connecting with European democracy and immigration (Melossi) and crime (Garland). Focusing more on urban social control, I'm going now to describe what can be considered one of the most well-known study about urban control and marginality: the one conducted by Loïc Wacquant. The French author studied in a very interesting way those "stigmatized neighbourhoods situated at the very bottom of the hierarchical system of places that compose the metropolis" (Wacquant 2008: 1). In his book *Urban outcasts* he tries to underline how both the mechanisms that produce the general marginality of those areas (ghetto, banlieue, favela...) and the specific forms that they assume can be included in a historical narrative of class, state and space in every different period and geographical context. It is possible to find in his books a strong comparative sociology of what have been the causal dynamics, the modalities

and in general the forms that that have produced that kind of urban relegation that he describes. One first important thing to say is the clear division that he draws between folk concepts and analytical concepts that are used to describe those city areas. The “folk concepts” are the ones used by state decision makers, city authorities and residents themselves, instead analytical concepts are the ones that sociologists must create in order to fight for evolving notions of urban space and their placement in the socio-spatial structure of the metropolis in a way to pay attention and to be critical towards the categories and discourses that, while dealing with urban marginality, help to organize its collective perception and its political treatment. Secondly, it is extremely important to place the analysis in a diachronic description that could imply the historical transformations and the difference included in the general and evocative image of the ghetto. The third recommendation written by Wacquant refers to methodology as he considers ethnographic observation as an indispensable tool. Fourthly, it must be distinguished between social conditions of these areas and the function they play in the metropolitan system. Finally, this type of studies have to specify the type of relationships that the inhabitants of these neighbourhoods have with different officials and state agencies, including police. (Wacquant 2008: 8-11). All this discourse must be applied to the uprising of public unrest, ethnic tensions that have been often expressed in violent conflicts, as the ones that happened in France, England and United States. In looking at these phenomena Wacquant identifies three main elements of what he calls this “violence from above” (Wacquant 2008: 24): 1) Mass unemployment that has brought precariousness, material deprivation and personal anxiety and uncertainty. 2) Relegation in neighbourhoods where working-class citizens and immigrants compete for scarce goods and resources. 3) stigmatization not linked only with class and ethnicity but based only on the characteristic of living in these neighbourhoods. Wacquant states that these elements are not the product of a “Third-worldization” of rich countries but they are the result of the development of neo-liberal capitalism. (Wacquant 2008 and 2009). In Wacquant’s view there’s a strong link between new policies of urban social control and neo-liberalism: as the latter is identified as an ideological and political project of submission to the “free market” and the ideology of the “individual responsibility” on one hand, and on the other hand as a collection of policies targeting the restoration of moral order. All this goes perfectly together with the new reality of flexible wage labour (Wacquant 2009:1). From this type of system has emerged a new type of urban marginalization linked to a “new poverty” (Wacquant 2001:167). This type of urban marginalization is living different phases in the U.S.A and in Europe, they can’t be considered at the same step, as there are social and special different dynamics , but anyway the author warns

the European society about “ the public policies that isolate different zones and urban citizens “ (Wacquant 2008:168). The final period of the XX century has faced a fundamental transformation in the urban western poverty due to a new type of global capitalism that brought new industries of modern information technologies and a dual working structure. (Wacquant 1996: 121-139). The signs of this new kind of poverty are every way visible in the metropolis of the First World, “everywhere the national elites and the experts in public policies are greatly trying to stop or to limit the ‘disorders’ that are organized inside and around the expanding spaces of urban abandonment”. (Wacquant 2008: 170). So these new public policies, that are the product of the “zero tolerance” ideology, claim to rely on the renewed capacity of the State to bring back to legal order problematic citizens and territories. That are the reasons why there has been a proliferation of “bureaucratic innovations and technological gadgets” (Wacquant 2009: 1) such as crime-watch groups, video-surveillance cameras, compulsory drug-testing or specialized detention centers (i.e. the CIE for illegal immigrants in Europe). Wacquant points out the confusion between insecurity and the “ feeling of insecurity”, this latter feeling has been created and designed around the image of the street delinquent and has been a counter-measure to face social anxiety caused by “the dislocation of wage work, the crisis of the patriarchal family[...], the decomposition of established working-class territories and the intensification of school competition as requirement for access to employment” (Wacquant 2009:3). The individuals that are more affected by these policies are the ones living in those areas previously described and that have different names in different metropolis, moreover Wacquant makes a clear distinction between the “communal ghetto” of the postwar era that was sharply bounded and place of black classes unified by collective consciousness and the contemporary “hyperghetto” whose spatial, institutional and demographic make-up have been transformed by external factors (economical and political) that have then affected indirectly social relationships inside the city areas (Wacquant 2008: 46-47). There are three main solutions found by this author to deal with the situation: firstly to fight against the arbitrariness and discourses that restrict the meaning of “security” to criminal sphere and avoid to imply social, economical and political factors. Secondly on the front of judicial processes and practices that widen the penal field and instead improve the policies on health or education. Finally it is necessary to forge connections between activists and researchers on the penal and social fronts (Wacquant: 2007: 38).

The overview that I have presented doesn't pretend to cover the entire richness of the authors proposed but wants to be a small collection of hints to introduce what have been some critical studies on social control and what could be the future developments of the field.

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