BECOMING CRIMINAL

THE SOCIO-CULTURAL ORIGINS OF LAW, TRANSGRESSION AND DEVIANCE

DON CREWE

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Foreword

Theory compels us to act. At first blush, this statement may sound odd, perhaps even counter-intuitive. But the plain truth is that theory construction (including the antecedent assumptions that inform it) is an invitation to *be* otherwise and to *do* differently. But being and doing are *situated* exploits. And, as such, the actions to which we are directed by way of our constructed theory – including the relationship between the concepts that constitute the theory's internal elements – are always and already social in composition and, correspondingly, perspectival in their effects. This logic obtains with respect to the physical and social sciences in general and to criminology in particular. Thus, theory is not a tool for generating categorical truths or providing absolute certainty; rather, it is a typification or metaphor for how we make sense of the life-worlds that we inhabit and the social persons that construct them, however incomplete, fragmented, or circumscribed both of these may be. An example here is warranted.

Suppose we wish to address the problem of escalating school violence in an urban environment. We assume that extant conditions (e.g., community disorganization, economic deprivation, health disparities, parental neglect/abuse) are discrete variables to data mine, measure, and manipulate from which we can then offer causal explanations that statistically account for the presence of various forms of criminal behaviour within the investigated inner city school sites. In this formulation, the problem is not with our scientific rigor; rather, the problem is in what this science both reveals and conceals simultaneously. For example, isolating and dissecting some of the parts (the identified independent variables) from the whole that is school violence (the dependent variable), assumes that knowledge about the attendant relationships can meaningfully advance our understanding for the manifestations of crime that engulf the inner city schools under investigation. But this process of compartmentalizing variables de-contextualizes or, at best, partially contextualizes the resultant findings without considering the totality of forces (both structural and behavioural) that *vitalize* the independent and dependent variables. Stated differently, when the whole of crime is disassembled as parts to be placed under a microscope, neither the parts nor the whole retain their lived constitution. Why? Because

the whole of inner city school violence is greater than the sum of its parts, and the isolated parts that comprise it are themselves greater than the totality of the crime phenomenon under scrutiny. Moreover, the situatedness or embeddedness of the very individuals who theory test as I have proposed – including the totality of structural and behavioural dynamics that co-shape their own subjectivities – seep into the constitution of the parts and whole of school violence, even when reduced to (and trivialized by) characterizations that insist on the importance of social research methodologies that are impartial, value-neutral, and objective. To be clear, these characterizations are actions that commit the investigator to being a type of scientist and to doing a type of examination – notwithstanding the incompletenesses, inconsistencies, and contradictions (i.e., arbitrary sentiment) that this science conveys. It is at this juncture that we confront Dr Crewe's provocative text, *Becoming Criminal: The Socio-Cultural Origins of Law, Transgression, and Deviance*.

At the core of Crewe's thesis concerning theory is the following question: *How are the capacities of individuals implicated in the formation of the structural social entities that surround them*? Philosophically, this isn't an easy question to answer and, in the case of criminology, this is a particularly thorny and complicated matter. If theory as theorized commits us to being/doing from within situated meaning-making/generating frameworks, then crime (what it is, who commits it, and how it is controlled) is not an autonomous object of inquiry. Instead, it is the result of the socially constructed actions we pursue in the furtherance of the theories we reify.

Dr Crewe does not recoil from this sobering assertion. He leans into it in order to get to other side of it. His concern is with the dynamics of will (agency, being, and becoming) that actualize human potential (i.e., freedom, capacity), and the dynamics of constraint (diagrams of power, restricted will, assemblages of control) that thwart latent productivity (i.e., radical human change and critical social complexity). These forces resonate throughout the existential and material terrain of criminological theory and Crewe is keen to make many of these connections explicit. Indeed, these connections form the basis of his very original, systematic, and accessible socio-cultural critique concerning the ontology of law, crime, and deviance.

Becoming Criminal is a book about departures, not arrivals. It is a book about conceptual (dis)continuities and (dis)locations. In this way, Dr Crewe offers a refreshingly transgressive tome that de-constructs the theoretical industrial complex, exposing it for the false consciousness that it supports – intended or otherwise. And, as an artefact of the social

world, *Becoming Criminal* reminds us that we are all participants in this masquerade unless we, too, engage in acts of willing deviance. Thankfully, all that this overcoming requires of us is theory. Crewe's text unleashes this potential for and about one and all.

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Introduction

Modernity and the mirror of nature

Modernity is not new. Marshall Berman (2010) places some of the earliest significant modern thought at around the turn of the sixteenth century and in doing so, identifies Copernicus's heliocentrism as a significant early modern idea. Heliocentrism is a modern idea in at least two ways. It is part of a process of secularization – demystification in Weber's terms – which continues today and as such constitutes part of the foundation of modern thought. In a pre-modern world, faith in a Deity or Deities displaces the need for certainty: faith drains paradox of all its power. Copernicus's discovery that the earth travels round the sun was part of a process that served to undermine that faith. For the pre-modern, God creates man in His own image and measures him by His (God's) own standards. Since it is impossible for God to be *immediate* to man, these standards are mediated by The Church. If man is created in the image of God then it follows that mankind must be rather special and it is therefore not surprising if God places mankind at the centre of the universe. For the pre-Copernican – the Ptolemaian – this was confirmed by the 'simple' observation that the sun went round the earth on a daily basis. Copernicus's discovery suggested that the earth went round the sun, removing the necessity for the existence of 27 sub-orbits (epicycles) to explain the motion of five planets and undermining the notion that placed mankind, as God's favourite, at the centre of the universe. Another idea that this discovery undermined was the notion that God was the sole measure of Man and that His authority was mediated through The Church. Copernicus had reached his conclusions by careful measurement and the rational application of mathematical tools. What this suggested was that if Copernicus was right, then man's

capacity to measure and judge his own place in the universe was better than that provided by The Church. Of course, this did not result in an immediate loss of belief in God but it sowed the seeds of the idea that man could be the measure of Man, a situation that eventually led to Nietzsche's pronouncement of the death of God in the nineteenth century. These two ideas in tandem – secularization and mensuration – form part of the foundation of modern thinking. In the face of the loss of certainty brought about by the undermining of faith in The Church as the mediator of God's will, man set about searching for his own certainties through the tools of mensuration and rationality. We might tentatively say that here lie some of the foundations of science. Man set about making sense of the world for himself. Criminology is in large part an inheritor of this tradition.

I said above that heliocentrism was a modern idea in at least two ways. Its second modern attribute is more problematic. It may not be a surprise to say that when Copernicus says that the earth goes round the sun that that is not the whole story, however, the way in which this absence of the 'whole story' plays out in modern thought has serious ramifications. I don't mean that we should suggest that Copernicus was wrong, but the way in which the partial story comes to be seen as the whole story is of significant import to our understanding of the products of modern thought, and by extension, scientific, and scientific criminological explanation and understanding. Neither would it be right for me to suggest that problems with modern thought were in some way Copernicus's fault. What I mean to say is that a certain problem of what we might call 'false systematicity'[1] is apparent in the earliest expressions of heliocentrism, and indeed, in all modern thought. Before Copernicus made his discovery, the Earth had been taken to be static at the centre of the universe; the Copernican model replaced the Earth with the sun, placing it in a cosmostatic situation which was far simpler than the one in the Ptolemaic model, with the known planets orbiting in concentric rings. Contemporary descriptions of the solar system suggest that this is not the whole truth. Not only is the solar system more complex than Copernicus believed, but the sun is also not at the centre of the system; the gravitational pull of the planets and of other entities drag the sun from the centre of the solar system in complex ways as they exert complex forces on each other. Moreover, the orbits of the planets are far from circular in themselves or concentric with regard to the sun and each other such that the whole notion of 'centre' becomes problematic. Now, you say to me, 'Let Copernicus be. He was much cleverer than you will ever be and he couldn't possibly have discovered the

whole truth all at once' and I say to you, 'Ok: quite right'. You might also say to me, 'Anyway, to all intents and purposes the sun *is* at the centre of the solar system', and I could say, 'Now we have uncovered one of the major problems of modern thought. What do you mean: "to all intents and purposes?" '.

This locution 'to all intents and purposes' reveals a significant problem with modern thought. The first thing it reveals is that what we want from theory or science is not 'truth' but sense. If we can order and make sense of our lives with the idea that the sun is at the centre of the solar system then such a theory is good enough for such sense-making: it may not be good enough for solving other astronomical problems. The second thing that this locution reveals is that what is taken to be material about a system is arbitrary: the fact that the planets pull the sun out of its 'central' position is taken to be immaterial in the ordering of most people's lives and can be left out of our everyday description of the system. Moreover, the degree to which the system's behaviour affects other systems – how leaky or dissipative it is – can be ignored if need be. The boundaries and behaviour that constitute a modern system are arbitrary: they are set in such a way as to exhibit utility in making sense. No closed systems exist except for the totality of the 'there-is'; all *supposedly* closed systems are merely closed 'to all intents and purposes'. For the pre-modern, God is totality: He is the sum of the 'there-is'. Post Copernicus (and others) mankind must wrestle with making sense of the infinite himself. This is the nature of the modern's problem.

No two entities or events in the entire history of the universe have ever been the same. This presents the modern – attempting to make sense of an infinite world on his own and in the absence of God – with a problem. What sense can be made of a universe where everything is different from everything else, where every single entity or event is unique and where everything that can happen does happen? It is axiomatic that such a universe, infinite in size, must be constituted by an infinite number of infinitesimal differences. It is beyond human abilities to comprehend the totality of such a universe in a single instant, and thus as a whole. It becomes necessary therefore to divide the universe into smaller units within which entities are *to all intents and purposes* the same; it is necessary to make sense of the world by imposing on it a structure based on similarity: taxonomy.

The question that arises in this circumstance is the following one: in a world of infinite uniqueness, how are we to *generate* similarity? In other words, what attributes are we to ignore in asserting that one entity is similar to or different from another, or what attributes are

we to concentrate upon to assert that similarity or difference? In the eighteenth century, Western thought took a turn that has come to be seen as particularly significant. In 1735 the Swedish botanist Linnaeus published the first edition of his *Systema Naturæ*, a system of classification of the species of the natural world. The members of each taxon were grouped together by the assessment of their possession of similar attributes. In the case of members of the plant kingdom Linnaeus grouped together plants whose flowers had the same number of stamens and designated the group a 'class'. The names given to the classes reflected this sexual structure of the flower and so plants were said to belong to classes such as 'Monandria', 'Diandria', 'Triandria' and so on. The purpose of this system of classification was to attempt to provide a tool for making sense of the myriad different species of plants and animals and minerals. While far fewer species were known to Linnaeus than we recognize today – Linnaeus believed that there would be no more than 10,000 species when everything was discovered – his system was the first successful attempt to impose an ordered distinction between groups of species, each previously taken to be unique and without order or located in an order known only to God. The point here, however, is not whether Linnaeus was 'right' – Linnaeus's system was not a discovery in any sense. The point is that Linnaeus's mode of classification is arbitrary: the attributes he regards as material to his classification or those he disregards as being immaterial he *chooses* to respond to or ignore. His choice to follow the number of stamens in the flower of a particular plant merely suits his task of *providing* an ordered classification for identifying the hitherto undifferentiated mass of unique species.

I do not wish to suggest that the thought of Copernicus or Linnaeus is causal of the contemporary modernism of thought in any historical sense, but merely to show that such points in the history of Western thought do not represent discoveries that bring our 'knowledge' more closely to adequate to 'reality' – to be a mirror of nature; these 'discoveries' are merely tools *devised* to make sense of an otherwise bewildering world. Indeed, the problem that arises from such classification is that in doing so, in so dissecting the object of study, that which we wish to observe is artificially fractured – destroyed – and then arbitrarily reconstructed in our own image. This kind of understanding of man's *part* in the behaviour of his object of study is also not new. We were made aware at the beginning of the last century of the inevitability of such involvement by, among other things, Heisenberg's statement of his Principle of Uncertainty in 1927. Hence, the object of human study is always, at least in part, also among the *products* of that study. The classic statement of

this in criminology comes from Hulsman when he says that crime is not the object but the product of criminal policy (1986: 71). Presented with a world with an infinite quantity of infinitesimal difference, mankind creates artificial orders that help make sense of the world: he posits a box, gives it a name, and *then* decides what should go in it. What is chosen to go in the box is chosen because of the arbitrarily judged materiality of the attribute said to define the contents of the box – all the box's contents are said to be similar in virtue of their possession of this or these more or less arbitrarily selected attributes. However, the contents of the box are not only defined by their (arbitrary) similarity to one another but also by their differences from the contents of other boxes. In other words, one can identify the contents of a particular classification in virtue of its *not* being like the contents of other boxes. This becomes problematic for criminology when the box from which other classes are seen to differ is the box to which we, as observers, belong – 'Them', the criminals, and 'Us', the non-criminals. Having named the box 'Criminals' we go in search of what is similar between its contents, other than the historically and socially contingent attribute of having transgressed against the law. In other words, we don't know what crimes or criminals are, we only know what they are called, and that is because we named them so.

There exists another problem with the manufacture of similarity and difference. If, in setting out the defining characteristics of P_χ we are to assert what is common between P_1, $P_2 \ldots P_n$ we must do so by asserting what is different between the properties of P_χ and the properties common to Q_1, $Q_2 \ldots Q_n$. In order to know what the defining properties of Q_χ are we need to do so by asserting what is different between the properties of Q_χ and the defining properties of R_1, R_2 $\ldots R_n$ and so on. This is similar to what Derrida has to say about the deferral of meaning. The idea finds expression in Levinas when he says that all others in my intellection are thematized by me and thus reduced to that same which is me. In other words, should I rely on my own perception, I can never see the other as one who counts as such; she is always a product of *my* intellection. Modern science, however, presupposes value-free observation: observation by a wholly detached observer. In doing so, it separates that viewer from the foundation of all sociality – our existence alongside an Other or others in the world. And, since crime is a social phenomenon, this modern way of thinking is of little value in studying the criminological question. A further corollary of this is that criminology is implicated in reproducing classifications of domination and control, and thus in reproducing institutions, practices, and discourses that enforce those

classifications, and that subjugate and oppress. The criminologist blinds himself to his own object. He does this by making the Other invisible behind the veil of the *merely other* – the merely different. She is cloaked in the thematization – the intellection – of the criminologist. She ceases to *be*, in that she is taken away from herself by the violent *said* of law. How these culturally contingent classificatory practices arise in the social world is the subject of this book: it attempts to present a grammar for making sense of the criminological question. Let us first, however, set out some fundamental principles:

Crime is not a kind of behaviour; it is a concept that operates in the social world as a taxonomical device that supports the ontological security of people in their belief that they belong to the group with the capacity to make laws. Many who profess membership of that group do not in fact belong to that group. In this way, crime operates as a tool of false consciousness and a very powerful one at that.

Law is the written expression of the values of the group that has the capacity to make law: ethically it is the said, not the saying, and as such is violence and is tyrannical.

Deviance is an act in contravention of local norms.

Transgression is willing deviance.

Delinquency has no ontological specificity.

Part I
What Is Theory?

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1

Theory as Productive of Certainty: Teleology, Cause, Reason, and Emancipation

As I have stated in the Introduction, it is my intention to provide a new theoretical account of the formation of crime, transgression, and by implication the law, by answering theoretically the question 'How are the capacities of individuals implicated in the formation of the "structural social entities" that surround them?' One of the features of this book is that it does not take at face value many ideas that are conventionally taken for granted in criminology or the social sciences in general, and one of those concepts is 'theory'. If I am to produce a theoretical account then it is necessary that I should provide an acceptable account of what a theory is. This is far from straightforward. Therefore, in this first part of the book I will attempt to answer the question: What is Theory? My strategy for undertaking this task is as follows. I first intend to set out an account of what theory has in the past been taken to be, or what it has been taken that it should do. This is of course necessarily a task with a historical aspect, and I will outline 'A Brief History of Theory'. I will suggest that theory has variously been taken to be a tool for ascertaining the purpose of things, or for ascertaining the cause of things. It has been taken to be revelatory of truth or of the means of emancipation, and I shall suggest that each of these ideas is bound up with the notion that we can in some way use theory to enable us to be certain. Examination of this claim requires engagement with a very much taken-for-granted assumption concerning what theory should *do*, that it is, or should provide explanations of causes. I will show, in Chapter 2, that to speak so is not without significant problems and engage at some length with the notions of explanation and cause. I hope that it will be made apparent that there are problems with each of these modes of conceiving of theory; thus, at the end of Chapter 1, I proceed to suggest some ideas that permit us to deal with the notion

that theory might not lead us to any kind of certainty, and indeed that there might be no certainty to be had. Thus I entitle the final section of Chapter 1 'Uncertainty'. I go on to point out that some commentators have suggested that theory building is a self-sufficient, self-perpetuating activity and I then move to suggest that theory is a metaphor for our own perceptions of the world.

In Chapter 3, I move to a discussion of what we might take theory to be, in the light of the problems exposed in Chapters 1 and 2. I do this in order that I might have some foundation to my claim that the answer to my question 'How are the capacities of individuals implicated in the formation of the "structural" social entities that surround them?' conforms to what we might expect of theory. I do this through an examination of theory's relationship to its internal elements. I suggest that these internal elements are concepts. It will be apparent, consistent with not taking the taken-for-granted ideas at face value, that I should undertake an examination of what a concept is. At this point I turn to the account of the structure of concepts from Deleuze and Guattari that I think begins to make sense of the relationship of concepts to their internal elements and of their relationship to the theories that are made of them.

Having advanced an account of how concepts are based upon their internal structures and their relationship to the theories that emerge from them, I suggest that theory too may be understood in terms of its relationship to its internal elements, as being that tool which provides a grammar for making sense of the relationship between concepts. These concepts are themselves *made* – they are created by thinkers – in response to the same problem the theory that uses them is designed to illuminate, or they are borrowed from elsewhere when they are adjudged to be coherently useful.

I proceed to ask the question what this particular theoretical material has to do, and I suggest that it must first be able to describe human freedom and the constraints upon that freedom. It then has to suggest mechanisms that account for the concatenation of such behaviour into complex systems, societies, and institutions (that we will later call assemblages), and that they must permit the possibility that some of these systems exhibit the property of non-reducibility. First, however, it is necessary to establish that possibility of the existence of non-reducible systems and to that end I advance some of the arguments and counter-arguments concerning that possibility. I adopt the position that such non-reducible systems are possible and that, therefore, theories must be able to cope with non-reducible systems. That is, any account of what theory is (and thus any adequate theory) must permit that the

relationships between some of the concepts must be expressible in terms that do not rely upon the notion of reducibility of one to another. Following this I put forward some of the suggestions that have been made concerning what features such non-reducible systems might possess in order to be able to show that social systems, organizations, and institutions frequently are just such systems. I conclude by stating that a theory should be a tool for making sense of the world – or of a particular problem – by providing a framework of propositions about the relationships between the concepts that constitute its internal elements.

Certainty: Teleology, cause, reason, and emancipation

I do not really mean to undertake a history of theory at this juncture but what I need to undertake necessarily has a historical flavour. This is in part convenience in that the ideas that I wish to present can be *seen* as a diachronic set of problems and solutions. However, it is entirely possible that we see these events in such a dialectic fashion because we attach to them a degree of diachronicity. My task here is therefore not really history but merely to illustrate some of the ways in which theory has been conceived, and necessarily those conceptions are in the past and I choose to relate the various ideas to one another in a diachronic way.

While the term 'Social Science' was not coined until 1824 (Thompson 1850), its development can be traced back to the 'natural law' thinking of Aristotle. Such thinking is suffused with notions of rightful purpose and fulfilment of divine will. This natural law way of thinking about social order is summed up by Hooker thus: by 'the law of nature . . . we sometimes mean that manner of working that God has set for each created thing' (Hooker 1885: 206). What this means, at least implicitly is that Hooker believes an object's purpose is an intrinsic *property* of that object: '[e]very thing . . . fulfilleth the task which destiny hath set down' (ibid.). According to the natural law theorists, objects do not behave in a manner merely related to the properties of the behaviour of other objects but are disposed *naturally* to fulfil some purpose. One outcome of thinking in this way is that success or failure in what Taylor (1964: 24) has called the 'consummation'[1] of this purpose, allows us to think of objects (or processes) as being, on the one hand, normal (natural) or on the other as being pathological (unnatural): an object is, or acts in a natural way if it fulfils its purpose, it is unnatural if it fails to fulfil that purpose. We can readily perceive a problem with thinking in this way when we ask the question: Why does this or that thing (object,

phenomenon) exist? In the natural law way of thinking the answer to this question is that this or that thing exists to fulfil the purpose intended for it. This way of thinking, it will be apparent, lies at the heart of functionalist ways of talking about the world, in that an object exists as it is because it fulfils a certain function in completing the whole: for example, in this way of describing the world, institutions exist as they do because they have the property that they fulfil a particular role associated with that property, which completes society as a whole organism. This way of thinking is problematic because it then raises the question: What is this thing's purpose? The answer to this question, it will be apparent, is likely to be arbitrary and thus, what the purpose of a particular object was or whether it was successful in achieving its ends, and hence whether it was normal or pathological is relatively arbitrary (Turner 2003).

This problem was solved by the suggestion that the purpose an object was supposed to fulfil at one level served an end at a higher level. A hierarchy of ends was supposed (Hooker 1885), in which a determinate and knowable sequence of ends led to divine will. For example the purpose of a sail is to propel a boat, the purpose of a boat is to transport food, the purpose of food is to support human life, the continuance of human life would have been taken to be God's will. This mode of reasoning was taken to ensure the non-arbitrariness of judgements concerning what the purpose of a particular object or process was, and thus concerning what was and what was not natural: knowledge of the naturalness of an end was made certain by its necessity at a higher level. In such a circumstance, the role of theory is to identify the purpose of an object and thus reveal certain knowledge of divine will, that is, *certainty* of an object's naturalness residing in its fulfilment of divine will. As Roger Bacon put it in the thirteenth century:

> Knowledges [judgements concerning the purpose of objects or processes] are as pyramids, whereof history is the basis. So of natural philosophy, the basis is natural history; the stage next the vertical point is metaphysic. As for the vertical point, *Opus, quod operatur Deus a principio usque ad finem*, the summary law of nature.
>
> (Bacon 1824: 104)

Thus, we might suggest,[2] all theory in this mode becomes theology, and it is this relationship between the purposes and functions of objects and processes, and the will of God that provides the natural law theorist with his certainty concerning his knowledge of the world.

A further intractable problem presented by the natural law mode of conceiving of theory was the problem of tautology. The natural ends or purposes of objects could only be inferred from their effects. The most telling indictment of this circularity comes from Molière in the Third Interlude in the *Imaginary Invalid* (1961 [1673]). Molière points out to us that opium was said by his contemporaries to induce sleep because of its 'dormative' qualities, however, to say that it has 'dormative' qualities is to say no more than it has the capacity to induce sleep: the argument is tautologous – it induces sleep because it has sleep-inducing qualities. So to say is, of course, not the end of the matter since if opium does not have 'dormative' powers, it could not induce sleep: simply because the argument is circular doesn't mean that it is arbitrary, it merely means that the statement permits us to classify opium among sleep-inducing entities, not to explain how opium comes to do this. Recent criminological writings are not free from tautology. Gottfredson and Hirschi's 'control theories' have been criticized for just such tautology (see Schinkel 2002, Liska & Reid 1985[3]). However, for early theorists like Hooker, Bacon, Hobbes, or Boyle for example, theories were concerned with essences: the properties of the behaviour of objects in which terms natural law theorists ascribed essences to objects were the result of properties of the objects themselves,[4] the mechanisms at work were missing. This will be seen to be a persistent problem when we examine power in a later chapter. Power is frequently taken to exhibit the property powerfulness because it is in the nature of power to be powerful: power, we will see, is not in itself a property but merely refers to the specific *capacities* possessed by an entity.

Through the eighteenth century these natural law theories came under increasing pressure, not least because of the excesses of what we would now describe as functionalist thought. Writing at the end of the seventeenth and at the beginning of the eighteenth centuries, Christian Wolf (cited in Turner 2003) argued at length that the reason the sun shone was that people might better go about their work, and Voltaire (1924 [1765]) tells us that a contemporary author argues that the reason that the tides ebb and flow is to enable the better ingress of ships to port (Voltaire 1924: 133–5). However, the awareness of fallacies such as these was insufficient to eradicate teleological thinking. God, for example, remained absolutely necessary to the functioning of the world (His purpose was seen to be functional) as He did to its creation. Furthermore, what appeared to be the nonsensical idea that the mouth was *not* made to supply the stomach with food, or that the stomach was *not* made to digest that food, confounded attempts to eradicate

teleological thought from theoretical statements. Voltaire's solution was to suggest that a correct theoretical statement would show a function that was universal. Thus we would not say that the tides ebb and flow for the benefit of ships since tides ebb and flow even where there are no ships. Nonetheless, this still fails to solve the problem in that we can see that it is universal that humans die, but we should be foolish to infer from this that the purpose of human life is to experience death.

In a way that has profound implications for the core question of this chapter 'What is theory?' further attempts to solve the problems of arbitrariness inherent in teleological thinking were made by Kant. In *On History*, Kant (1963) argues that teleological forces are not real but that it is *helpful to understand* some processes as being teleological. Paton sums up Kant's position thus:

> Even in the understanding of physical nature we may have to use another concept besides that of causal law – the concept, namely, of purpose or end. This concept seems to be necessary for the study of organisms. To say this is not to say that they themselves have a conscious purpose: it is rather to say that we must consider them *as if* they had a purpose and see whether in this way we can understand them better. For the understanding of human nature the concept of purpose or end is still more necessary: for it is an essential characteristic of human nature to set purposes before itself.
>
> (Patton 1947: 115)

It was this simple proposition and method that permitted reason to consider new ways of thinking about things in the world, and how they may be connected in terms of the end purpose and objective as opposed to considering first cause.

> Such a principle opens out our reason, as applied to the field of experience, to altogether new views concerning how the things of the world may be connected according to teleological laws, and so enables it to arrive at their greatest systematic unity.
>
> (Kant 1934: 714–15)

This contention of Kant, that it is merely *convenient* to conceive of teleological processes where non-intelligent objects are concerned is consistent with a view that I shall advance, that theory is a tool for sense making, not for truth generating or certainty providing. That is,

that theories are born of particular problems and that certain aspects of the theory are the way that they are not because they represent more accurately the real world, but because in seeking to understand a particular problem it becomes *convenient* or useful to think of it in a particular way. We may bring to mind early Chicago School theories of criminal behaviour, in particular, Burgess' (1925) illustration of the city as consisting of concentric rings. We are drawn by Bottoms and Wiles (1997) to compare this image with a map of Sheffield (UK) and its clearly more piecemeal construction. We might come to the conclusion that the real growth of cities is far from being as regular as Burgess suggests; however, this does not really matter for Burgess' account, he makes his point through the *convenient* use of the concentric ring analogy. Burgess' theory that cities are like concentric rings is convenient for making sense of the problem, as he sees it, of crime being related to the geographical transition of populations and the normative, anomic strains attendant upon such transitions.

This is of further importance where our enquiry into the nature of theory is concerned because it shows that an aspect of theory infrequently considered is that the *mode* of theorising (as opposed to *what* the theory has to say) exhibits utility, that is, it is sometimes *useful* to think of things in a particular way. For example, it has been conventional to conceive of the concept agency as that concept over against which we place the constraining nature of structures. I will contend later that it is helpful to generate a new concept 'The Will to Self Consummation' that helps us to make sense of the way in which people's knowledge of themselves in the world is implicated in their behaviour. Now this is not to say that agency is a redundant, or somehow wrong conception; it is merely to say that for this inquiry, it is more helpful to make use of the concept 'Will to Self Consummation': the latter concept exhibits greater utility in the context of this inquiry into the way societies are constructed out of the thoughts and actions of individuals and collectivities.

Further attempts by Comte (1905) to introduce certainty and to eradicate the arbitrary nature of teleological thought bring us to another aspect of theory conventionally taken for granted, and that is that theory somehow represents more or less accurately a real and relatively stable world about which we can be certain. Comte tells us,

> it is only by knowing the laws of phenomena, and thus being able to *foresee* them, that we can . . . set them to modify one another for

> our advantage . . . Whenever we effect anything great it is through a knowledge of natural laws . . . From Science comes Prevision; from Prevision comes Action.
>
> (1905: 20–1)

. . .

> We shall find that there is no chance of order and agreement but in subjecting social phenomena, like all others, to invariable natural laws, which shall, as a whole, prescribe for each period, with entire *certainty*, the limits and character of social action.
>
> (ibid.: 216, my emphasis)

Thus, for Comte, for us to be able to 'foresee' the world, for us to have 'Prevision' and to have certainty concerning our knowledge of the world, it is necessary for the world to conform to *invariant* natural laws, in other words it must be stable. As Comte believes that the real world is more or less stable, he believes it is possible for theory to 'develop' and become progressively a more accurate, perfectible picture of the real world 'out there'.

For Comte, all theories went through a three-stage transition. The first stage was one of superstition and animism which Comte (1905) referred to as 'theological', the second stage, appealing to notions such as momentum or cause itself (where such a term relies on anything other than an invariable set of relations) he termed 'metaphysical'. The third stage, involving everything that was known about a particular field, was purely predictive, having eradicated all teleological thinking. This stage he called the 'positive'.[5] Physics was seen, for example to be largely in the positive phase, whereas the more complex biology was less so. The extremely complex social science was seen to be in the thrall of pseudo-explanation. An aspect of this inevitable process through different modes of theorising is that it alerts us to the idea that modes of theorising are historically contingent. Comte contends that it is often *necessary* for explanatory sciences to *pass through* the earlier stages. Comte's claim of inevitability still seems to possess a degree of teleological progress – in that it is the *purpose* of *theory* to progress towards the perfection of positivism – and we will be able to see later that, in fact, there is no inevitable progress of theory towards perfection. Any diachronic account of theorising appears more or less piecemeal (see Kuhn 1970 for example), that is, relationships between theories have far more likeness to mycorhizæ (or indeed Deleuzoguattarian rhizomes) than to Bacon's pyramids.

If I may, I should like to take a little excursion to explain this notion of pyramids and rhizomes. In Kuhn's (1970) *The Process of Scientific Revolutions* he tells us that a paradigm represents the arena of work of 'normal science', periods of everyday, non-revolutionary work where science practitioners are involved in routine puzzle solving. During these periods a consensus exists across the scientific community about acceptable theoretical and methodological frameworks, about the problems that it is acceptable to investigate and the standards by which the knowledge so produced is to be judged true. Training in the discipline involves adoption of the paradigm by the student such that the paradigm is reproduced hegemonically. However, a paradigm must be seen to offer convincing resolutions to existing problems and to provide sufficient new problems for continuing work. Kuhn also tells us that the nature of scientific revolution is that the tenets of the existing paradigm become strained such that the truth of its findings is called into question and its capacity for generating new problems within the paradigm becomes exhausted. In this circumstance, claims Kuhn, the old paradigm is abandoned in favour of an incipient new paradigm, a process which he calls paradigm shift. In this process, many aspects of the old paradigm are abandoned as worthless. This abandoning of significant aspects of the old paradigm as worthless points out to us that the nature of the development of scientific theory is not, as we might assume, linear: new understanding does not build upon its antecedents in a continuous way. Thus we should not see such development as a continuous, linear process of perfection, a weeding out of the less satisfactory explanations in a dialectic fashion until one pure point of truth – the apogee or apex of the pyramid – is reached. Instead we must see this abandonment of the old paradigm as producing shoots that may fly out in any direction (Deleuze's lines of flight), as the paradigm disintegrates, tendrils reach out into the theoretical interstices where they will meet other tendrils fleeing, perhaps, from the decay of other paradigmatic dynasties, and where there will emerge, in the void, from that meeting a new theoretical standpoint.[6]

Comte's positivism requires that to achieve any degree of certainty – and certainty equates to laws – hypotheses must be supported by evidence from the senses in their capacity as the mediator between the extended world (*res extensa*) and our thinking selves (*res cogitans*). The problem for Comte was that if behaviours had causes rather than purposes, those causes and their effects must be capable of being expressed in terms of causal laws. That is, the relationship between causes and their effects must, in a non-chaotic world, be predictable – deductive.

However, there appeared to be no laws in social science other than the three-stage law. Statistical – inductive – expressions of causality had been developed, particularly in economics, but here, causal features such as the wealth-seeking agent or Adam Smith's belief in the 'natural propensity to truck and barter' (Smith 1976: 25) were teleologically circular in that their definition, and their status as causes rested upon a teleological assumption of their dispositions inferred from their actions. That is, it was deemed to be man's destiny – purpose – to become wealthy, which deduction could be made by observing people get wealthy, therefore it was taken to be man's *disposition* to generate wealth that caused the processes of wealth generation that were observed, and from which the disposition, the 'natural propensity to truck and barter' was deduced. Indeed, while *natural* law required objects to undergo the 'pull' of an unknowable future, this seemed no less able to generate certainty than the *causal* law position where objects were 'pushed' by unknowable laws.

Pearson, in his 1892 work *The Grammar of Science*, put forward the notion that in place of Comte's invariant laws, statistical variation was the law of nature; all empirical observations vary around a 'true' value. Thus, even the laws of physics were seen as idealizations, and since variation – upon which was built statistical correlation and prediction – was the '*law* of nature', there was, for Pearson, no difference in principle between correlation and predictive or causal law. However, if there were no difference between correlation and causal law, then social science had far too many correlations, for if all correlations were equally evidence of laws, there were far too many laws to be able to make any sense at all. Statistical correlation does not constitute adherence to causal law, nor does it demonstrate the existence of such laws – the empirical fallacy, and the existence of variance itself, indicates to us that correlation is insufficient evidence for prediction, and further, we are aware that there is not any necessary causal relationship between correlated variables. This inability to assess what causal inference might be drawn from statistical correlation persists today (see Humphreys 2003 or Hope 2005).

To recapitulate, I have thus far suggested that conceiving of theory as being revelatory of purposes came up against the problem that identifying those purposes was more or less arbitrary. Furthermore, attempts to address this problem proved tautologous. Comte and his successors' attempts to make theories revelatory of causes also were plagued by the teleological/tautological problem in that the essential quality of that to be explained could only be ascertained from what appeared to be its

purpose, and that purpose from its actual behaviour. The essence of that to be explained, thus derived, was taken to be the cause of that which was to be explained; the suggestion is both teleological and tautological. Pearson's suggestion that correlation was sufficient to generate causal law and subsequent compatible accounts remain the subject of debate even today. If indeed these were inadequate ways of conceiving of theory, then other more adequate conceptions needed to be found, and it is to attempts to do this that I now turn.

If Pearson's claims concerning causes were taken to be inadequate as indeed they were by Ogburn (1934 see Turner 2003) who argued that Pearson's claims had no scientific status, and were akin to the interpretations that could be placed upon an editorial cartoon; another route to the solution of the problematic of teleological uncertainty was necessary. This was found, according to Turner (2003), in the philosophical solution that proves, at least in part, antecedent to aspects of rational choice theory: that is, the attempt to make teleology a subgroup of cause. A motor car might be said to exist to perform its teleological function: transport. It is caused to do this by man devising it in order to perform that function. Thus its end is non-arbitrary in that it axiomatically fulfils the end for which it was intended. In contemporary rational choice theory, rational actors' actions are caused by acting towards rational ends (see Blau 1977; Coleman 1986).[7] In the nineteenth century, this was manifest in the legitimation of teleological ends as causes inasmuch as they constituted claims about causal systems. Human nature, as a teleological notion, could be seen as a product of evolutionary biological processes taken to be causes. The behaviour of bookies at the races – taken to be a system – is caused by the individual actions of punters. The system outcomes are not teleological, but the individual causes are.

The turn to the 'organic' in the nineteenth century, as a metaphor for social systems, further muddied the waters between those who held that theory was teleologically revealing of certainties such as Bacon or Hooker, and those like Comte and Pearson who sought the certainty of causes. It is not clear whether usage of the notion of evolution was to be taken as teleological or causal. Evolutionary characteristics appear to be dispositional, but they appear to be a disposition towards an end, for example, it may be taken to be a property of a bee that it propagates plants (it is worth noting that later in this book in the chapter on constraint, I will suggest that this is a *capacity* of the bee rather than a property, and that this relationship is not functional but merely historically contingent), this disposition appears to be directed

at *the end*, propagation. This is also seen to be the case when notions of 'progress' are bound into the evolutionary ideal as, for example in Spencer (1954, 1901 & *inter alia*), writing at the turn of the nineteenth and twentieth centuries where he appears to argue that the social *status quo* constitutes fulfilment of a pre-existing disposition, failing to distinguish between processes that have a predetermined end such as the growth of a foetus, and those that do not, like the development of societies.

> There is everywhere manifested a belief in the evolution of man and society. There is also manifested the belief that evolution is . . . determined by the incidence of conditions – the actions of circumstances. And there is further . . . a recognition of the fact that organic and social evolutions, conform to the same law.
>
> (Spencer 1901: 137)

Furthermore, he refers to 'natures' and 'essences' as though they are unproblematic, dismissing as 'incidental' examples of behaviour that are contrary to those essential natures (Peel 1972: xxxviii). The adoption of this metaphor, not unnaturally in the latter quarter of the nineteenth century following the publication of *Origin of Species*[8] in 1859, reinforces a view of the nature of theory as being historically contingent. That is, what is of interest here is not what theories have to *say* about their problematic but the mode of theorising, and what it is taken to be necessary for theory to do. It is not just that organic metaphors were taken to be explanatory, but that it was also taken to be the case that theory should *explain* the nature of the organic. Thus, as in teleological natural- law theory where the purpose of theory was to reveal certainty about purposes through knowledge of divine purpose, in ecological theory, the organic metaphor is the tool through which systems are revealed as organic: the *explanans* and the *explanandum* are ineluctably related in that what is explained provides the means for the explanation. Thus I hope it will be apparent that the teleological/tautological problem where causes, essences, and purposes were unisolable, persisted in the theories of Darwin. The reason that I point this out is that it is necessary for me to show that earlier modes of theorising have been seen to be in some ways open to criticism in order that I can proceed to suggest what I take theory to be instead. It is necessary for me to do this so that I can be clear about what it is that I need to do to make an adequate theoretical

answer to my key question: 'How are the capacities of individuals implicated in the formation of the "structural social entities" that surround them?'

It is important in our consideration of what theory is, that we see that there is a strong contention that theory cannot reveal certainties about the world because it is not representative of knowable truths about a real world, and I will take up the issue of whether theory can be revelatory of ultimate truth shortly. However, we should first look at a significant body of theory which has at its core the idea that there *are* ultimate truths, and that we can and indeed *should* know them.

One of the most significant products of teleological thinking in the latter half of the nineteenth century came about through Marx's engagement with Hegel. For Hegel, the fundamental property of all reality is reason. 'Nature is an embodiment of Reason' (1910 Introduction Section III Part I § 2). 'Reason directs the World' (ibid.: § 3). 'The enquiry into the *essential destiny* of Reason – as far as it is considered in reference to the World – is identical with the question, *what is the ultimate design of the World?* And the expression implies that that design is destined to be realised' (ibid.: Part II § 1). This is not that kind of reason commonly attributed to a particular kind of person, but reason as the sum of all reality: reason and reality as identical to one another. This view follows from two postulates. First, that reality must be reasonable, else we should not be able to have any knowledge of it, second, that we may only have knowledge of that which is real. Reason is seen by Hegel as that process which has the purpose of revealing reason through itself. Since reason is the totality of reality, reason is revealed when it recognizes itself as total reality. We might say that Hegel is saying that reason is both the means and the end of truth; this is not so far from what we might contemporarily say that reason is achieved by reason*ing*. For Hegel, mankind, or societies reach their highest potential – become self-conscious – through the processes of history. History itself is motivated by the process of reason, the dialectic, the constant refining of thesis by test against its antithesis until the ultimate end – by synthesis – of reason is reached. It will be apparent that these ideas too are rooted in organic metaphor. Hegel conceived of the ecological in terms of organisms whose existence represents the successful culmination of a plan in which all the characteristics of the organism are contained (Horstmann 2000). The significance of this to our current inquiry is first, that Hegel's view of reason suggests that certainty about a knowable, ultimate truth is possible, indeed that this is *the* destiny of mankind,

and second that this idea has significant influence on social theory through Marx.

Both the organic evolutionary metaphor and the notion of the dialectic survive Hegel to be found in Marx. The teleological march of progress is represented in the ultimate goal of societies – Communism. It is reached through the process of the dialectic, where the thesis is 'the way things are', its antithesis 'conflict', and the resolution – the synthesis – the inevitable Socialism followed by the end goal, Communism. Marx believed, normatively, that rather than reason being the substance of reality as Hegel suggested, that reason *should* exist in the world: that it was man's *duty* to exercise reason.

> Reason has always existed, but not always in a reasonable form. The critic can therefore start out from any form of theoretical and practical consciousness and from the forms peculiar to existing reality develop the true reality as its obligation and its final goal. As far as real life is concerned, it is precisely the political state – in all its *modern forms* – which, even where it is not yet consciously imbued with socialist demands, contains the demands of reason. And the political state does not stop there. Everywhere it assumes that reason has been realised. But precisely because of that it everywhere becomes involved in the contradiction between its ideal function and its real prerequisites . . .
>
> From this conflict of the political state with itself, therefore, it is possible everywhere to develop the social truth . . . Thus, the political state expresses, within the limits of its form *sub specie rei publicae*, [as a particular kind of state] all social struggles, needs and truths . . .
>
> The reform of consciousness consists *only* in making the world aware of its own consciousness, in awakening it out of its dream about itself, in *explaining* to it the meaning of its own actions. Our whole object can only be – as is also the case in Feuerbach's criticism of religion – to give religious and philosophical questions the form corresponding to man who has become conscious of himself . . .
>
> Hence, our motto must be: reform of consciousness not through dogmas, but by analysing the mystical consciousness that is unintelligible to itself, whether it manifests itself in a religious or a political form. It will then become evident that the world has long dreamed of possessing something of which it has only to be conscious in order to possess it in reality. It will become evident that it is not a question of

> drawing a great mental dividing line between past and future, but of *realising* the thoughts of the past. Lastly, it will become evident that mankind is not beginning a *new* work, but is consciously carrying into effect its old work.
>
> (Marx 1843)

For Marx, it was man's own self-consciousness that was the highest divinity, and not The Rational Idea. Marx held that the 'species-being' of man was labour and that he was, in market societies, alienated from that nature. Marx examined his ideas dialectically and concluded that in capitalist societies, a class can be identified that appropriates to itself a surplus from the division of labour that it does not pay for. This surplus it can set to the task of securing the means of reproduction of the surplus. Marx further believed that the 'should' of reason would result inevitably in the polarization of the two main classes – proletariat and bourgeoisie – the dawn of socialism, and justice. This historical repositioning of man in Hegel's dialectic of reason we term Historical Materialism. The word 'should' alerts us to the specifically normative nature of Marx's work and normativity is always teleological. As Macpherson has said of Marx's normative teleology,

> [in Marx's thought] the end purpose of man is to use and develop his uniquely human attributes or capacities. His potential use and development of these may be called his human powers. A good life is one which maximizes these powers. A good society is one that maximizes (or permits and facilitates the maximization of) these powers and thus enables men to make the best of themselves.
>
> (Macpherson 1973: 8–9)

We might say that Marx's theory is designed to do a certain kind of work, that is, to produce ideas that will emancipate the proletariat from exploitation by the bourgeoisie and thus free them to achieve their highest good. Furthermore, Marx knows that he is right because he is in possession of the tool reason, which imbues him with certainty in the perception of truth. Marx's work is both teleological and certain, and we have seen from the history of the twentieth century, that that certainty led, in the hands of some to produce anything but emancipation (see Tavor Bannet 1989). In the light of the foregoing, we may make the strong claim that neither the search for purposes nor the normative calls for emancipation can be *necessary* attributes of adequate theory in the

social sciences, and we would further have to suggest most strongly (not with certainty of course) that the search for, or the provision of certainty cannot be a *necessary* requisite of adequate theory in the social sciences either.

Uncertainty

Set firmly against Hegelian rationalism, postmodern theory undermines simultaneously all craving for certainty and telos. Postmodernism pervades contemporary social science, it 'rejects epistemological assumptions, refutes methodological conventions . . . dismisses knowledge claims, [and] obscures all versions of truth' (Rosenau 1992: 3). It is convenient here to trace the origin of postmodern uncertainty to Nietzsche. Nietzsche held that a society's epistemological assumptions and normative impositions ultimately inform its shape: normative values that restrict libidinal behaviour reproduce 'orders of rank' and 'cultural complexes' over millennia. Specifically, the sequestration of 'knowledge' to Christian priests (among others confessing an ascetic Socratic heritage) who reproduce their position by legitimating suffering and fomenting hatred of 'authentic' or brilliant people who resist the normative values of the 'herd', produces '*ressentiment*', a passivity to authority, and a violent antipathy to 'outsiders' (Nietzsche 1966, 1968, 1969, 1983 & *passim*).

Nietzsche was of the opinion that social theory focussed merely upon social processes and failed adequately to conceptualize culture. He contended that Comte and Spencer in particular, and enlightenment thinkers in general, were engaged in producing representational theory, that is, theory that attempts to represent in some way a real world (see Rorty 1980). Representational theory further views the producer of theory, in a Cartesian vein, as being detached, neutral and motivated purely by ideal reason. Nietzsche proposed that theory should, and indeed could do no other than present a particular perspective. This 'perspectivism' (Nietzsche 1968: 267, 272–6, 339–40),

> opens all knowledge to suspicion, challenge, and discussion, treating the borders between 'facts' and 'interpretation' as ambiguous and subject to contestation; it frames a partial, uncertain, plural, contextual, experimental approach to knowledge that anticipated postmodern positions.
>
> (Antonio 1998: 26)

According to Nietzsche, theory cannot be free of values, that is, it must necessarily adopt or be shaped by the values of the culture that produces it.[9] Furthermore, among the more significant features of culture, aesthetic sensibilities inform modes of theorising (Antonio 1998). Indeed, Nietzsche considered claims concerning the emancipatory nature of knowledge production and its certainty to be mere veils for the exercise of power, and the reproduction of herd mentality.

Following this perspectivism found in Nietzsche, in his influential essay *The Postmodern Condition* (1984) Lyotard portrays a world where the legitimacy of knowledge claims has been significantly eroded. He contends that the two great 'metanarratives' of the enlightenment 'love of truth' and 'emancipation of humanity' had been revealed by Nietzsche to be a myth. Indeed, says Lyotard, they were also the source of the legitimation of political visions even of the Left such as Marxism, and consequently were at the root of a weakening of the credibility of Left. Criticising Marx's *Capital* and Habermas' attempt to redeem it in his *Theory of Communicative Action* (Habermas 1984), Lyotard reminds us that the Left's belief in consensus, and emancipation from alienation, informed by critiques of ideology had been turned against those very people it had been designed to save and was being used to justify terror and repression. This perceived bankruptcy of theory left a void into which a Nietzscheian postmodern perspectivism could flow. Lyotard called for a 'postmodern science' that would emphasize

> undecidables, the limits of precise control, conflicts characterised by incomplete information, '*fracta*', catastrophes, and pragmatic paradoxes . . . theorising its own evolution as discontinuous, catastrophic, nonrectifiable, and paradoxical. It [would change] the meaning of the word *knowledge*, while expressing how such a change can take place. It [would produce] not the known, but the unknown. And it [would suggest] a model of legitimation that has nothing to do with maximised performance but [have] its basis in difference understood as 'paralogy'.
>
> (Lyotard 1984: 60)

These views were instrumental in establishing postmodernism's critique of the ability of rationalism and of scientific knowledge in general to represent the world neutrally or objectively. Thus we reach a position where theory can no longer be seen to represent a real world 'out there', or, indeed to represent 'knowledge' in any rational or 'conventional' form at all.

What I hope I have illustrated in the foregoing two sections is that there are problems associated with conceiving of theory as being revelatory of purposes or modes of emancipation – I shall discuss explanation and cause in more detail in Chapter 2 – furthermore it is not clear that it is possible to speak of theory as revealing truth or certainty in any way. Richard Rorty puts it this way:

> [M]ost people think that truth is correspondence to the way reality 'really is', they think of [postmodernists] as denying the existence of truth.
>
> [C]ritics [of post modernism] . . . do not think that the useful-useless distinction can take the place of the old appearance-reality distinction. They believe that less useful ways of talking are descriptions of what only appears to be going on. For example: primitive scientists, or conformist members of a slaveholding society, describe what misleadingly appears to be going on. Modern physicists, like believers in universal human rights, know what is really going on. [Postmodernism's] critics need the reality-appearance distinction to prevent the notion of 'corresponding to reality' from being trivialized. For every belief, no matter how primitive or vicious, corresponds to some 'world' – the 'world' that contains the objects mentioned by the belief (Ptolemy's crystalline spheres, or the subhuman nature of the slaves). So those who want to hang on to the notion of 'correspondence' have to take the idea of how things are very seriously.
>
> But surely, it will be objected, we know that we *are* closer to the truth. Surely we have been making both intellectual and moral progress.
>
> Certainly we have been making progress by our lights. That is to say, we are much better able to serve the purposes we wish to serve. . . .
>
> [However o]nce one sees that 'Science can predict insofar as it gets reality right' is an incantation rather than an explanation (because we have no test for the explanans distinct from our test for the explanandum), it seems enough simply to define scientific progress as an increased ability to make predictions. Once one gives up on the idea that we become less cruel and treat each other better because we have more fully grasped the true nature of human beings or of human rights or human obligations (more pseudo-explanations) it seems enough to define moral progress as becoming like ourselves at

> our best (people who are not racist, not aggressive, not intolerant, etc., etc.).
>
> Rorty (1998: 1–2 & 4–5)

I hope that I have shown that writers like Nietzsche and Lyotard, among others, have opened the door to the notion that theory is not representative of a real world in any Cartesian way – that is, in a way that involves humankind's isolated, detached 'objective' perception of the world – but that it is relative. This is important to the task at hand in that I would like to suggest later in this part of the book is that what theory is relative to is to its problematic – that is it emerges from its problematic in that its internal elements – concepts – emerge from its problematic. However, at this juncture, we need to return to our examination of what theory has been taken to be, the better that I can make such an assertion later. So, if theory is no kind of certainty concerning knowledge about the world, if it is unable to express the purpose or function of objects or processes, if it is not representative of pure reason, or capable of generating knowledge upon which to found human emancipation, or of apprehending or representing knowable detached reality, the question persists: what is theory? Perhaps, as most criminologists in particular believe, and as Comte believed, theory is constituted by statements of causal explanation. It is to this notion that I now turn in more detail.

2
Theory as Causal Explanation

Chapter 1 highlighted Comte's belief that theory should give explanations of causes by expressing propositions regarding relationships between causes, outcomes, and unchanging natural laws. Such propositions are known as nomological propositions. Most criminologists subscribe to the premise that discovering causes and laws that will permit us to predict outcomes is the rightful task of criminology. This is even true of criminologists working in the hermeneutic tradition. Understanding (*verstehen*) of the world of offenders and victims is taken to be explanatory concerning causes of crime and victimization, just as much as the measurement of the behaviour of offenders and victims provides statistical models upon which statements of the likelihood of certain outcomes are based. That is, criminological theories, and criminological and social study in general are taken to provide *explanations* of the *causes* of crime rather than mere *descriptions* (for example) of criminal or other social events. However, the key terms in the above assumption that criminological theory should be *explanatory* of the *causes* of crime (in order that crime may be reduced) are far from straightforward; nonetheless, they are ideas that have been largely taken for granted by criminologists in particular. I turn now, therefore to an examination of what it means to speak of explanation, and what it means to speak of causality.

Explanation

The word explanation has many uses in English, and far from all of them are congruent with the meaning of the word in the assumption above made of criminological or other social study. It is very different, for example to say that what one is doing is explaining how to make a

curry, to suggesting that one is offering an explanation of why people commit crime. What we might suggest, is that what we are attempting to do in the latter kind of explanation is answer questions such as *why* this or that happens or is the way it is. What this seems to mean is that we are really asking about causes. The first form of explanation that I wish to look at involves relating claims about causes to invariant natural laws, and this mode of explanation is known as the Deductive Nomological (DN) model of explanation.

Deductive nomological model

The DN model of what constitutes an explanation states that an explanatory statement consists of two parts: that which is explained, and that which *accounts for* the phenomenon being explained – the *explanandum* and the *explanans* respectively. According to Hempel (1965: 248) 'the explanandum must be a logical consequence of the explanans' and 'the sentences constituting the explanans must be true'. That is, the deductive quality of the DN explanation must provide that the occurrence of the explanandum must be deductible from the content of the explanans. The nomological quality of a DN explanation is satisfied when the explanans contains at least one natural law, and that this law must be necessary: that is, the explanandum does not occur in the absence of this law. The Newtonian explanation of the behaviour of Newton's Cradle is an example of a DN explanation where the behaviour of the cradle is taken to be a direct result of the starting condition and the law of conservation of momentum or energy: the application of the law to the starting condition is taken to explain the behaviour of the cradle, and the cradle would not behave in that way if the law were not true or did not apply.

We tend to treat this kind of explanation as unproblematic, it seems highly intuitive to us. However, this Newtonian example reveals certain problems. While the law of conservation of momentum holds true even in Einstein's relativity theory, it is only true of closed systems, and we do not know of the existence of any such systems outside theoretical models (whose closed boundaries are only arbitrarily closed). What this means is that it is unclear what we mean when we use the term 'law' and mean unchangeable laws of nature, because we do not know of any systems in the real world that are not dissipative – that do not 'leak' – and that are thus closed. So, for example, we do not know of any systems where the law of conservation of momentum *actually* works in the real world, even though we take it that the law is a true law of nature. If laws are actually only absolutely true for systems that are only closed

in theory, in what then does a law consist for the purposes of explanation of real-world systems that are dissipative or which 'leak'? According to Hempel (*op cit.*) laws are generalizations that are true, and are not accidentally true. An accidentally true generalization, says Hempel, would be like saying that all the members of the Greensbury School Board are bald. This accidentally true generalization cannot be taken to be explanatory of the baldness of the School Board. However, all gasses expand or increase in pressure when heated is a law that can be used to explain the behaviour of gasses. It will be apparent that Hempel's claim is tautologous. Hempel appears to be saying that a statement may be explanatory when it contains a law, and a law is that generalization that provides for explanation. In other words this doesn't provide any kind of answer regarding what constitutes laws or explanations. This has significant ramifications for the social sciences. If laws are mere true generalizations that aren't accidental, then the social sciences seem to have far too many laws for the designation 'law' to be meaningful (Turner 2003) and thus, by the DN model, social sciences would appear not to be able to produce any meaningful explanations.

The inductive statistical model

The idea that laws are statements of regularity or generalization, introduces the idea that statistical analysis of regularity might provide the answer to what constitutes explanation. That is, the observation that there are certain regularities in the occurrence of certain phenomena and their antecedents may provide the backbone for explanations by indicating the degree of regularity: some measure of departure from the purely random. Hempel (*op cit.*) identifies two models of statistical explanation: the deductive statistical (DS) and the inductive statistical (IS) models of explanation. The DS model assumes that the identification of a set of regularities identified by statistical analysis and measured as significant by the application of statistical laws is indicative of a capacity to deduce the occurrence of a phenomenon from knowledge of that generalization or regularity. That is, the establishment of a statistically significant deviation from the random in the occurrence of a phenomenon means that the application of that statistical knowledge can *predict* the occurrence of the phenomenon. However, Hempel also recognizes (see also Salmon 1971) a model of explanation which he calls the IS explanation. While in DN and DS explanation it is taken that a particular event can be predicted from some information about the event's antecedents and known laws of nature it is clear that there are events that do not follow this model. Should a person take a statin that

has shown statistical regularity to reduce cholesterol in the blood, we cannot *deduce* that an individual has reduced blood cholesterol *because* he or she has taken the statin (even if we know they have taken it). What we might say in this circumstance is that, because we know of a strong statistical correlation between taking statins and the lowering of blood cholesterol, there is a *high likelihood* that the person who has taken statins and has lowered their blood cholesterol has done so *because* he or she took the statins. This is the nature of IS explanation for Hempel, leading Salmon to conclude that in this model of explanation 'the essence of . . . explanation can be described as *nomic expectability* – that is expectability on the basis of lawful connections' (1989: 57).

There are, however, two significant kinds of counterexamples which cast doubt on the claims that DN or IS models account for the nature of explanation. These may be termed problems of asymmetry and problems of irrelevance. One counterexample concerning asymmetry involves the explanation of the length of a shadow. If we know the length of the pole casting a shadow and the height of the sun, we can explain and predict the length of the shadow cast by the pole. However, while knowledge of the laws involved allows us to explain why the shadow has a particular length, the same knowledge of laws and measurements in no way *explains* the length of the pole. We can say the shadow is of *x* length *because* the sun is at *y* height and the pole is of *z* length, but we cannot say *why* the pole is of any particular length from our knowledge of the length of the shadow and the height of the sun. A statement 'the pole is height *z* because the sun is at angle *y* and the shadow has length *x*' conforms to DN/IS models of explanation and yet appears not to be explanatory. It seems that explanations might possess some directionality to which DN/IS type explanations are not sensitive.

The second kind of challenge to the DN/IS model comes from irrelevant features in an explanation. Let us say for example that drug X prevents (statistically significantly) ovarian cancer. Let us then say that John has taken this drug X and he has not developed cancer. We may make an explanatory sentence that is consistent with the IS (in this case) model of explanation as follows: 'John took the drug X. Drug X is known to have a high probability that it prevents ovarian cancer. John did not contract ovarian cancer. It is highly probable that the drug prevented John contracting the disease'. This is a legitimate explanation according to the IS model; however, knowledge of the sexual anatomy of humans shows us that this explanation is nonsensical. Consequently we must assume that DS and IS models are insensitive to irrelevancies in the explanation. What we might say is that the shadow does not *cause* the

flagpole and thus the length the shadow cannot *explain* the height of the pole, furthermore, the cancer drug does not *cause* John's cancer-free status, and thus the properties of the drug do not *explain* John's health. Moreover, in this example at least, we have to know what the explanation actually is before we can see that there is an irrelevance – we need to know the nature of John's cancer-free status and its relationship to the drug before we can accurately deduce the nature of the relationship between John's cancer-free status and the drug! There is, of course, much more to say about causation and I will move to this important topic later in this chapter.

Further problems with the IS model lie in fundamental flaws in the very notion of induction. Inductive explanations state that if there is a high occurrence of a phenomenon in the co-presence of two antecedents in the past, then we can assume that there is a similar likelihood that the phenomenon will occur whenever these antecedents are co-present in the future. Once again, this seems highly intuitive to us, and indeed it is taken to be true by most criminologists. The first and major problem rests on the taken-for-granted assumption that the future mimics the past – the uniformity principle. If the future mimics the past, then associations observed between antecedents and outcomes in the past can lead to inductive inferences about the future. However, this notion that the future mimics the past is far from being as it would at first sight seem. Mill (1974) had this to say on the subject 'what happens once, will, under a *sufficient degree* of similarity of circumstances, happen again, and not only again, but always. This . . . is an assumption, involved in every case of induction.' (184, my emphasis). What this means is, that if this is not true, all our inductive reasoning is without foundation. Mill goes on to say that we know the world is uniform (the future is like the past) because we have seen it to be so in the past. That is, when we have observed events in the past there has always been a similarity between the past then, and what was then the future and is now the past: we have evidence for that uniformity. However, this does not mean that we can see our current futures and so the claim is not actually established: we still cannot actually see the future. The question still remains – will future futures be the same as past futures: we can't tell. Even if the uniformity principle has been true in the past, we still cannot say that it will continue to be true in the future. In either case, there is a fatal problem, and that is that the claim that we have observed in the past that futures always resemble the past, is simply untrue, and it is particularly untrue of humans in virtue of their freedom. When St Paul was converted to Christianity on the road to

Damascus his futures became very much different from his past. When a criminal reforms his ways after rehabilitative interventions his future is very different from his past. We know from criminological research into criminal careers that the above statement is far from straight forward because we know that people who have in the past committed large numbers of crimes, when they grow older or settle into stable relationships tend to commit fewer crimes. These examples of human behaviour do not of course on their own confound Mill's claim but they point out something that makes it meaningless in the social sciences, and that is that there does not exist a *sufficient degree* of similarity. The point here is that in human systems, there will never be sufficient degree of similarity because every human situation is different from every other[1] and that is because humans have pasts (as do all dissipative systems) and the past is always cumulative. Monday has in it the pasts: Sunday, Saturday, and Friday; however, Sunday only has Saturday and Friday in *its* past. So, because all events have in them *all* pasts, and that includes the present, all events are new and unique and Mill's condition that uniformity exists in cases where there is sufficient degree of similarity can never occur except in arbitrarily defined, theoretically closed (non-dissipative) systems. If the claim of uniformity is true, then we can have no account of change since the future would always be like the past.

The second flaw in statistical inductive explanation lies with the notion of probability and its *assumption* that the uniformity principle is true. The formula for assessing probability is this $h = m/n$ where h is the probability of a phenomenon occurring in the presence of two (or more) antecedents, m the number of times the phenomenon *has* occurred (been observed to occur) in the presence of the two antecedents in the past, and n is the number of times the two antecedents could possibly come together. If there exists uniformity, then the possible number of occasions of the conjunction of any set of antecedents is infinite (because the future is infinite and always like the past) and therefore the probability that a particular phenomenon will occur at that conjunction, that can be derived from knowledge of the past, tends to zero (even if the phenomenon has been observed to have happened *every time* there has been observed the conjunction of antecedents). Hence, if we *assume* that the claim concerning uniformity is true, then we can *know* nothing of the future from observing the past, because the future is infinite and contains all possibilities and thus all probabilities tend to zero. Similarly, if we assume it is *un*true we can know nothing of the future by observing the past because there is no required similarity between past and future. In other words there is no logical foundation for our inductive

reasoning and thus induction cannot constitute a necessary attribute of adequate theory. This has led Salmon (1965) to say

> it would seem that we use inductive methods, not because they enable us to make correct predictions or arrive at true explanations, but simply because we like to use them . . . If you use inductive procedures you can call yourself 'reasonable' – and isn't that nice! (369)

Furthermore, criminologically speaking, this means that claims to be able to predict, or even show the likelihood of future offending based on observation of past offending must be regarded with significant scepticism, and this is of importance in many criminological arenas, not least where the assessment of future risk posed by potential parolees is concerned, or indeed where any actuarial techniques are used to manage problems of crime and criminal justice.

The statistical relevance model

A model of explanation that overcomes the insensitivity to irrelevance found in the DN/IS models is the Statistical Relevance (SR) Model outlined in Salmon (1971). This model is taken by many criminologists working in quantitative positive traditions of enquiry to be *the* model that is productive of valuable criminological knowledge, particularly concerning *likely* causes of criminal events. In this model, explanatory statements are not deductive or inductive arguments, they do not give a set of invariant laws that predict with certainty the outcome of a set of conditions, nor do they provide inductive assessments of the probability of that outcome. What statements in this model do is assess the statistical *relevance* of certain properties attributes or events in a chain of such events or properties. For example, if the likelihood of John contracting ovarian cancer is measured both with and without him having taken the anti-cancer drug, it will be seen that his probability of getting ovarian cancer does not change. Consequently, in the SR model, it is deduced that the taking of the drug is statistically irrelevant and thus explanatorily irrelevant. When criminologists measure the frequency of criminal events at an office building both in the presence of capable guardians, and in their absence, it can be ascertained that the likelihood of criminal events increases in the absence of guards. It is therefore stated that the presence of capable guardians is statistically significant in the occurrence of criminal activity. An explanation, according to Salmon (1971), is a statement that must be statistically relevant to the explanandum because irrelevance

is fatal to an explanation as our example concerning John's health shows.

Furthermore, SR explanations do not have to show high probabilities of the likelihood of certain outcomes, merely that the event or property is significant by measuring the probability of certain outcomes in the presence or absence of certain conditions. Thus, for example, even though the presence of a capable guardian at our office building is significant, we would be likely to find that his presence was statistically insignificant if his visibility was low, and in consequence our SR explanatory statement would need to include something concerning the condition 'visibility'. (It is a condition of SR explanations that *all* statistically relevant conditions must be taken into account.) This is further illustrated by Salmon when he uses the example of juvenile delinquency. The occurrence of delinquency in a population of juveniles is a low probability event, nonetheless, statistically relevant things can be said concerning explanations of the occurrence of delinquency, such as gang membership, socio economic deprivation and so on, none of which *predict* individual delinquents or delinquent events, but contribute to an explanation in virtue of their statistically assessed relevance: not their high or low absolute probability. However, Salmon claims that explanations are only valid if they exhibit objective homogeneity, that is, they take into account *all* factors that are statistically relevant. The problem for social scientists, therefore, where SR explanations are concerned is that it is difficult to conceive of a situation where an explanatory statement in the social sciences would be objectively homogenous, and thus Salmon's model of what constitutes legitimate explanation appears to suggest that there can be no legitimate SR explanations of individual events in the 'special sciences'. Hence statistical relevance cannot be a *necessary* attribute of adequate explanation in the social sciences.

What this means for the current project is this; the provision of explanations cannot be a *necessary* requisite of theory in the social sciences because we cannot find an adequate account of what an explanation might be. Explanation cannot be deductive because we cannot establish any invariant laws, or should we relinquish the requirement for the invariant quality in our definition of laws, then we cannot know what a law is, or we find that there are simply too many laws for the notion of laws to be meaningful in a deductive way. Explanation cannot be inductive because either, the condition of uniformity cannot be established, or, if it is assumed, the infinite nature of that uniformity reduces our possible knowledge of the future asymptotically towards zero. The

further claim that explanation may consist simply in statements of statistical relevance is found to be flawed because we cannot know that we have included all relevant factors in our calculations. Hence, the claim that theories must provide explanation of events falls.

Causation

When social scientists speak of explanation and its role in theory, it is conventionally taken-for-granted that what is being explained is the *cause* of a particular event: it is largely taken-for-granted that the claim that there exist *knowable* causes is true, or that it is true that it is possible to know about causes or to speak meaningfully about them. The quest for knowledge of the causes of crime is the most common of criminological endeavours. Conventionally this is the case in order that crime, should its causes be known, may be prevented. It will be one of the significant, at least implicit contentions of this book that this is an inherently flawed quest, in that crime, as Hulsman (1986) elegantly has put it, has no ontological reality. That is, 'crime' does not refer to any coherent group of behaviours, but merely a resultant classification of certain acts, emergent from certain socio-cultural processes. Nonetheless, the search for causes has been the taken-for-granted *modus vivendum* of criminology.[2] For example, Marxist-inspired radical criminology implies that crime can be reduced through the understanding that it is caused by conflict in the mode of economic production. Durkheimian or Mertonian strain theories, or Subculture theories suggest that crime is caused by people's responses to normative strains. Control theories suggest that crime is caused by failure to establish or to respond to social bonds. Pertinently, labelling theories are heavily criticized for *not* providing us with an account of the *causes* of crime. Classical and neo-classical criminology suggests that crime is caused by a predisposition in humans to commit crime (it is permitted or constrained in virtue of the relative presence or absence of disincentives).

The notion of cause is ambiguous; it has been used in many ways throughout history. For example, in the ancient world cause was taken to have four forms: material, formal, efficient, and final. It is not necessary for us to examine these forms here, but we should examine the more recent conception of cause having to do with two kinds of conditions from which a phenomenon may occur, namely necessary or sufficient conditions. A condition that is necessary for the causation of an event is one without which the event will not occur. The condition, however, may exist without producing the phenomenon concerned.

The possession of a knife is necessary to inflict a knife wound on a rival gang member; however, the possession of the knife does not mean that there will always be a stabbing incident. To be defined as sufficient, a causal condition will always produce a given phenomenon. For example, if relative deprivation is a sufficient cause of crime, there will always be crime where there is high relative deprivation; however, this does not mean that relative deprivation is the only cause of crime – it is not a necessary condition.

The problem that arises here is that we can think of instances where there appear to be no causal conditions that are either necessary or sufficient, and we can think of conditions that are conventionally taken to be causal that are neither necessary nor sufficient. We know, for example that relative deprivation is *not* a sufficient cause of crime as we know that there are people who suffer relative deprivation but do not commit crime. We know that it is not a necessary cause of crime because we know that there are instances of crime where relative deprivation is absent: we only have to think of crimes of passion. Nonetheless, many criminologists take it that relative deprivation is a causal factor in some crimes. Thus, either relative deprivation is not a cause of crime (or we cannot speak of causality where relative deprivation is concerned) or the necessary/sufficient distinctions are not qualities that help us to speak about what constitutes cause. We would therefore want to say that if it is a requirement of adequate theory to give causal explanations (something about which we must, at this stage of the argument, remain agnostic), reference to necessary or sufficient conditions for the occurrence of an event is not constitutive of having fulfilled that requirement: we will have to look elsewhere for what it may mean if we say that we require theories to provide explanations of *causes*.

The search for what it may mean to speak of cause is made more difficult by Hume in *An Inquiry Concerning Human Understanding* (1969 [1748]). Hume notes that the human senses are not capable of observing 'those powers and principles on which the influence of . . . objects entirely depends' (ibid.: 202). Hume used as an illustration of this, the action of billiard balls. He points out that when one ball strikes another and ceases to move, and the second ball ceases to be at rest and starts to move, we cannot observe any transfer of 'force' or 'power' from the first ball to the second. We might say that we merely refer to the momentum of one ball causing the movement of another because we observe the two events together and it is useful to think of one event causing another. In any case, according to Hume, we have no *empirical evidence* to support the assertion that the momentum of ball one causes the

movement of ball two. In criminological terms we might say that we can never observe any kind of force or power being transferred from relative deprivation, carrying a knife, poverty, greed, or any manner of supposed causes of crime, to the actor *causing* him to commit crime. Indeed, Hume argues, that because of our constant association of one event with another we attribute cause merely as a matter of convenience and habit, not for any good *reason*. If Hume is right, then we cannot have any *direct* support for causal inferences and that means that we must look instead for indirect support for our belief that we can speak meaningfully about causes.

Hume (1951 [1739]), Mill (1974), and following them in the field of criminology, Hagan (1982) and Hirschi and Selvin (1970) suggest that there are three steps by which it is possible to demonstrate indirect evidence of causation. These are as follows: by demonstrating an association between variables, by specifying the temporal order of events, and by eliminating confounding variables. We have already discussed certain aspects of the association of variables (or antecedent events) above. We suggested that humans find it intuitive to make causal assertions when they observe a regular association between commonly co-occurring antecedent events. Indeed, Hirschi and Selvin state that assumptions concerning the causal relationships bound up with the regularity of commonly co-occurring antecedent events is something that is almost always agreed on (1970: 127). However, just what might be meant by this criterion is far from clear. We have stated above that even if we have observed the co-occurrence of antecedent events and outcomes on every occasion it is still not possible for us to infer that such co-occurrence will always happen in the future, and thus it is not ever possible to know that any such association occurs a hundred per cent of the time (only that it *has* occurred 100 per cent of the time *thus far*). In answer to this criticism Gibbs asserts that perfect statistical correlations are 'grossly unrealistic for sociology' (1982: 96). This, of course, merely prompts the question: 'What would be realistic?' Should we accept 50 per cent correlation as realistic and meaningful? 90 per cent? 30 per cent? Whatever we choose, says Gibbs, will always 'reek with arbitrariness' (1982: 96).

A further problem with demonstrating association between variables arises when we consider again relative deprivation. We suspect that gross economic inequality may be a cause of crime, however, we 'know' from the concept of relative deprivation that if the excesses of the wealthy are readily observable to the disadvantaged, the crime rate is likely to be higher. Thus the association of the variables wealth, poverty, and crime

are clouded by the intervention of the mediation of the situation to the potential criminal. Furthermore, Marx's concept of false consciousness – where people come erroneously to believe that the adverse actions of the bourgeoisie are in their interests – shows us that even where gross inequalities are clearly manifest, people may believe that these inequalities are in their interest and not desire equality and thus not commit crimes. In either of these two cases the association between gross economic inequality and crime is masked by other confounding variables. Thus if we were to fail to grasp the effect of a particular intervening variable we may not witness the causal association of other variables.

The second method of ascertaining indirect evidence of causation involves stipulating the temporal relationship between a phenomenon and its antecedents. It is frequently claimed by criminologists that certain conditions of childhood are causal factors in the commission of crime. What this points out is that there may be significant temporal or topical separation in the association between the claimed antecedent cause and the actual crime. This may mean that the 'true' cause of a crime may go unnoticed. For example, the cause of a knife fight outside a pub may be attributed to drinking alcohol, whereas another may attribute the cause of the same event to absenteeism from school, or yet another to the conditions of childhood. The question is raised: How far away or how long ago from the event should we look for associations between variables? When we mentioned Hume's billiard balls the association between the antecedent variable and the effect are virtually simultaneous, when we consider this kind of event with the knife fight above, it becomes apparent that the temporal association of antecedent events with the phenomenon of whose cause we wish to speak becomes very problematic indeed, leading us to ask the very strange question: When is an outcome?

It is a frequent assertion that to speak meaningfully of causal association between events, an effect must follow, temporally, its causes (Hume 1951 [1739]; Mill 1974; Hagan 1982; Hirschi & Selvin 1970). However, the comparison of the immediacy of Hume's transfer of momentum from one billiard ball to another with the kind of delay that we might expect between a rise in unemployment and an increase in acquisitive crimes means we must ask how much time can elapse between cause and effect for us to still consider it reasonable to speak of a causal association. For example, a case might be made that suggests that the assassination of Archduke Franz Ferdinand in Sarajevo in 1914 is a causal factor in the building of the separating wall across Israel in the early twenty-first century. Nonetheless, however we demonstrate a chain of causes and effects

in this case, most people would consider that the amount of time passed between the two events and the quantity of intervening or confounding events in between suggest that to speak of a causal relationship between the two events would be to stretch credulity. So just how long should we allow to elapse between events before we can no longer reasonably speak of causes, or how much time should we be prepared to permit to elapse between events so that we do not miss possible causes? The answer to these questions, of course, 'reeks of arbitrariness'.

A further problem concerning the temporal association of variables arises when we consider the claim made by Cook and Campbell (1979) that for us to be able to speak meaningfully at all about causes, the cause and its effect must occur simultaneously. This is because, where claims regarding the nature of childhood and its causal influence on later criminal activity are concerned, for example, when there elapses a significant amount of time between the claimed cause and its effect, we cannot be sure that some intervening event is not actually the cause that we seek to explain our phenomenon – such as differential association, normative strain, or relative deprivation. In this circumstance, suggested by Cook and Campbell, social sciences would be virtually devoid of any reasonable discourse concerning cause since social effects appear to be relatively slow or temporally removed from their antecedents. Moreover, the claim is paradoxical; should an effect be simultaneous with its cause, how would we be able to ascertain which was which since, as we have seen, there is a very much taken-for-granted assumption that an effect must *follow* its cause, and in this case the two are absolutely simultaneous. Actually, what Cook and Campbell are really trying to say here is that cause and effect must be separated by an infinitesimally small or *negligibly* small quantity of time, however, of course, the arbitrary nature of the suggestion becomes apparent when we simply ask, how small is negligible? Moreover, should effects be simultaneous with causes, it would be impossible to consider a chain of causal events since the whole chain of events would have to take place simultaneously, either compressing the whole of time into a single instant, or suggesting that there are no causal chains (A causes B, B causes C, C causes D, etc.) that we can *know* about. In Hume's billiard-ball example, this would mean that we could not legitimately say that the striking of the first ball by the cue was the cause of its rolling into the second ball: a situation that most people, I guess, would find a little puzzling. Indeed, the problem of instantaneity most surely arises in a failure of our capacity to comprehend the nature of the instantaneous in that it is not clear how short a time satisfies the condition instant. It may be that instantaneous merely refers

to current limitations in the measurement of short timescales. That is, the association between two events is regarded as being instantaneous merely if they are separated by less time than we can currently perceive or measure. In any case, it is clear that the condition that variables are associated with one another in order to speak meaningfully of cause is highly problematic, and, until these problems are resolved it seems that any requirement to demonstrate such associations being a *necessary* requisite of adequate theory is an unreasonable one.

The third of the processes involved in assessing indirect evidence of causal relationships involves eliminating rival causal factors. Mill outlined a system of elimination in his *System of Logic* which he termed his 'Methods of Experimental Inference' (1974 [1846] Bk. 2, Chapter 9). These methods of elimination according to Halfpenny (1982) are the rules that govern the majority of multivariate analysis to isolate causes undertaken in the social sciences. These methods are *The method of agreement, The method of difference, The indirect method of difference, The method of concomitant variations,* and *The method of residues*.

The method of agreement. This method is concerned directly with the elimination of rival causes. In the circumstance where one has several competing claims to be the cause of an event or several co-present antecedent conditions the method suggests that should an antecedent or competing variable be removed without eliminating the phenomenon under study, then that variable or antecedent is not the cause of the phenomenon. If we have examined *all* the possible relevant competing antecedents for the phenomenon at hand then we may say that what is left when all such variables have been removed must be the cause of the phenomenon under study. This is, of course, exactly what Sherlock Holmes had in mind when, in '*The Beryl Coronet*', he said 'when you have excluded the impossible, whatever remains, however improbable, must be the truth.' The problem here however is neatly illustrated by Lee (1989). Lee asks us to imagine being in a bar and observing one person drinking vodka and orange, another drinking tequila and orange, and another drinking gin and orange. All three end up getting drunk. We would be led to conclude by Mill's method that the cause of their drunkenness was orange juice. This problem arises because we have not taken into account '*all* the possible relevant competing antecedents' of their drunkenness and thus have not accounted for the effects of alcohol. Criminologists and social scientists in general cannot avoid this flaw in the method since it is impossible to take into account '*all* possible relevant competing antecedents' of social events. Two further

shortcomings were identified by Mill. First, that one cannot tell from this method what is the cause and what is the effect, a problem that bedevils control theories of crime, and second, that it cannot account for any plurality of causes, which circumstance is surely a problem for all talk of causes in criminology.

The method of difference. This method is the deductive opposite of the previous method in that its key principle is that any rival antecedent that *cannot* be eliminated must be the true cause or an indispensible part of that cause. Mill has this to say:

> If an instance in which the phenomenon under investigation occurs, and an instance in which it does not occur have every circumstance save one in common, that one occurring in the former; the circumstance in which alone the two instances differ, is . . . the cause of the phenomenon.
>
> (Ibid.: 225)

There is, of course a fatal flaw in this model of elimination. As Mill says, the 'two instances which are to be compared with one another must be exactly similar, in all circumstances except the one' (ibid.: 226). If we take it that all individual social circumstances are unique – and we may take our authority for this claim from Bergson's (1965) assertion that no two states of consciousness are ever the same for humans, also, as I pointed out above, all situations are unique in virtue of each possessing *all* pasts – then it is impossible to satisfy the 'exactly similar' requirement for this method to isolate causes with any certainty. Furthermore, Mill compounded the problem when he attempted to redeem the method from this particular flaw. Mill states that the similarity of circumstances requirement need not extend to those antecedents that are known to be immaterial. However, this is a very serious issue for criminologists: that is, the relative inability of criminology to isolate what may be material or immaterial to the cause of crime. For example, it is most commonly taken, contemporarily, to be the case that the blackness of a person's skin is not implicated in the causes of crime. The complexity of this issue is clearly illustrated when we point out that it is very much the colour of a person's skin that plays a significant part in the causes of racially motivated violence, not as was previously assumed, biologically, but semiotically. Moreover, there may be claims of material antecedents that are not provable or disprovable. It is only our lack of belief in witches that tells us that the claim to materiality of the person who says that

they are a witch and have cast a spell on all those who break the law to make them behave criminally, that tells us that this claim is immaterial. Thus, the method falls, especially in the social sciences and particularly for criminologists in that every social situation is unique, and thus the 'exactly similar' condition cannot be met. Furthermore, Mill's attempt to redeem his method simply requires a pre-existing knowledge of immaterial (and by implication, material) events in order to ascertain which antecedents constitute causes – which events are material or immaterial – surely, that is what we're trying to find out! We would have to *know* what was material or immaterial to the cause of a particular event before we could *find out* what was material or immaterial.

The indirect method of difference. In fields like the social sciences where, as we have claimed above, *The method of difference* cannot be used, Mill held that a third method of indirect support for claims concerning causes could be used. *The indirect method of difference* was described by Mill thus:

> If two or more instances in which the phenomenon occurs have only one circumstance in common, while two or more instances in which it does not occur have nothing in common save the absence of that circumstance; the circumstance in which alone the two sets differ, is the . . . cause of the phenomenon.
>
> (1974: 229)

As Mill points out, this method is a double application of *The method of agreement*. Thus we might reasonably argue that it is susceptible to the same claims concerning its flaws as the method of agreement, namely, that we cannot ever be certain that we have taken into account *all* possible circumstances in which the phenomenon occurs.

The method of concomitant variations. Mill's fourth method of revealing indirect evidence of causation is to be used where there are 'permanent causes' that always have an influence on a set of phenomena. For example, there are always normative values in play where criminal acts are concerned, there is always economic inequality, and there is always some form of constraint. These elements cannot be wholly eliminated from the consideration of different sets of antecedent events. Mill proposes therefore that '[w]hatever phenomenon varies in any manner whenever another phenomenon varies in some particular manner is either a cause . . . of that phenomenon or connected with it through

some act of causation.' What this means is that where a permanent cause cannot be eliminated from a set of antecedents, its causal effect can be ascertained by varying its 'strength'. Thus, if we wanted to see whether economic inequality is a cause of crime we would need to change the degree of inequality and then measure the resultant change in crime. If the two elements – inequality and crime – vary together, then, according to this method, one is the cause of the other. This method has been used by criminologists extensively, where it is the foundation for many longitudinal studies. However, it has significant weaknesses in its claims to be able to identify causes. In order for a cause to be identified, all other competing antecedents must be eliminated. This, once again leaves us in the situation of having to know in advance which antecedent events are material, which, circularly, is what the method is designed to discover – that is which antecedent events constitute material cause. Furthermore, we may not associate certain antecedent with the phenomenon since, as with *The method of agreement*, the involvement of certain variables may be invisible to us. We consequently would not know if this unseen variable varied in the same way and was thus the cause or one of a plurality of causes. Hence while this method has significant uses in criminology (and social science) in general it cannot be used to ascertain with any precision what we might be talking about when we use the word cause.

The method of residues. This method is a development of *The method of difference*. If we '[s]ubduct from any phenomenon such part as is known by previous inductions to be the effect of certain antecedents . . . the residue of the phenomenon is the effect of the remaining antecedents.' Thus, if we have a group of co-occurring phenomena X, Y, and Z, and a group of antecedents *x, y*, and *z*, and we know that *y* is the only cause of Y, and *z* is the only cause of Z, then we can deduce, claims Mill, that *x* is the cause of X. It will be apparent, however, that this method too suffers from a degree of circularity. It requires that we have already verified other causal assertions (ibid.: 230). In the light of what has been said above, it must also be apparent that there exist serious problems with executing that task. Moreover, as with the other four methods, it still requires us to identify all other possible antecedents, which end is impossible outside arbitrarily and artificially closed (experimental, theoretical) systems.

Conclusion

It seems from the foregoing that we have serious problems when we talk about explanation or cause. It appears that in order to speak

meaningfully about causes we have to have knowledge of *all* antecedent events, and this is simply impossible in social circumstances, since the number of possible antecedents for any event tends to infinity. Even in the most simple of apparently causal relationships, Hume tells us that we cannot have any knowledge of the relationship. Indeed, the failure of models designed to identify causes appears to show us that causal associations are simply one of the ways in which *we organize our perception* of the world, not the way in which the world is organized. It is merely convenient to speak of causes and effects. Whether these causal relationships exist or not, it appears that we can have no way of establishing reasonably that they are genuinely causal in nature. As I pointed out above, the search for causes in order to control crime has been the major criminological project. If, as I have claimed, we have no rational foundation for our causal assertions, we should be cautious that we may not be able to control crime as well as some criminologists assume. Furthermore, in the circumstance where responsibility for a particular crime is the basis upon which we apportion punishment, our inability to speak meaningfully about causes, particularly where social, criminal events are concerned, must surely raise questions about the legitimacy of our sentencing decisions. Finally, the significance of these observations is considerable to the project concerning the question 'What is theory?'. If we cannot give any reasonable description of what it means to say that events exist in causal relationships, it cannot be reasonable to require discussion of causes as a necessary attribute of adequate theory in criminology. Having said this, however, I will suggest later in this book that there are of course causes, it is simply that, because of the 'complex'[3] nature of the world, we can never know with any certainty what they are.

3
The Nature of Theory

In his 1990 article *Metatheorizing in Sociology*, George Ritzer identifies three forms of metatheoretical activity (theorising or thinking about theory): first, metatheorizing as a means of better understanding existing theory; second metatheorizing as a prelude to development of new theories; and third, metatheorizing as a source of overarching social theory. Consideration of the second kind of thinking about theory alerts us to the notion of theory development as a teleological – end-oriented – process in its own right: a teleological procession to perfection of understanding with *homo-sociologicus* in the van. Earlier I suggested that Marx's work could be seen as a development from the work of Hegel, and Comte's work as a natural product of engagement with the flaws of natural law and early functionalist theory, thus suggesting a linear process of development of theory by dialectic engagement with past theory. I wish to suggest that there are problems with this way of thinking about the development of new theory. A significant contemporary figure subscribing to this developmental process in theory making is Randall Collins, while a vocal critic of metatheorising (Collins 1986a), his own theoretical method relies heavily on what we might term a dialectic of social theoretical progress. Among his recent works are attempts to build on the strengths and rectify the weaknesses of many theorists from Weber (Collins 1985), or Goffman (Collins 1986b *inter alia*), to Mead (Collins 1989). His most influential work on conflict (Collins 1975) and interaction ritual chains (Collins 1981a & b, 2004) are heavily reliant on his metatheoretical analysis of his predecessors Marx, Weber, Durkheim, Goffman, and Garfinkel. Ritzer (*op cit.*) contends that this is a right and proper process, thus:

> New theory creation is *the* function of Mp.[1] Metatheoretical reflection on the work of other theorists has been, continues to be, and should

> be an important source of new theory. One of the most important functions of metatheorizing, especially Mp, for the discipline of sociology is the production of a steady and continuing supply of new theory.
>
> (Ritzer 1990: 8)

Of course, it is crucial that we recognize that we all stand on the shoulders of giants,[2] but it seems to me that this statement presents theory as having no external aims: it doesn't have to do anything other than provide improvements on existing theory or grounds for more theory. We have encountered the view from Nietzsche that theory is not a representation of a 'real world out there'[3] nonetheless, to suggest, as this perspective seems to, that theory is merely an incorporeal, solipsistic, process of perfection[4] casts theory into the realm of pure abstract craft. Learning from the insights of others is essential; however, this view appears to fetishize the abstract production of theory for its own sake. Now, it is important to note this because so to say implies strongly that we expect something more tangible from theory than theory merely for its own sake. Theories are, at least in part, expressions of metaphors for our perception of phenomena. They are expressed in a systematic way such that relationships between their internal elements are represented in a fashion that they are coherent with one another. This possibility of coherence arises from the process of concept-building, in which a theory's internal concepts are formed in the crucible of the same problematic that the theory is designed to illuminate.[5] Such expression enables us to *make sense* of the relationships between phenomena as they appear to us. The detail of this last sentence is crucial; theory does not *represent* real relationships between real objects in the real world, but provides a consistent metaphor for those relationships that allows us to *make sense* of the way we represent them to ourselves, perhaps in a way that has utility for the solution of problems, for example. Thus, when David Matza talks about the 'will to crime' in *Delinquency and Drift* (1964) he is not talking about some 'real stuff' 'will to crime', but about a concept that he has created to encapsulate issues concerning criminal motivation, and he talks about relationships between that manufactured concept and other concepts (manufactured by social scientists or philosophers) such as 'society', for example. Hence I take it to be the case that to offer a theoretical answer to my core question: 'How are the capacities of individuals implicated in the formation of the "structural social entities" that surround them?' I expect to have to offer sense-making propositions about the relationship between

concepts that stand as metaphors for my perception of the real world as I represent it to myself. These concepts I will have to define in my own terms, and they will include the concepts 'will', 'power', and 'constraint'. I shall devote a section of the book to each of them.

I shall address this issue of metaphor in more detail when I look at Deleuzoguattarian concepts; suffice it to say at this stage, however, that theory is able to stand as a metaphor for the relationships between objects as we perceive them because of the nature of its internal elements. These internal elements (concepts) have to be metaphors at one level, in that all language is metaphor, that is, language is never the actual thing that it expresses – the word car is a word, not a 'car' – this is the distinction made by structuralists between signifier and signified. At another level, concepts – and words – are metaphors because they can only represent our mediated senses – that is what we perceive is not a car but merely having the state of mind that is directed towards the sense of perceiving that car,[6] that is we experience something it is like to perceive a car (see Nagel 1974: §3). At yet another level they are metaphors because they speak of a collection of other ideas and apply a new signifier to that collectivity. In this sense, conventionally, they are metaphors of a particular kind, that is, they are metaphors that bracket – shut off, circumscribe, and veil – other groups of concepts, metaphors, or conceptual problems. Thus we might suggest (as I do later in this book) that the concept 'power' brackets problems concerning the possession of capacities, or that the concept 'time' (as over against[7] the mere perception of periodicity) brackets issues concerning the irreversibility of causes.[8] The concept 'society' brackets issues concerning the relationship between micro-sociological elements. Thus when we invoke the concept 'society', we do not have to explain all that we believe about the interrelationship of that society's internal elements. A concomitant of this is that this bracketing also veils problems within the concept, in this way the concept race veils problems with the process racialization. That is to say, if there is no such thing as race (Miles 1989) and if people have continued to identify the 'Other' by reference to phenotypical features (especially skin colour) which thus serve as indicative of a significant difference, moreover, they have continued to use the idea of 'race' to label that difference, what they cover up by use of the concept race is a *process* of racialization: something that is done *to* someone.

All concepts are collections of other concepts, and, at some level, it is the duty of theory to propose a consistent account that makes sense of the relationships between conceptual elements at different levels. Some readers will no doubt feel their hackles rise at such talk, appearing, as

it does, to invoke theoretical reductionism.[9] I wish to devote the rest of this chapter to a discussion of the nature of the elements of theory and to what it is to be able to talk meaningfully about relationships between those elements that exist at differing levels of analysis. In order to do this it is necessary to be able to speak of relationships that are not explicable by appeal to reduction, since there are strong arguments that social systems are of sufficient complexity for reductivism to be an inadequate tool of explanation. I address these arguments later in the chapter. At this stage, however, it is necessary to undertake an examination of the nature of the internal elements of theories, namely of concepts.

The structure of concepts

Consideration of the nature of concepts has a very long philosophical history and one that is of a technical and esoteric nature unsuited to this book. Suffice it to say that none of the explanations or definitions of what constitutes a concept has been sufficiently robust to convince even a majority of participants in the debate, let alone all of them. In the face of such uncertainty, an examination of how a concept is structured might lead us to a better understanding of what a concept is, that is, to remain agnostic concerning what a concept is made of, and turn instead to a consideration of how it is made. It is taken to be the case, in conventional philosophical circles (Margolis & Laurence 2006), that lexical concepts, that is, word sized, basic concepts like table, crime, or fruit for example, are composed of internal elements that are even more basic concepts. To assess how a concept is structured we should interrogate the relationships between these internal elements. It is to this notion of internal structure that I now turn.

The classical perspective

According to classical theory of the structure of concepts, a lexical concept is composed of internal elements that express necessary and sufficient conditions for an object to be considered a token of the type of that concept. Thus (and I don't mean to be too rigorous here) a table belongs to the type 'table' because it possesses the necessary and sufficient elements expressed by the sub concepts 'legs' and 'flat top' perhaps. A particular kind (token) of crime (in the black letter sense) belongs to the type 'Crime' (plural) because it has the necessary and sufficient conditions to be considered a token of that type, namely transgression of the law (and thus, the concept crime *contains*

the concept law). The appeal of this notion lies in its ability to present a unified picture of the acquisition, categorization, and reference determination of concepts. In every case the same processes take place: concepts are assembled by assessing their definitional constituents, and objects are then classified by test against that set of internal definitional elements. Thus a table is not a table if it lacks one of its necessary internal elements such as legs: if it has legs and a flat top for sitting on it is a chair not a table; an act is not a crime (in the black letter sense) if that act does not transgress the law (see Michael & Adler 1933[10]). Further support for this view is found in the historical truth that the notion, bound up in 'conceptual analysis', is taken to be the foundation for philosophical method from ancient times. 'Conceptual analysis' has been taken to be the *sine qua non* of philosophy: lexical concepts are taken to be the fundamental objects of philosophy. Knowledge of these objects thus defined is taken to be obtainable from direct *a priori* definition of concepts, or from indirect 'transcendental' argumentation (Hanna 2000), that is, concepts either *exist* or are to be analysed through test within thought experiments: if I want to know whether this is a table, I can visualize it and ask does it have legs, does it have a flat top for placing food? However, then we have to ask: What is a leg? And this process inevitably continues *ad infinitum*.[11] So, in criminology we can ask whether act X is a crime and decide whether it involves an infraction of the law, however we then have to ask, what is law. Then we should have to explore the internal concepts of law, such as norms, for example, and then the internal concepts of the concept norm, such as society, for example, and so on and so forth *ad infinitum*. Furthermore, the degree to which concepts so identified appear to conform to our experience of the real world is the degree to which this 'classical' perspective can be supported, and if such definitions are not there to be had then this would appear to question the whole method of classical philosophy; and indeed, there appears to be considerable difficulty in providing such classical conceptual definitions.

The classical position has come under sustained attack from philosophers and psychologists. Empirical studies (Smith & Medin 1981; Murphy 2002) in the field of psychology have shown that people see some objects as being more ideal typical than others, that is people see apples as being more ideal typical of fruit than plums; they are seen to have more fruit-like attributes and they are identified as fruit more quickly than plums. This psychological critique does not refute the classical theory but the classical theory does nothing to explain these findings.

As was noted above, should we lack the ability to specify definitions successfully, the classical theory falls. This is the substance of the critique from philosophy. As Wittgenstein (1976) and Fodor (1981) point out, there are few examples of successful definition of concepts and indeed there are none that are uncontroversial. In 1963, Gettier (1963) challenged the notion that knowledge is justified true belief. Since then there has been widespread belief that classical modes of definition are wrong (Dancy 1985) and we are still lacking an adequate account of the mode of definition of the sub elements of classical concepts. One possibility is that definitions are hard to come by; the other is that concepts lack this claimed definitional structure.

Prototypes

Following from the problems identified in the classical description of the structure of concepts, Wittgenstein (1976) generated the notion of family resemblance concepts. These family resemblance concepts are the foundation for the 'prototype theory' of concepts that suggests that the concept does not have definitional structure but has a probabilistic one. That is, an object falls under a particular concept (the plum is a fruit for example) if it has a *significant* number of attributes in common with other objects bounded by that concept. This account would explain why it is possible for apples to be considered more ideal typical of the concept fruit than are plums, murder to be more ideal typical of crime than insurance fraud or workplace misappropriation, for example. Further it accounts for why definitions have proven so hard to produce.

Criticism of this perspective rests on its apparent success only with simple concepts like fruit, concepts that appear to be responded to quickly in an instinctive way. When people are asked to consider more complex ideas, such as whether a surgically altered transsexual person is male or female, the answer for most people would be that the person remains as their original sex despite having most of the attributes of the other (see Kiel 1989 or Gelman 2003). We are aware as criminologists that people are more likely to see an infrequent burglar as a criminal than the city fraudster who robs thousands of people of their pensions. The concept 'criminal' in people's perception is highly complex. Furthermore as Fodor (1981 and Fodor and Lepore (1996) point out, when concepts have prototypical structures they often exhibit emergent[12] properties that do not derive from the prototypes of its internal elements. For example the concept 'pet fish' frequently involves ideas of bright colours, which have no prototypical foundation in either the notion of fish or of pet (Fodor & Lepore 1996). Some complex

concepts exhibit no prototypical structure at all, for example green cars on the M6. Osherson and Smith (1981) and Landau (1982) suggest that the prototype constitutes merely a portion of the concept and that the concept has an *a priori* or a transcendentally arrived at core. Of course, this simply re-inserts the problems associated with the transcendental nature of classical definitions such as that are found in the Platonic Forms.

Theory theory

The theory theory of conceptual structure contends that the internal elements of a concept are related to one another rather in the way that the elements of scientific theory are related to one another (Carey 1985; Gopnik & Meltzoff 1997; Kiel 1989). It is assumed by these writers that a scientific theory's internal elements are necessarily interrelated in a way defined by the problem that the theory is designed to solve. Thus a theory about falling apples posits gravity as a thing that makes objects attracted to the earth. The theory would not do if Newton had included in it an element concerning a possible practice of his (I jest) of bathing in custard (apples fall because gravity keeps me immersed in my bath of custard). The theory theory is well suited to the problems associated with the classification of the transsexual person mentioned above, and this is thought particularly to be the case where children are concerned, in that perceptual considerations appear to be overridden in favour of the generation of a rudimentary biological theory built from previous knowledge of that person's sex. Thus our transsexual is perceived to be in possession of the *essential qualities* of their original sex despite their appearance of being other. This, however, is also seen as the downfall of the theory theory. It fails to account for people possessing the same concept over time or for different people having the same concept; the concept is conditional upon its role in a specific theory – the theory that this person belongs to their original sex and not their apparent sex – and not defined by any specific constituent parts. This is also true of our infrequent burglar: the theory theory does not explain why so many people subscribe to the erroneous theory that says that our infrequent burglar is more harmful than our fraudster. Moreover, since the beliefs that are part of people's own theories are likely to vary from person to person, or are likely to change over time, it is difficult to see how we can conceive of commonly held concepts or of the durable possession of concepts (Fodor & Lepore 1992). Further critique has been directed at the perspective's analogy to theory change in science. The theory theory suggests that children undergo significant reorganization of their

conceptual apparatuses during development, however, empirical studies are controversial (Spelke 1994), appearing to show that our conceptual apparatuses are enriched during development but not significantly altered.

Atomism

Conceptual atomism provides an alternative to the above views founded on the work of Kripke (1980) and of Putnam (1975). This view follows their anti-descriptivist views that state that proper names are mere tags and have no descriptive content. It does not matter that we call that thing that goes on our heads a hat or a chapeau, toppa, or cha. For Kripke, the name 'hat' achieves its reference by standing in a causal relation to its reference, that is, it does what a hat is supposed to do. However, this merely extends the strategy for assessing the proper names of classical theory to assessing concepts and as such, is subject to the same criticisms as those that confound classical conceptual analysis.

It will be apparent that conventional philosophical accounts of conceptual structure continue to be contested and that further consideration is necessary. If it is the case that we cannot define or describe what a concept is, and we continue to subscribe to the view that theories are made up of concepts, or at least have concepts as (some of) their internal elements, this would mean that we would be unable to provide any account of what the nature of theory might be. In an attempt to overcome this difficulty I turn to an account of the nature of concepts that has much to say about their structure and will lead us towards a further understanding of our primary question in this chapter 'what is social theory' and what is its relationship with its internal elements.

Deleuzoguattarian concepts

For Deleuze and Guattari there are no simple concepts '[e]very concept has its components and is defined by them . . . [t]here is no concept with only one component' (1994: 15). This means that there can be no foundational concepts, no base elements from which concepts are made and thus no *essential*[13] ontology. Different problems give rise to concepts that have different foundational or beginning concepts. Thus, for example, the notion of an indivisible, foundational, subatomic particle is combined with a different concept of beginning to that of the notion of the situation as the basic, beginning, *sui generis* social unit, as found in Goffman (1974b) or Collins (2004), for example. For the sub-atomic physicist, his concept of beginning is bound up with the big bang, for the interactionist sociologist, his notion of beginning is bound up with

the co-proximation of two or more people, the nature of symbols, and the understanding that humans are unique in their use of symbol, for example: both apparent beginnings are combined with another concept, that is, a concept *of* 'beginning' or 'foundation' or 'universal' itself. 'Even so-called universals as ultimate concepts must escape the chaos by circumscribing a universe that explains them . . . [t]he concept is a whole because it totalizes its components, but it is a fragmentary whole' (Deleuze & Guattari 1994: 15–16). Deleuze and Guattari ask whether 'another person' is always second to a self. This is a problem which gives rise to a concept 'other'. In this way we can see that concepts are not only defined by the worlds that they bracket, but by the problems that define them. 'All concepts are connected to problems without which they would have no meaning and which can themselves only be isolated or understood as their solution emerges' (ibid.: 16). Thus, later in the book I shall suggest that the concept 'power' brackets a set of problems concerning the possession of capacities. That is, not that the concept 'power' is somehow a representation of a real world referent 'some stuff out there – "power" ', but something that brackets – 'circumscribes' in Deleuzoguattarian language – a problem concerning the relationship between other concepts, that is 'people', 'assemblages', and 'capacities'. It will be evident, also, that these concepts also bracket their own problems with their own histories. Within the problematic 'power', that which I just posited as the concept 'person', has its own problematic with its own history. This particular problematic is brought to us by Hindess (1982) when he wishes to discuss 'agents' within a struggle. For Hindess, agents in struggles may be any manner of group of individuals possessing interests – governments, trades unions, companies, and so on. Indeed, it is the plurality of the nature of agents for Hindess that causes him to reject notions such as one of our other concepts within the problematic bracketed by power, namely that of 'capacities'. Thus for Hindess, power is a concept that brackets problems concerning mobilization of interests, whereas for me, it has *become* – has emerged as – a concept bracketing problems concerning the possession of capacities. 'A concept requires not only a problem through which it recasts or replaces earlier concepts but a junction of problems where it combines with other co-existing concepts.' (Deleuze & Guattari 1994: 18) Thus, concepts regress infinitely: they are never created out of nothing. Furthermore, according to Deleuze and Guattari, they define the consistency of their own elements in that they are themselves defined by their own 'endoconsistency', that is they are unitary – they constitute a singularity – even though they may circumscribe elements

that are wildly disjunctive. Hence, Deleuze and Guattari suggest that each concept must be considered a cynosure for its elements, each element being understood neither as general nor specific but as 'pure and simple singularity . . . that is peculiarized or generalized depending upon whether it is given a variable or a constant function' (ibid.: 20). Unlike in science, in social science concepts there is neither variable nor constant *in* the concept, but only elements that exist in ordinate relationships with their proximate elements, that is, they are not elements of a particular kind, but take on particular roles according to their relationship to other elements in the concept. For example, in my new concept, 'The Will to Self Consummation' there are several sub-concepts. There is the concept of intentionality or directedness of mind, and there is the concept of becoming. In the concept 'becoming' the concepts of 'time', 'intentionality', and 'supplementation' coalesce at the singularity 'becoming'. The concepts of 'intentionality', 'time', and 'becoming' condense to produce, the concept 'Will to self consummation'. These internal elements are *intensive* ordinates not *extensive* coordinates, and the relationship between them is not propositional, the concept 'Will to self consummation' does not contain propositions concerning the relationship between these elements: it is not *about* the relationships. Thus, as Deleuze and Guattari point out, a bird is not bird because it conforms to a specific genus,[14] but because, the concept bird circumscribes other concepts such as feathers, birdsong, flight, and so on that are brought together in a historically contingent fashion to coalesce into the concept 'bird'. 'A concept is a heterogenesis – that is to say, an ordering of its components by zones of neighbourhood' it is not so much 'synesthetic as sineidetic'. Moreover, the concept has no 'body' – it is asomatic, incorporeal, it is not extended in space – even though it may be manifest in bodies: it is not itself bound up with events, it has no place temporally nor topically, it is 'anenergetic' it has only intensity.

> The concept speaks the event, not the essence or the thing – pure Event,[15] a hecceity[16] [*sic*], an entity . . . The concept is defined by *the inseparability of a finite number of heterogenous*. . . . Concepts are 'absolute surfaces or volumes,' forms whose only object is the inseparability of distinct variations.
>
> (Ibid.: 21)

Thus the concept is both absolute and relative. It is relative to its internal elements, to its problem, to other concepts, it is absolute through 'the condensation it carries out . . . the conditions it assigns to a

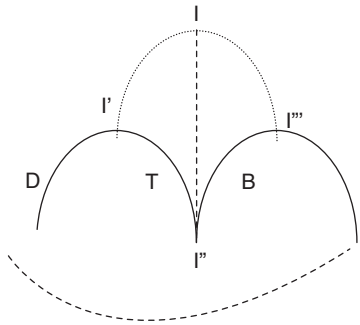

Figure 3.1 The concept condenses at the point I, which passes through all the components and in which I' (doubting), I'' (thinking), and I''' (being) coincide. As intensive ordinates the components are arranged in zones of neighbourhood or indiscernibility that produce passages from one to another and constitute their inseparability. The first zone is between doubting and thinking (myself who doubts, I cannot doubt that I think), and the second is between thinking and being (in order to think it is necessary to be). The components are presented here as verbs, but this is not a rule. It is sufficient that there are variations (Deleuze & Guattari 1994: 24–5).

problem . . . the concept is real without being actual, ideal without being abstract . . . it posits itself and its object at the same time as it is created' (ibid.: 22).

Deleuze and Guattari make use of the *cogito* as an example of the structure of a concept and analyse it thus. The *cogito* has three internal elements – doubting, thinking and being. The full statement of the concept is 'I think therefore I am' or as Deleuze and Guattari put it ' "Myself who doubts, I think, I am, I am a thinking thing". That is "I doubting", "I thinking", and "I being" ' (Figure 3.1).

Interpreting, at least, if not reading 'across the grain'[17] of Deleuze and Guattari's work, we might say the following concerning concepts in social theory. The concept itself is not discursive; it does not link propositions together. We should be careful not to confuse propositions and concepts; concepts are propositions deprived of sense. Attaching concepts to sense-making situations, for example, turns them into propositions, that is, the concept of love is turned into a proposition when we say 'I love you' for example. It is a feature of propositions that they are defeasible[18] and they are *about* something. This is not true of concepts.

> Propositions are defined by their reference, which concerns . . . a relationship with a state of affairs or body and with the conditions of this

> relationship . . . [Propositions] imply operations by which abscissas or successive linearizations are formed that force intensive ordinates into spatiotemporal and energetic coordinates.
>
> (Ibid.: 22)

Propositions force the internal elements of concepts to cease to be intensive ordinates – that is, anenergetic points of intensity that are not extended in space – and become energetic trajectories extended in space and time – things that do things. It should be stressed at this point that we may take Deleuze and Guattari here to be making a normative point (or at least a normatively loaded empirical observation) about the difference between science and philosophy, where the concept – the product of the act of philosophy – is, in contrast to scientific propositions, not defeasible.

> [P]hilosophy extracts *concepts* (which must not be confused with general or abstract ideas), whereas science [and here we may interpret the inclusion of social theory] extracts *prospects* (propositions that must not be confused with judgements), and art extracts *percepts and affects* (which must not be confused with perceptions and feelings).
>
> (Ibid.: 24)

We might suggest, in this circumstance, the position that social theory makes propositions out of concepts. Thus, what I will endeavour to produce in the body of this book is a theoretical answer to the question 'How are the capacities of individuals implicated in the formation of the "structural social entities" that surround them?' and to that end, will make defeasible statements concerning the relationship between the internal elements of the concept society, and these internal elements are Will, Power, and Constraint.

Despite Deleuze and Guattari being scathing about the idea that there can be any concepts in science, we may proceed here by jettisoning any idea that social theory has to be a tool of science in any meaningful or at least conventional way. As we have seen in the two preceding chapters, social theory is not necessarily (or should not necessarily be) in the business of aping science. As the concept emerges from the relationship between its elements, so theory emerges from the relationships between concepts. But theories are not merely grand meta-concepts because *their* elements are treated propositionally, that is, the theory expresses things *about* the relationships between concepts.

The relationship between concepts: Emergence and non-reductive systems

Having said that concepts emerge whole and formed from the relationships between their elements, and that social theory consists of propositional statements *about* the relationships between concepts, it is incumbent upon me now to examine an aspect of the relationship between concepts that has proved a point of significant contention in the philosophy of social science, namely the notions of reduction and emergence in complex systems. That is, should there be (the possibility of) systems in which the relations that exist between concepts or phenomena cannot be expressed in terms of reduction one to another, then it is necessary that the theory that I propose in this book should account for such systems. Conventionally, the internal elements of theory have been seen to rest at differing levels of analysis (Short[19] 1985, Edel 1959 *inter alia*). Thus the behaviour of the 'individual' is seen to occupy a lower level of analysis or explanation than behaviours associated with institutions or 'society'. This has presented problems with what is referred to as reductivism. Reductivism in social theory gives rise to the notion, for example, that societies are mere concatenations of the actions of individuals. It is far from universally accepted that higher level phenomena cannot *necessarily* be reduced to lower level phenomena. In the philosophy of mind, for example, where this problem has a long history, there are those who maintain that mind is *no more* than its supporting neural states. Concomitantly there are many in the social sciences who hold that societies are *no more* than the concatenation of individual behaviours and that all social phenomena can be sufficiently explained by reducing upper-level phenomena such as the behaviour of institutions of cultures to the behaviour of individuals (methodological individualists). However, to many others it is apparent that this is an inadequate conception of relationships between elements of complex systems such as cultures, institutions, or societies, and thus, it is to arguments that suggest the possibility of the existence of nonreductive systems that I now turn.

The relationship between micro-sociological phenomena and macro-sociological structures (for want of better terms) has been one of the most fundamental issues in social theory. It was a central concern for the founding fathers in the nineteenth and early twentieth centuries, including Weber, Durkheim, Simmel, and Marx, and it has been a cynosure for debate in the later twentieth century where it has proved central to structural functionalism (Parsons 1968, 1970), exchange theory (Blau

1964; Homans 1958, 1961), rational choice theory (Coleman 1990), and structuration theory (Giddens 1986). Many accounts of the micro–macro relationship appeal to a notion of emergence; they make use of the term to argue that reduction is an inadequate way to conceive how individuals collaborate to make structures (Archer 1995; Bhaskar 1998, 1982; Blau 1981; Edel 1959; Kontopoulos 1993; Mihata 1997; Parsons 1968; Sztompka 1991 *inter alia*). However, the term emergence has been used in varying ways, some of which support, and some of which reject the concept of reduction. Most of the above accounts claim that only individuals exist but that *structures*, for example, possess emergent properties that are not reducible to properties of the individual (Brodbeck 1968) and thus are referred to as being methodologically collectivist. Methodological collectivism holds that an adequate description of behavioural phenomena may require reference to facts about individuals – their particular responses, for instance – but that any adequate, ultimate explanation of those phenomena must be in terms of *collective* facts. Conversely, methodological individualism can be defined as the position holding that an adequate description of behavioural phenomena may require reference to collective facts, but that an adequate, ultimate explanation of those phenomena will have to be put in terms of facts about individuals (D'Agostino 1986). If these collectivists believe that only individuals exist, then they must have an account of how collective facts emerge from the actions of individuals.

We would expect, from the foregoing then, that collectivists reject reductivism. This expectation is not entirely fulfilled, in that there are some collectivists who reject emergentism or claim that it is consistent with reductivism. Among collectivists however, realists such as Bhaskar (1998) and Archer (1995) claim that emergentism can ground their sociological realist perspectives. Realists like Bhaskar tend to start from the central question for '*to what extent* . . . [can] *society be studied in the same way as nature*?' (Bhaskar 1998: 1). Bhaskar believes that those sociologists (and by implication criminologists) who embrace hermeneutic methods, are correct in their rejection of positivism, but are in error in their rejection of science. Bhaskar claims that what they have done in their rejection of science is to reject a particular form of doing science which he calls 'scientism'. Scientism is the thesis that there can be no difference in the methods used to study nature or society, whereas for Bhaskar, naturalism is, 'the thesis that there is (or can be) an essential unity of method between the natural and the social sciences' (ibid.: 2), which belief is known as naturalism. That is, that sociology can be a science in the same sense as physics for example, but not in the same

way. This is because, says Bhaskar, there are ontological, epistemological, and relational considerations concerning the social sciences that mean that there will be differences in the way in which we can conceive of the study of the natural world and of society, because 'it is the nature of the object that determines the form of its possible science' (ibid.: 3). It is important at this point to define reality as seen by Bhaskar. Reality exists independent of us and of our apprehension of it. Bhaskar (1986) tells us that reality consists of three different layers: empirical (observable by human beings), actual (existing in time and space), and real (transfactual and more enduring than our perception of it). The latter contains structures that have powers and liabilities from which observable events emerge. Thus, social phenomena emerge from deep underlying real structures, become actual, and then empirical (Bhaskar 1986). Of importance to our discussion here is that Bhaskar concludes that 'societies are irreducible to people' (1986: 104) 'social forms [real, transfactual entities] are the necessary conditions for any internal act', the *pre-existence* of these social forms determines their *autonomy* as possible objects of scientific inquiry, and more importantly, that the *causal power* of these social forms determines their *reality* (Bhaskar 1975).[20] This leads Bhaskar to suggest that methodological individualism is incompatible with realism or emergentism. '[M]ethodological individualism is the doctrine that facts about societies, and social phenomena generally are to be explained solely in terms of facts about individuals' (Bhaskar 1975: 27), but this view must be flawed since 'explanation, whether by subsumption under general law, advertion to motives and rules, or redescription (identification), always involves *irreducible* social predicates [real, transfactual entities]' (ibid.: 28 my emphasis). Bhaskar avers that the definition of the social employed by methodological individualists is radically misconceived. They regard 'the social' as *synonymous* with 'the group'. Thus, for them, social behaviour is explicable as the behaviour of groups of individuals or individuals in groups (Bhaskar 1998: 29). Rather, Bhaskar argues that 'sociology is concerned with the persistent relations between individuals (and groups as well), and the relations between these relations (and between such relations and nature and the products of such relations) [Despite the fact that] mass behavior is an important social-psychological phenomenon . . . it's not the subject-matter of sociology' (1975: 29).

The problem of grasping what emergence is taken to be is further compounded when we note that some individualists accept the existence of emergent properties, but deny that they are not reducible to lower level phenomena. Indeed, writers such as Axelrod (1997: 4), Coleman

(1987: 171, 1990), Epstein and Axtel (1996: 6–20), or Homans (1964), claim that methodological individualism's concentration on the 'bottom up' processes in the micro–macro relationship must be conceived of in terms of how higher level properties emerge from *individual* action. The work of these writers is more or less explicitly based on work in the field of economics where unintended consequences of intended actions of a multiplicity of individual agents are seen to constitute emergent phenomena (see Hayek 1942, 1943, 1944 for example) in contrast to writers such as Bhaskar and Archer for example, who believe that emergentism is incompatible with methodological individualism. It will be apparent from the foregoing that there exist contradictory accounts of the nature of emergence that lead to contradictory accounts of the nature of the micro–macro relationship. These disputes arise, in part, because of inadequate accounts of emergence in the social sciences. However, more concerted effort to untangle these problems has been undertaken in the field of philosophy of mind and the philosophy of science, and it is to these fields that I now turn to unravel those problems as they are presented in social science and conclude by making suggestions concerning what this means for our analysis of what social theory is.

Emergence in philosophy

The term emergence was first coined by Lewes (1875) where he was keen to distinguish two kinds of effects, resultants and emergents. For Lewes, an emergent effect was one that was not predictable from knowledge of the properties of its constituents. Thus, water has properties that cannot, for Lewes, be predicted from knowledge of the properties of hydrogen and oxygen (the existence of a 'triple point': a single temperature and pressure at which water can exist in all three states, for example). In the early part of the twentieth century, emergentist ideas were seized upon by philosophers keen to reject the vitalist thesis (that claimed, among other things, that life was some kind of force that entered into more complex biological entities), and assert that at base, those higher level entities could be understood in terms of, and were determined by, properties of lower level phenomena. In this view, higher level phenomena and entities were said to supervene upon lower level entities and properties. Early twentieth century emergentists such as Durkheim (1982) for example believed that when entities reached a certain level of complexity, truly novel properties emerged as properties of that entity that have nothing to do with any properties of its component entities.

Prior to the 1960s philosophers of mind were to be found in two opposing camps; the individualists and the dualists. For individualists,

the mind is no more than the biological brain, for dualists, the mind and the brain are two separate entities. Emergentism, when it is perceived as a bridge between these two positions, is known as nonreductive materialism (Kim 1992). This view rejects the notion that the mind is mere biology and indeed suggests that it may have causal properties over biological processes (Andersen et al. 2000; Heil & Mele 1993). Subscription to this view, however, is not universal, and writers like Jaegwon Kim (1993a) maintain the belief that emergentism is compatible with reductivism.

In the late twentieth century, the concept of emergence gained currency in the world of computational modelling of complex systems with perspectives such as conectivism (Clark 1997), artificial life (Brooks & Maes 1994, Langton 1994), and multi-agent models of social systems (Gilbert & Conte 1995, Sawyer 2001). In these views, complex systems and their behaviour are seen to be the *result* of 'behaviour' of smaller units within the system but are not predictable from knowledge of them. For example, the concerted behaviour of a shoal of fish is the result neither of a fish nor fishes which control that behaviour, but of the concatenation of very simple pair-proximity rules that govern the immediate adjacency of fish. Minor changes in the input to that system at the individual level – the presence of a predator for example – produce large-scale pattern changes at the collective level – the shoal appears to change direction all simultaneously. In this model, higher level regularities are seen often to be the result of simple, locally applied algorithms, and thus there is a belief that emergent phenomena are predictable. There exists a significant flaw in this model however. The pair-proximity rules that exist between individuals described by the algorithms applied by modellers in this field are, in the real world, elastic, and constantly in flux, not simple at all, and thus not modelable in this way. Indeed, while the behaviour of the shoal looks simple, it is in reality, complex and unpredictable, especially where micro-elements of the overall behaviour are concerned. Modellers in this field have designed algorithms that merely mimic the macro-behaviours of such systems and, because an arbitrarily established degree of similarity is achieved between their models and the macro-behaviour of the natural system, they claim that their algorithms are at work in the real world and thus, that the behaviour that they have modelled *is* the behaviour that is to be predicted, and consequently that they can predict it. It will be apparent that because of these methodological fallacies inherent in this way of working that no referent to the real world at all can be established above this superficial, arbitrary degree of macro-similarity. In attempts

to eradicate such problems, sociologists have appealed to the notion of supervenience, and thus, it is to this concept that I now turn.

Supervenience

Most contemporary sociologists such as Giddens or Archer, for example, attempt to avoid the reification of collectivities, systems, or structures (Giddens 1986; Archer 1995, 2000): for them, all that is real are individuals. So to claim is to identify oneself as an ontological individualist: in this view, all macro-phenomena – classes, or the legal system for example – are explainable in terms of the actions of individuals. This is consistent with the view (in most cases) that higher level phenomena are reducible to the actions of individuals. The nonreductive materialist position in the philosophy of science parallels this by asserting that all that is real is physical matter. Because there is only physical matter, there can only be physical phenomena. Thus states of mind are the same as neurological states. This is known as the 'token identity thesis'. Any psychological event is merely a *token* of its neurological *type* and each token belonging to that type is identical. The emergent properties of the *token* event are said to supervene upon the system producing the *type* at a lower level (Davidson 1970; Fodor 1974; Kim 1993b). Thus it is said that when a group of phenomena at a lower level produce an event at a higher level – that is, that supervenes upon that constellation of phenomena – on every occasion when that configuration occurs at the lower level, the event at the higher level can be predicted to occur. This implies that the higher level event cannot change without the lower level configuration changing. So, in supervenient relationships any events that are identical to one another at one level will produce effects that are identical to each other at another level. For example, if two people have identical physiological brain states then they will have identical mental states or as David Lewis (1986) has put it, '[s]upervenience means that there *could* be no difference of one sort without difference of the other sort' (15). The emergent properties of an event are said in this view to supervene upon the system producing the event at a lower level (Davidson 1970; Fodor 1974; Kim 1993b). Thus it is said that when a group of phenomena at a lower level produce an event at a higher level in a way that conforms to the notion of supervenience, on every occasion when that configuration occurs at the lower level, the event at the higher level can be predicted to occur, and whenever a difference occurs in comparison with formerly identical events then a corresponding difference will also occur between two supervening events that were otherwise formerly

identical. This implies that the higher level event cannot change without the lower level configuration changing. Several commentators have asserted that this relationship is the relationship between individuals and society (Bhargava 1992; Currie 1984; Kincaid 1997; Macdonald & Pettit 1981; Mellor 1982; Pettit 1993). In criminological terms, supervenientists would say that criminal behaviour supervenes on individuals' choices or life experiences. Supervenientist sociologists would say that institutions supervene on the individual behaviours of their members. Put simplistically, if we imagine that we have two identical twins who have had exactly identical life experiences, if one commits a burglary then so will the other, if the notion of supervenience is true. Now, of course such a situation is impossible since such identity is impossible. When the two twins stand side by side one stands to the left and the other to the right – at the most mundane level – thus their life experiences cannot be identical. What this means in the human world is that we could never *prove* that supervenience is the true mode of relationships between entities or phenomena at differing levels because no such identical relationships ever occur in the human world. Furthermore, as will be discussed below, humans experience what is known as multiple realizability, in that some mental states can be actualized by a number of different, wildly disjunct 'causes'. Where multiple realizability occurs, supervenience is impossible because it contravenes the law 'there cannot be an *A*-difference without a *B*-difference'. Moreover, supervenientist writers are of the view that supervenience is compatible with reductivism (Horgan 1993) and with methodological individualism and is therefore inadequate ground for asserting the irreducibility of the mental, or the social, to its lower level events or processes. Indeed, it is my view that supervenience cannot account in any way for the relationships between social entities.

Multiple realisability and wild disjunction

Following from the foregoing, should supervenience fail to give adequate grounds for claiming that higher level phenomena may be irreducible to their lower level elements we find ourselves in need of another argument for such irreducibility. Fodor (1975) advances a telling argument based on the idea of *natural kind terms*[21] and the concept of *law* in science. For Fodor, a statement of scientific law is one in which the basic terms are *natural kind terms* of that science. To reduce a law in one science, say chemistry, to a law at a lower level, in this case physics, it is necessary to have a *bridge law* that translates the natural kind terms of the higher level science to the natural kind terms of the lower. Hence, for example, if we take it that the basic elements of laws

in chemistry are the natural kind 'atoms',[22] in order that we can reduce that law to one of physics we have to have a bridge law that converts 'atoms' to the base, natural kinds of physics. If we say that the basic elements of laws in physics are the natural kind, 'sub-atomic particles', we have to have a law translating 'atoms' to 'sub-atomic particles', which we do by stating the new bridge law, 'all atoms are made of sub-atomic particles'. The crux of Fodor's argument is that there is no *a priori* reason why any particular pair of sciences should be reducible in this way to one another, each case would have to be tested empirically. Fodor's argument concerns the possibility of reducibility between psychology and neurobiology, and he states that there is no reason why we should assume that this reduction can take place. His reason is that there exists a phenomenon known as *multiple realisability*, that is, that for any given mental state, there may be several different lower level causes at differing times (this does not only apply to the relationship between states of mind and neurobiology). The example most often cited is the mental state of pain. For the given mental state of pain to occur, it is possible for there to be a large number of lower level causes that could have caused that pain: each *token* instance of pain may have different *types* of cause. I can stub my toe on a step, for example, but I could just as well be struck on the head by a falling object or have a bout of flu that gives me a headache. Each of these different – unrelated – causes produces the mental state, pain.

Multiple realizability of itself, however, is also insufficient grounds for asserting non-reducibility. Should the group of multiple causatory *types* be sufficiently small or possess similar enough qualities that they might be reclassified as belonging to another natural kind type, then the argument falls. To resolve this problem Fodor turns to the notion of wild disjunction. In contrast to the multiple causatory types having sufficiently similar properties to be reclassified as a new natural kind type, Fodor asks us to consider a possible set of multiply realizable causes that are wildly disjunctive. Should such a set contain such wildly disjunctive terms then, because of the bridging law requirement, the law of the supervening science must also contain wildly disjunctive terms. However, claims Fodor, scientific law cannot contain wildly disjunctive components – such a law would be incapable of making sense, one might suggest that it would be like Newton asserting that apples fall because he has a desire to fill his bath with custard, or more concretely, that a prison officer has increased his power to incarcerate, and that he has increased his power because the petrol in his car has a higher octane rating: the two concepts of power are wildly disjunctive and no meaningful law can be expressed between them. There may be lawful

relations between phenomena described in psychological language that would not constitute a lawful expression of relations between phenomena in biology. Of course, crime is just such a higher level phenomenon, it is uncontroversial to say (accepting our concerns about cause) that crime is caused by an infinite number of wildly disjunctive antecedent events that would mean that any laws concerning crime would also have to have wildly disjunctive components, and this is not legitimate. Thus, if we accept the argument that a higher level phenomenon might be caused by many different kinds of lower level[23] phenomena, and that it is possible that these lower level elements may exist in relations that have no legal expression in the subvening field, then we are forced to conclude that it is possible for phenomena to exist at a higher level that are irreducible to those in a lower level discipline. In other words, the higher level phenomenon has *emerged* from the lower ones.

It should be stated, however, that the emergentist position does not claim that it is not possible that some social systems *are* reducible, or that some are predictable from knowledge of lower level systems, although it is difficult to conceive of what they might be, but in cases where the subvening properties are judged to be wildly disjunctive beyond some threshold of complexity, the supervening property must be seen as being emergent. However, whether the complexity conditions of the subvening phenomena satisfy the condition of being wildly disjunctive remains open to question, and thus, the non-reducibility of a supervening property must be ascertained empirically.

Downward causation

A significant feature of properties emergent in complex systems is that of downward causation. It is conventionally held that it is properties of subvening phenomena that are causes in a diachronic relationship. That is that the properties of subatomic particles cause the properties associated with atoms; the properties of interaction between individuals cause phenomena associated with societies. However, it will be apparent when we consider the notion of mind that it is possible for the emergent property to cause change in its subvening bases. For example, experiencing a state of mind that is directed towards a desirable future event may cause excitement, involving a significant change in neural states of the brain. For Durkheim (1982), *sui generis*, that is, emergent social properties have causal force upon individuals, indeed the defining criteria for 'the social fact'(Durkheim 1982) is its external constraint upon individuals. This idea is at the root of most sociological accounts that reify or hypostatize structure. That is, structures – the

higher level phenomena that are taken to supervene on the behaviour of individuals – are regarded as having causal effects on the behaviour of those subvening individuals. While certain philosophers have been keen to stress this phenomenon – and it is stressed because if we are to see human action in the context of our desires and aspirations, that is in terms of our directed states of mind, it is axiomatic that those states of mind *cause* physical behaviour. For example, if I desire ice cream, I physically move my arm to eat it (see Davidson 1993; Fodor 1989; Horgan 1989). Others, however, are keen to reject the idea of downward causation (Kim 1993a; Darley 1994). Darley's rejection rests on the assertion that, for example the shape or movement of the shoal of fish of which we spoke earlier, does not determine the action of individual fish since individual fish are unaware of the shape or overall movement of the shoal, responding only to localized pair-proximity rules. Similarly, there can be no downward causation in multi-agent social simulations because the model is built merely of localized algorithms for interactions. One would have to argue in the face of this objection that human beings *are* aware of the larger structures that surround them and that human societies are consequently far more reflexively complex than the models proposed by those working with multi-agent social simulations. Kim rejects the downward causation thesis, suggesting that downward causatory effects are in fact simply further evidence of supervenient emergence, where the new outcome is merely the effect of an original supervenient phenomenon constituting part of a subvenient grouping upon which a new phenomenon supervenes. This is variously referred to by Kim (1984) as epiphenomenal causation or supervenient causation. In short, I take it that Philosophers of mind and of science, albeit not universally, have proposed a non-reductivist emergentist position that suggests it is possible to speak of relationships between phenomena at differing levels without resorting to reduction and which, furthermore, permits the downward causation requisite of any social theory that is to take account of the non-hypostatic effects of structures or other forms of collective engagement.

It follows from the foregoing discussion that sociological emergentists take it that supervening properties *emerge* from the processes of interaction in complex systems. Hence it is necessary that empirical study of the processes of emergence focus upon symbolic interaction (Sawyer 2001). However, claims Sawyer, major theorists have failed to connect theories of emergence with adequate accounts of symbolic interaction. Certain individualist emergentists oversimplify the processes of interaction into the formulas of game theory or rational choice theory, and

collectivist emergentists such as Sztompka (1991 for example) concentrate on such large-scale features and long time periods that they ignore the interactions of individuals (Sawyer op cit.). It is incumbent upon social theorists to make theory that makes sense of the processes of emergence in interaction and of the effects of downward causation of those processes. In this way, theory can make it possible to talk meaningfully about the relationship between the elements of theory existent at differing levels of analysis and thus to prove efficacious in making sense of these phenomena as we represent them to ourselves. The following chapters of this book attempt to do just this. However, while the foregoing has established the possibility of the existence of phenomena that cannot be reduced to their lower level antecedents, we have not claimed that this means that no phenomena are reducible to their lower level elements. Thus it is necessary to address the characteristics of those systems that are likely to exhibit non-reducibility and thus emergent properties.

The characteristics of non-reductive systems

As has been pointed out, above, the philosophical account of wild disjunction, coupled with the notion of supervenience, provides grounds for the assertion that there exist non-reductive systems, and that higher level properties may *emerge* from lower level ones. However, it was also noted that this does not presuppose that there are not systems that *are* reductive. It is necessary, then, at this juncture to set out what characteristics one might expect to find in non-reductive systems. It is generally accepted by emergentists (Bechtel & Richardson 1993; Fodor 1974) that an empirical approach is necessary to ascertain whether a higher level phenomenon should be related to its lower level elements by reduction or whether it should be considered to have emerged whole and new (holism). Prior to such study we cannot know how we can talk of the relationship between higher and lower level explanation until we have some knowledge of what qualities we might expect of non-reductive systems. There are however, several suggestions concerning how we might do this from the study of complex systems. Such studies have identified certain characteristics that are associated with systems that display wild disjunction between their elements. These attributes are 'nonaggregativity', 'non-localization', and 'complexity of interaction'.

Nonaggregativity

Emergence has been identified with the system attribute 'non-aggregativity' by Wimsatt (1986). It is easier to explain what non-aggregativity is by explaining what aggregativity is. An aggregative

system produces properties that can be said to be the result merely of an aggregate of the individual behaviours of elements that make up the system. What this means is that the attributes of aggregative systems meet four criteria that most social phenomena do not possess. The first requirement of aggregativity is that any property of the system is not a product of the way the system is organized (that is, it is not a product of relationships between *specific* individuals). The individual elements of the system are intersubstitutable. The fish in our shoal are like this (in the simple, un-criticized model, that is), each could be substituted for another without changing the system property (its shoal-like quality), indeed, in the simple model, such as that used by computer modellers of complex systems, the behaviour of the shoal is reducible to the pair-proximity rules that pertain between individual fish and this is so because there exists no wild disjunction between the elements: indeed, they are all by and large, the same. The shoal exhibits the first attribute of an aggregative system, it is therefore not non-aggregative and as such is unlikely to produce emergent phenomena (in the complex model that I outlined, the shoal behaviour may be emergent because each interaction between the fish is elastic and each of the fish is different to others in at least a small degree). In human social systems neither individuals nor meso-level collectivities are intersubstitutable because the complex arrangement of interrelationships is significant, and while each element belongs to the natural kind type 'human individual' their individual life experiences makes their intersubjectivity wildly disjunctive. Hence, human systems show an attribute of non-aggregativity and this begins to support the claim that human systems may produce emergent phenomena. Closely related to this requirement of aggregative systems, the second attribute is that the aggregative property should remain unaffected by the removal from the system of some of its parts; taking away some fish would not alter the nature of any of the fish or the shoal nor alter the pair proximity rules. Third, following from the second is that the property remains unchanged should the system decompose or reconfigure: the pair-proximity rule does not change even if our shoal disperses, further evidence that our shoal is an aggregative system and thus incapable of producing emergent phenomena. Conditions two and three, of aggregative systems quite clearly do not hold for human social systems, it is evident that the nature of a group may change should one of its members leave, and significant changes take place when significant numbers of a group leaves and it begins to disaggregate. This is also seen to be the case in that it will be apparent that some social groupings exhibit significant change upon the addition of

one member above a nominal threshold where addition and subtraction below that threshold produced little or no change. This is further evidence that human systems are non-aggregative and thus likely to exhibit emergent capacities. The fourth attribute of aggregative systems is that there should be no variation in the relationships between the individual parts or between the separate relationships between the individuals and the whole. Quite clearly this condition does not hold for the majority of human social systems since all and every relationship between individuals and between individuals and society is different. Thus it will be apparent that our *simple* shoal of fish is an aggregative system producing aggregative properties while social systems may be said to be non-aggregative, and thus more likely to possess wildly disjunctive attributes between their elements, and exhibit emergent properties from the relationship between its elements.

Non-localization

Once again, it is easier to illustrate the positive case, localization, and then infer the negative case, non-localization, from it. A system may be said to be localizable if its decomposition is simultaneously functional as well as physical. As we saw above, with teleological functionalist theory (e.g. Parsons 1970), the system's components are defined in terms of their functions and lower level components, such as roles in Parsons' case, are said to be functional to the system. Groups are conceived of in role terms, roles are functional to the group, as the group is functional to the system. If a social system were like this then it would be said to be localizable. However, many social systems are not localizable (and this is, of course, a criticism of functionalism). We might think of an inner-city knife gang. Members come and go, sometimes the number of members may decrease – the gang, in the terms of the definition of localizability – begins to decompose. However, the gang does not decompose functionally simultaneously with this physical decomposition. The gang will continue to function as a gang for some time, perhaps even re-establishing itself from a very low 'decomposed' base. Belonging to a community cannot be localized to any of that community's individual members nor to any of its subgroups. A community does not cease to have the *function* community simultaneously with its *physical* decomposition. The decomposition of its function may occur either before, or later during its physical decomposition. It is maintained by Bechtel and Richardson (1993) that such non-localizable systems are much more likely to have components that exhibit wild disjunction, and thus be more likely to exhibit emergence than a system

conceived of in functionalist terms. Connectionist models (see Clark 1997) maintain that the density of network connections is related to the localizability/non-localizability of a system and to the propensity for decomposition in a system. The more dense the network connections in a system, the less likely it is to decompose or to be localizable. This is akin to the Actor Network Theory contention that large numbers of short extensions form assemblages that are more durable. I address this notion in the chapter on 'Constraint'. It is also consistent with the perspective of late-modern societies increasing their network density through developments in transport and communication technology (cf. Durkheim 1982[24]).

Complexity of interaction

It has been suggested by those working in the study of complex systems that the number and complexity of interactions may also be a factor in producing wild disjunction among elements (Darley 1994). In this view, emergence becomes more likely when the number of components and the complexity of the relationships between them is high. Human interactions are numerous and infinitely complex by virtue of the elasticity of symbols. Thus, as Sawyer (1999) suggests interaction must be central to sociological accounts of emergence. The components of biological and physical systems are relatively easy to map, complex systems modelling tends to assume such simple relations between the elements of social systems, frequently built upon the perversely simplistic claims of economists like Hayek, for example. However, relations between the components of human systems are qualitatively far more complex. This may account for the fact that emergentists have thus far failed to link their accounts to the study of symbolic interaction (Sawyer 2001). Since it is the complexity of human symbolic interaction that accounts for some of the wild disjuncture in relationships between the elements of human systems, it is necessary to synthesize any emergentist account with symbolic interactionism, and indeed it will be one of the key tasks of the theoretical perspective advanced by this thesis to produce just such a synthesis.

Conclusion: Thisness and aboutness

In the first part of this book I have given an historical account of theory in its attempts variously to define purposes, or causes, or to provide tools for emancipation. Postmodern theorists have suggested that it has not proven possible to identify these aspects through theory and that

the reason for this is that theory cannot represent the real world, it cannot correspond to it, but only to our mediated representation of that world to ourselves. Thus, rather than conceiving of theory as providing a more or less inaccurate, perfectible account of truth, or providing the tools for the emancipation of humankind from its hypostatic structural chains, I have suggested that theory constitutes a metaphor consisting of defeasible propositional statements concerning the relationship between concepts: a grammar for making sense of the interrelatedness of concepts that are themselves formed in the crucible of the problem the theory is designed to illuminate. Our examination of conventional ways of talking about concepts suggested that such conventions were inadequate to our task.

I went on to suggest that a conventional way of thinking about theory involves causal explanations. I suggested that neither deductive nor inductive modes of explanation could provide a satisfactory account of what could be required of an adequate theory. Furthermore, I examined a number of accounts of what constitutes causation with the same conclusion; that none of the accounts presented could show that an account of causes could be necessary for the production of adequate theoretical accounts in social sciences. Thus I suggested that an account of the structure or nature of theories was appropriate, and in response I outlined the Deleuzoguattarian perspective on concepts. In this view concepts are taken to be non-defeasible self-limiting expressions of relationships between constituent sub-concepts that have the feature of being merely intensive rather than extensive. This brings us to a crucial statement concerning the similarity and difference between theory and concepts. Both are constructed from other concepts and even within concepts there are propositions concerning the relationships between those internal elements. So in what, then, does the difference consist? The crucial difference between a concept and a theory is that a concept exhibits '*thisness*', hæcceity; a theory exhibits '*aboutness*' – that is, it has propositional content, it is *about* the relationship between its internal elements. Thus I suggested that theory should be able to make propositional statements about the relationship between concepts that occur at differing levels of analysis – and that is my intention in this book – and to that end I embarked upon an examination of what it might mean to talk of such relationships in the strong likelihood of the existence of non-reductive human systems. That is, that if we are to be able to speak of human action in the context of their historical environment without their actions being fully determined – that is they are able to make *choices* in the light of their histories and their current

circumstances concerning the way that they see themselves as objects of the future – it is necessary to admit of the possibility of downward causation, because it is the emergent directed state of mind (directed towards the actor's perception of themselves as objects of the future) that is implicated in the biological, physical behaviour. If we admit of the possibility of downward causation then we are forced to call into question conventional views that higher level systems can be predicted by (reduced to) properties of subvening elements. We therefore need to look for arguments that permit the existence of non-reductive systems. These arguments are found in the phenomenon of multiple realizability. The phenomenon, pain, may have causes that are wildly disjunctive – that is, a wide range of possible causes between which there can exist no permissible causal law. If these resultant phenomena – pain for example – exhibit the properties nonaggregativity, non-localizability, and significant complexity of interaction, then such a system is more likely to be nonreductive and its higher level properties more likely to be emergent properties. By virtue of the complexity of interactions as described by symbolic interactionists, social systems, institutions, and organizations must be seen as just such emergent phenomena. And, because of the implication of the role of symbol and interaction, symbolic interactionism is seen in part to be revelatory of the way in which such structures may emerge. Thus I concluded by concurring with Sawyer that sociological studies of such nonreductive human systems require a study of symbolic interaction.

To the end of producing a continuous account of the way in which such nonreductive systems might emerge from symbolic interactions this book proposes a synthesis of symbolic interactionism with ideas of the structuring of nonreductive systems to be found in part in Assemblage Theory. Thus this book advances a new concept 'will to self consummation' that expresses ideas concerning human motivation, and it advances a new statement of the concept 'power'. It makes propositional statements concerning the relationship between those two concepts in social systems, through engagement with symbolic interactionism and elements of Assemblage Theory, to make sense of the nature of social constraint upon will. It concludes by suggesting that insights gained from the study of complex systems may provide new ways of conceptualising social change in the face of the wild disjuncture between the elements of social systems. Thus it will fulfil the role of theory by making defeasible, coherent, sense-making propositions concerning the relationships between its conceptual elements.

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Part II
Will

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4
Agency and Will

It is a very rare person indeed that is not interested in what they assume to be the subject matter of criminology. Thus I am sure that it is a rare criminologist who has not been asked to explain to others what criminology is: people I might meet in the pub, friends, family, spouse, neighbours, all inevitably want to know what a criminologist does. This is because when people ask 'what is criminology?' I suspect the reply they expect is that it seeks to answer the question: 'why do people commit crime?' And this is a question that appears to fascinate virtually everybody in the West. Within the criminological community, we tend to lose track of the simplicity of the implications of this question. We tend to think one of several things: either it is a meaningless question because the answer is too complex: 'the causes of any particular crime are too numerous to comprehend or identify'. Otherwise we suggest that it is a meaningless question because the answer is too simple: 'people commit crime because they are wicked, or because it is human nature to do so'. Criminologists sometimes think, 'well, we can't answer that question until we answer the question: "what is crime"?' What we tend to do is to ask the subtly different question: 'what causes crime?' The answer to that question gives rise to answers that tend to fit on a continuum between 'criminals cause crime' (an assertion with which your interlocutor will almost certainly agree – and tell you at length why he thinks this), and 'societies cause crime' (an assertion with which your interlocutor will almost certainly disagree – and tell you at length why he disagrees). This is the distinction we teach to undergraduates, between classicist criminology and positivist criminology, and we know that the ramifications of adherence to one or another of these positions are immense. Fundamentally the classicist position says that humans have free will, and therefore can be held responsible

for their actions; the positivist position, similarly fundamentally, insists that humans are caused to behave in certain ways through things that are outside their control, through genetics, social learning, normative strains, the power of structures to cast us as subjects, psychopathology, or the rigours of the free-market society (among other things), and therefore cannot be held responsible for their actions. This dichotomy is represented in the broader sociological world by the conflict that sets the concept agency over against the concept structure. The classical position states that we have agency (equated to free will, or capacity to choose); the positivist tradition states that we are determined by the power of structure. We might say that the older position that humans are free, that grew out of the enlightenment, was overtaken by the structuralist positions of writers like Marx, or Parsons (among others) for whom social structure was the determining force in human behaviour. The apparent failure of Marxist or Weberian structuralism brought about in part by Western perceptions of Stalinism, and the failure of metanarratives in general after the Second World War (among other things), led sociological writers to attempt to find ways of steering a course between the two traditions, and thus structuration theories were developed. Giddens' structuration theory, for example, suggests that agency and structures emerge simultaneously from our repetitive, recursive, or ritual behaviour.

The point that I wish to stress here is that the two sides of the balance, agency and structure, one asserting itself at the expense of the other, are central to most contemporary sociological thinking. Even Foucault (1991 [1975]) uses the ideas, and indeed, suggests that certain structures are capable of robbing the human being of all agency, producing what he calls 'docile bodies'. This is also true of criminology. Some criminologists are of the belief that structure does not limit people's agency but that they are rationally calculating 'free' agents: they choose freely to commit crimes (some varieties of control theory – rational choice theory for example). Others are of the belief that crimes are driven by social conditions and that dependent upon those conditions, a person is more or less 'caused' to commit crimes: they are in some way determined by social structures (normative strains, or the power if institutions to alienate us from our natural social behaviour for example) to do so. Now we live in a sociological world where pure classicism or pure structuralism are unthinkable; most positions, at whatever point along the continuum between freedom or determination rely upon the concepts agency and structure: they tend to exist in a zero sum relationship with one another.

There are, however certain problems associated with the concept, agency. Furthermore, while ever we hang on to the notion agency – because we can only talk about it in terms of the absence of its antithesis, structure – we cannot get off the continuum that lies between the classical view and the positivist view. If we are to talk meaningfully about criminal motivation – about 'why do people commit crime?' – we have to move away from the crude 'he was free to choose, *ergo* he must be wicked', 'he was caused to do it, it's not his fault', tit-for-tat arguments. We have to do this if we are genuinely to understand criminal motivation.

In this part of the book, I am going to talk about the agency part of the above dichotomy, and what I am going to do first is to say why I think that agency is not a particularly good concept for making sense of criminal motivation. So, what I'm going to do is talk about an older concept, that of will, and suggest that it is a better tool for looking at criminal motivation. In other words, I suggest that we might conceive of human behaviour as being the product of constrained will. To do this, I'm going to examine what will is. I will found my examination of will on the nature of human being, and I do this for two reasons: first, because it allows me to suggest that my conception of will is useful in understanding human behaviour because it appears to be a *fundamental* capacity of humanity, and second, because it allows me to view will as a part of the way in which humans change. The latter I will do by dealing with ideas that have to do not just with being – being complete, being what we are, and being here – but with ideas that say that the necessary parts that make us what we are, while necessary, are not sufficient to make us what we will become. When someone commits a crime, they *become* someone who has committed that crime – they do something new, they become something new.[1] Furthermore, they didn't just do it by accident (usually), they chose to do it: they had a will to do it. Of course, we know that we can have a will to do things and be unable to do them: I would like to be on holiday by the sea all summer, but I can't because I haven't got the money or the time. These are constraints on my will. Sometimes we are *caused* to do things that are against our will. This is the positivist, structuralist side of the balance. I'm not going to talk about that in this part of the book, although I will make allusion to some ideas concerning the nature of constraints upon our will.

Those familiar with the work of David Matza will know that he was particularly interested in the idea of will, and will probably be wondering why I should feel the need to revisit the idea. So, before I look at the nature of will in the abstract, I'm going to look back at Matza's

conception of the 'will to crime' in order that we may have some idea of how the concept 'will' has been treated criminologically. I shall then explore the concept of will and postulate a new expression that I will term 'the will to self consummation'. I will return to Matza's 'will to crime' and show that it needs to be reassessed in view of what I have proposed, leaving 'will' in the criminological sense merely the 'will to transgress' situationally negotiated norms. I will begin, however, by looking at a particular problem with regard to the concept 'agency' that leads me to abandon the conventional 'agency', 'structure' dualism in favour of the conception of human behaviour being emergent from constrained 'will'.

The concept agency is usually set over against the term 'structure'. In this dualism, agency represents an attempt to capture the freedom from determinism that it is claimed is inherent in human behaviour. That is, that the agent is free to act in ways that conceptions reifying structure do not permit. In some accounts agency is a mere synonym for action in others agency is bound up with notions of free will in others it is the capacity for choice. These latter two conceptions present us with significant problems. In each case, the conception is reliant upon completed actions as evidence of its existence – if one is taken to be unable to do a thing, one is taken not to have agency in that regard. This is not to say that this is untrue, clearly, if agency is that concept that brackets concerns regarding the failure of structures to constrain, then should those structures constrain us we are not possessed of that quality which expresses our freedom from such constraint. However, the most significant problem with the concept agency arises not when we consider what it means to be constrained and therefore not in possession of it, but when we consider what it means to say that we *are* in possession of it.

For Giddens, agency equates to action (1979: 55) and thus is a 'stream of . . . causal interventions of corporeal beings in the ongoing process of events-in-the-world' (ibid.) We are possessed of agency when we act in a way that exhibits the capacity to have acted otherwise (ibid.: 56) either through positive intervention or through forbearance. In other words we are possessed of agency when we are not the subject of coercion. This locution 'could have done otherwise' presents us with a serious problem within the concept 'agency'. To suggest that someone could have done otherwise is to suggest that they were *free to choose* to do otherwise, that is, their choice was in no way constrained or determined and thus, conventionally, the agent has free will. For most people, in commonsense language, I suspect that the idea of having free will means that

they 'to all intents and purposes' are free to choose, that is, they do not *perceive* any constraints that there might actually be upon their choices. For example, many people – public, governments, criminologists – feel that criminals are perfectly free to choose between, say, burgling a house or going to a football game. This is because the phrase 'could have done otherwise' is problematic, and it is problematic because it suggests being free to choose (free will) means having the ability to choose without constraint or determination. When we think about constraints on my choice to commit a crime, the issue appears to be straight forward. There may be no more tickets to the football, or they may be too expensive; the house I was intending to burgle may have a high wall, an alarm, be in a gated community, or have a security guard: all the things that rational choice theories tell us prevent people from burgling houses. Things are not so straight forward however, if we want to talk about choosing *to* go ahead and burgle the house or *to* go to the football. It is far from clear, for example, what we might be saying if, having chosen to burgle the house, we say that I could have done otherwise and chosen to go to the football. If we say we are free to choose, I suspect what we really mean is that 'to all intents and purposes' we *feel* free to choose. However, the requirement of the technical concept agency is that we exhibit freedom of choice in the technical sense – the commonsense usage won't do – that is, technically, we must be free to choose in an environment where we *could have done otherwise*. This means that we must be free of *any* determination, or constraint, and that means *all* determination or constraint. Now, I may feel perfectly within my rights to say, 'no one made me choose to burgle the house, I just didn't have the will power to go to the football', and I would mean that no person or immutable law of nature made me choose to burgle the house, I chose to do it myself. It did not happen to me in the way that the tides' ebb and flow has to happen because it is determined by a law of nature. However, whether or not we feel that human neural states are determined by immutable laws of nature, there is another problem, and that is *I* chose to burgle the house: *I* determined the choice by choosing. That is, I may say that the only determination in my choice was that of my own making, but if that is the case then I would say that it *just happened* that *I* chose to burgle the house.

It is worth pointing out here that when we say we *could have* chosen, we only ever use the words *could have* in the context of humans. We do not say when watching football, for example, the ball *could have* gone into the net, without someone having kicked it, without there having been some kind of intervention, some *determining* intervention. So,

we don't say *it just happened* that the ball went into the net, but we do say this when we speak of humans. If it was the case that it *just happened* that I chose to burgle the house, in what sense could it be my choice? We might also want to ask, how is it that it *just happened*?; however, because that was it, *it just happened*, that means there could be no explanation, and that would mean that freedom is inexplicable, freedom just *is*. The concept agency appears to subscribe to this view, and if that is the case we can have no way of talking about how people make choices within their environment, because if these 'choices' *just happen*, because freedom *just is* then that is it: these choices *just are*, they are inexplicable.

Another way of putting this phrase 'could have done otherwise' is to say that we may be responsible for our actions. If we could *not* have done otherwise, then we cannot be held responsible for our actions. Thus, if our actions are determined, then we cannot be held responsible for them. But then, if they are *not* determined and they *just happen*, how can we be responsible for them either? It appears that if we think in this way we can give no justification for our being responsible for our actions whether they were determined or whether they were not – whether we are free or whether we are not. Furthermore, it is far from clear how, if our choices are *not* determined in advance we *can* do the things that we don't do – how we can have chosen to have done otherwise. We have two choices, burglary, or football, but unless *I determine* which choice is made I can no more be held responsible for that choice than if the choice to burgle was determined by some immutable law of nature. However, how can *I* determine the choice if *nothing* determines it? Thus, if the choices are ours (agent causation[2]) '[t]he cause of the volition is the man that willed it' (Reid 1969: 88). That is, it didn't 'just happen', I caused the choice – I determined it. If it had just happened, then, of course, my burgling the house would be inexplicable, and it would be unclear how I could speak of having chosen. However, if I choose to burgle the house it is also unclear how such a choice might be free, since it is I who *determines* it, and freedom must be free of all and any determination. Thus, the idea that we might be 'free to choose' seems to show us that the locution 'free will' – when allied to freedom of choice as in the concept agency – is an oxymoron since choice is a kind of determination and freedom cannot in any way be determined. This has led several writers to believe that the notion of freedom in 'free will' is incoherent (Strawson 1991), incompatible with things that we take to be true of this world (Peerboom 2001), or that we simply cannot speak in any meaningful way about free will or free choice (Nagel 1987).

Indeed, agency, expressed in the above way looks more like a description of 'power' than 'free will', in that it appears merely to equate to capacity or 'can'.

There is, furthermore, a more philosophical problem with the nature of freedom and thus with agency's relationship to free will. Freedom has two aspects, positive freedom and negative freedom. The first means the freedom to do something, and the second, freedom from being constrained. We may, however, say that all freedom to do X, Y, or Z requires that we have freedom from constraint to do X, Y, or Z. This means that having free will would mean having the unconstrained capacity to will anything, and that means *absolutely anything*. However, rather disturbingly it would also mean that we *are willing* actively, and now, *absolutely everything*. This is so because if we had the capacity to will absolutely anything and were not actually willing *absolutely everything right now* something would be responsible for stopping us willing whatever it was that we were not willing right now. And that would mean that our will was being constrained in some way – not entirely free – even if the thing doing the constraining was ourselves or the simple effect of time, such that so and so had not yet happened. This, of course would mean that someone (us perhaps) or something (the effects of the passage of time) had the capacity – power – to constrain our will. Moreover, if it were possible that we could will absolutely everything right this instant, the idea of freedom would be incomprehensible, because freedom means freedom to choose, and that is because it is the making of choices that brings order to freedom: the order expressed by the distinction between 'chosen' and 'not chosen'.

The problem with the concept agency rests on its reliance on an incomprehensible concept 'freedom'. If we remove the requirement for freedom and concentrate not on '*free* will' but merely upon 'will', then we are able to situate people's motivations, their choices concerning their future selves, within the greater world of their pasts, presents, and futures in a way which agency cannot do: we can locate human behaviour as an emergent property of constrained will. This has significant ramifications for considerations of criminal responsibility. If our choices are undetermined – that is we have free will – then, it appears that our choices *just happen* and we cannot be held responsible for them. If, however, they are determined, then we cannot be held responsible for them either. The problem lies with the inability of the concept agency or the idea of free will to be able to situate human choices within complex social histories, structures, and processes – pasts, presents, and in an attempt to remedy this problem, in this part of the book, I will

examine the nature of human motivation through the concept of will, and generate a new concept 'Will to Self Consummation'.

The concept agency contains a second problem, in the forms of its conception that have to do with the *capacity* to make choices. This aspect of the conception of agency is developed in Giddens (1982) for example into what he has called the 'dialectic of control', a concept taken up by Beetham and applied significantly in criminological terms in Sparks, Bottoms and Hay's influential (1996) *Prisons and the Problem of Order.* In this development of the concept agency, agency, or the capacity to make choices and to act is negotiated in individual situations. The idea is conceived to avoid the notion of 'docile bodies' (Foucault 1991[1975]) where an individual might be removed of all agencies. The problem here is that if the possession of agency is negotiable in the 'dialectic of control', then the successful negotiator must be in possession of agency in order to 'win' the negotiation (in other words, not be constrained in the negotiation by the powerful with whom he is in negotiation). This, of course means, that *negotiation* of the possession of agency is unnecessary, since successful negotiation presupposes that the successful negotiator already be in possession of agency in order to *win* the negotiation. Agency, then, is not some kind of *stuff* of which we can be in possession since its definitional description is stated merely in terms of the absence of something else, namely constraint, and constraint is ubiquitous albeit differentially distributed.

Human behaviour is the product of constrained will. That is, human behaviour, that of which we are trying to make sense, is bound up with two concepts, namely those of will and of constraint upon that will. The questions that arise therefore are: what is the nature of our will if it is not free? And how is it situated in the past, future, and present of the individual's environment? Secondly, what is the nature of constraint upon its outcomes? The former I intend to address in this part of the book, and the latter in the part on 'Constraint'. I intend to place that examination of the nature of will in the context of what it is to be. It will be contended that what it is to be human, is to be that creature which is capable of holding itself as an object of its own intentions (of having will towards itself), and to that end, an exploration of the temporal quality of 'being' through the work of Heidegger will be undertaken. I will then outline a conception of humans as simultaneously being and becoming, through a critique of the conventional notion of the complete human, and I will examine the concept of intentionality and the socially conditioned nature of that object that we hold ourselves to be. I shall suggest that we have will towards ourselves as (socially conditioned) objects

of the future which we achieve by the (socially constrained) adoption of supplements or extensions to our existing selves, which conclusions I will express in a statement concerning a new concept 'The Will to Self Consummation'.

Before embarking on an account of will, however, I shall outline a significant criminological account of will from David Matza. Matza is also concerned to situate criminal motivation away from the dichotomies of determinism and freedom, and within the complex world of histories and futures. He does this by engaging with the notion of will. However, Matza has a particular take on the conception of will with which I wish later to take issue.

The will to crime

In the first chapter of *Delinquency and Drift* (1964) Matza lays out the social–ontological dichotomies that I have outlined above. Matza is at pains to critique the conventional view of positive criminology, consistent, says Matza, with Schopenhauer, that humans 'can absolutely never do anything else than just what at that moment [they] do' (Schopenhauer 1902 cited in Matza 1964: 6). Schopenhauer goes on to say, 'Accordingly, the whole course of a man's life . . . is as necessarily predetermined as the course of a clock.' According to Matza, such views have permitted social scientists from Lombroso and Ferri, through behaviourists like Watson, the psychological determinism of Freud, and the operant conditioning of Skinner, to believe that sociological investigation can be undertaken in exactly the same way as that of natural science. Hence, it became a philosophical and methodological necessity, says Matza, to eradicate all notions of the capacity for reason and freedom. Methodologically this was so following from Ferri's claim to have demonstrated that statistics prove the non-existence of free choice. This move was also philosophically necessary since, paradoxically, as expressed in another passage from Ferri, the possession of the capacity of reason, permitted the un-reason of the capacity for the metaphysicality of moral liberty (Ferri 1917: 303–4, 7, 297–8). This view yielded the conclusion that criminals were not so by virtue of reason or through failure of judgement of moral licence, but were criminal because they were in some way – biologically, psychologically, or socially – determined so to be.

Matza goes on to point out that it would be naïve to assume that social scientists are all divisible into these two extremes and lays out in defence of this position a belief in what he terms 'soft determinism'. Soft determinism is a position that subscribes to the view that mankind

exhibits freedom, but also experiences determination. The position is put succinctly by McIver.

> According to [soft determinism] there is . . . no contradiction whatsoever between determinism and the proposition that human beings are sometimes free agents. When we call an action 'free' we mean that the agent was not compelled or constrained to perform it. Sometimes people act in a certain way because of threats or because they have been drugged or because of posthypnotic suggestion or because of an irrational overpowering urge that makes a kleptomaniac steal something he does not really need. On such occasions human beings are not free agents. But on other occasions they act in certain ways because of their own desires, because of their unimpeded efforts, because they have chosen to act in these ways. On those occasions they are free agents although their actions are just as much caused as actions that are deemed free. In distinguishing between free and unfree actions we do not try to mark the presence and absence of causes but attempt to indicate the *kind* of causes that are present.
>
> (McIver 1942: 8–9)

From this Matza draws the conclusion that '[t]he fundamental assertion of soft determinism is that human actions are not deprived of freedom because they are causally determined' (1964: 9).

Matza's concern is with a particular aspect of the interaction between positive and classical criminology and that is the notion that the reason that most people do not commit crime is because there are in place most of the time controls to which we submit. Matza observes that criminologists subscribing to control theories suggest that these controls are formed by allegiance – to others through desire or compulsion to maintain bonds, or to norms and laws through common beliefs – or by rational calculation of the risk and cost of being caught. Both, however, require the conception that such acts, deemed criminal, are the default behaviour of humans – that is, humans are predisposed to commit crime – and this is a key issue in *Delinquency and Drift*.

The primary thesis of *Delinquency and Drift* is that

> [n]orms may be violated without surrendering allegiance to them. The directives to action implicit in norms may be avoided intermittently rather than frontally assaulted. They may be evaded rather than radically rejected. Norms, especially legal norms, may be neutralized. Criminal law is especially susceptible of neutralization

> because the conditions of applicability, and thus inapplicability, are explicitly stated. Most if not all norms in society are conditional. Rarely, if ever, are they categorically imperative. . . . Because in law the conditions are specified, neutralization is not only possible, it is invited. The criminal law, more so than any other system of norms acknowledges and states the principal grounds under which an actor may claim exemption.
>
> (Matza 1964: 60–1)

Thus 'the moral bind between the actor and legal norms [the mode of control or constraint DC], is neutralised' (ibid.: 101) and a substantial portion of the text is given to explicating the ways in which these neutralizations take place, producing the now famous five techniques of neutralization. However, possession of the capacity to neutralize the 'moral bind between the actor and legal norms' is insufficient explanation for the commission of the delinquent act; 'the moral vacuum implicit in the removal of cultural restraints is not sufficient to explain the occurrence of delinquency' (ibid.: 181). What Matza wishes to suggest is that 'the missing element which provides the thrust or impetus by which the delinquent act is realised is *will*' (ibid.) not any fundamental predisposition of all humans to indulge in any *bellum omnium contra omnes*. Nonetheless, Matza wishes to know why there should be a will to commit delinquent acts, and spends the last chapter of *Delinquency and Drift* exploring how the actor develops what he terms a 'Will to Crime'(ibid.: 181–91). Matza recognizes that the notion of will is the aetiological motor of classical theory but suggests that the reason that classical conceptions of will were rejected were metaphysical.

> Nowadays, our rejection of a conception of will would be on fundamentally different grounds. We would immediately, and perhaps condescendingly grant that no such thing as will exists. Will, like any other concept – say, decision making – is an abstraction by which we hopefully make sense of concrete happenings. We no longer care whether will exists, only whether it enlightens.
>
> (Ibid.: 183)

However, the abstraction that Matza puts forward as his conception of will is the 'will to crime', and there are some fundamental problems with this conception to which I will return in Chapter 6, having made an examination of, and a new expression of the concept 'will'.

5
Being and Becoming

Being as presence: 'Is' and 'exists' in the classical tradition

Conventionally, philosophically the notions of existence – aseity – and being have been seen to be closely related in ontological concerns: What things exist? What is existence? What is it to be? Is existence a property (otherwise expressed, we might ask, is it ever appropriate to treat 'is' as a predicate)? Our investigation here focuses on the narrower question, what is the nature of human being, and, lest that seem too grand a project, the even narrower question, what is it necessary to say about the nature of human being as individual members of society, in order that we may formulate a theoretical expression of their relationship with society? How can we say that we have will towards ourselves and what is it so to say? At this stage, I do not intend to undertake an examination of the nature of the relationship between individuals and society, but merely of some of the necessary tools to illuminate it. I will not embark here on an investigation of the ontology of society, at least in part because I take 'society' to be an assemblage of relations, and I am not here interested in relations, but humans as discrete entities within societies (although it will become apparent that what it is to be a human is to be in a world of others). What I wish to establish is what kinds of objects humans are in virtue of their being: what may we take it to mean to be; in what ways may we understand human freedom; how may we conceive of our intentions towards ourselves in the context of the past, future, and present of our environment? To inquire into the relationship in which we stand *vis-à-vis* society it is necessary to understand our apprehension of other objects and their being: that is, our capacity to comprehend our environment and our relationship to it. Our apprehension of this relationship and of the relationship between our perception

of our presence and our own being – to be capable of holding oneself as the object of one's own cognition – is necessary in order to inquire into the nature of our intentions towards ourselves: our desires, hopes, and aspirations. To establish the nature of our will towards ourselves is to permit an understanding of ability and constraint in society and without which we can have no account – other than the most deterministic, or hylomorphic[1] – of social stasis and change. Without some concept of motivation we can have no account of power, since we can have no concept of what it is to achieve an intended outcome, and without a concept of power we cannot apprehend how one is more able to affect outcomes than another.[2] Without the latter, we cannot conceive of the ordering processes inherent in the constraint or facilitation of change. I begin this chapter, therefore with a brief examination of the concept of existence and some problems of conception in the classical tradition concerning the congruence or otherwise of the ideas 'being', 'is', and 'exists', and proceed to an examination of what it means in human terms, to be, through the work of Heidegger.

* * *

For most people, for whom philosophical issues are of little concern, the notion of existence (being) is unproblematic. We have no problem with locutions like 'I am Don' or 'I am here'. But what does it mean to say that we *exist* – that we have presence in the world – what kind of question is that, and what kind of experience is existence? Is the experience of being the same as being oneself: that is, for me, being that self which is me? Perhaps that elicits an answer to the wrong question; perhaps the question is better framed: What is it to be human? This question, What is it to be human?' is a fundamental question, because, if we can answer it, then our assumptions concerning human behaviour, and that includes criminality, will have some firm foundation. We know this is true since being criminal –for want of a better word – is axiomatically founded in our being human: we never accuse animals of being criminal. Thus our capacity to make, break, or adhere to laws, must be founded in some aspect of humanity that is – or at least we take to be – uniquely human.

Perhaps we simply might say that existence is just the state of being real: that which is real exists, that which is not real does not exist. This suggestion has a distinct appeal because if being real is all that existence is, then existence is not a concept that tells us anything about anything that we did not already know by virtue of it being real, and thus, we wouldn't have to worry about it. If this were the case, it

would be the situation when we describe the word 'existence' as an 'excluder predicate': that is, it attributes nothing *positive* to an object but merely *excludes* the possibility that the object is imaginary or mythical for example. Unfortunately this application of the concept 'existence' is not adequate. For example, while it *may be true* of an object to say that it exists and therefore it is real, we cannot take it that the converse is true (that all existent things are real) since, unicorns for example exist – in books, in our imagination – but they are not real. Furthermore, if we wish to claim that 'exists' simply reduces to some other obvious category like 'real', then we have no need of further inquiry. If this is not the case, however, we must undertake an examination of further possibilities concerning what it means to say that something exists or '*is*'.

It will be evident that in many cases where we are concerned with being or existence, we are accustomed to use the word 'is'. Indeed in English there are archaic uses where 'is' equates to 'exists' (perversely 'is' *is* 'exists'). In western analytic philosophy two theses predominate concerning the meaning if 'is'. The first is the 'Frege–Russell' distinction between four different and discrete meanings of 'is' (Miller 2002) thus: 'Don is' – existential – Don exists; 'Don is Dr Crewe' – identity – Don is identical to Dr Crewe; 'Don is foolish' – predicative – it is a property of Don that he is foolish; 'Don is a human' – inclusive (of class) – Don belongs to the group called 'humans'. Each of these cases in this Frege–Russell account are so distinct as to have nothing whatever in common. In relation to this chapter as a whole, in Frege–Russell terms, our question concerns the first case, what does it mean to say that 'Don is?' or what does it mean to say 'humans are?' A later, now more common view is to state, technically, that 'existence is not a (first level) property' or ' "exists" is not a predicate'. There is no intention that the present investigation should be analytical in the sense implied by the philosophical tradition, thus it is not necessary to engage with the latter of these conceptions, and indeed engagement with the former is undertaken only inasmuch as it lays some of the groundwork for our subsequent observations. I thus briefly illuminate those historical – canonical – conceptions that provide some of the foundation, positive and negative, of those accounts that exhibit utility in our exploration of the relationship between human individuals and societies.

On the Aristotelian view the distinctions made in the Frege–Russell account would be seen as being overstated. For Aristotle, to say that 'Don is' merely is another way of saying 'Don is something or other' (Owen 1965) where 'something or other is one of Don's' essential predicates

thus, 'Don is a man'. Hence, 'is' is essentially unambiguous as it is always used as a predicate: explicitly, 'is a man' or implicitly, 'is'. Thus 'Don is' is merely an example of a particular ellipsis where 'a man' for example is missing, and while Aristotle suggests that there is a subtle relationship between the use of 'is' in existential, predicative and 'identical' (Don is fat) modes, the ellipsis thesis is brought into question when we consider that not to be something, and not to be present (not to exist), are not the same thing.

So, let us turn, then, from a consideration of 'is' to a consideration of 'exists'. In the *Metaphysic* (1998), Aristotle claims that for an entity to be, is for it to be what it 'is' – that is, something or other – or in other words to be '*essentially*' what it is: a shift of focus from the ontic to the ontological. Thus what it is *immediately* to be Don is to be a man. But, we might ask, what is it to be a man, and the answer would be that it stems from being an animal, and so on until we reach the explanation that the overall category to which he belongs is 'substance'. Then we should ask, what is the nature of the existence of 'substance'? However, since all things are substance, this gives us no answer at all. Now if being were itself a genus, that is, a class of objects divided into subordinate species having certain common attributes, then 'substance' might belong to it, and Don's nature of existence would be in terms of being. However, Aristotle rules out the idea that being can be any kind of genus (Dancy 1987). Thus, even if we pursue the chain of essentials *ad infinitum* we cannot find a genus to which Don *ultimately* (and therefore essentially) belongs. Don's reality would have to be demonstrated.

A further early writer whom we might expect to have rejected the Frege–Russell hypothesis (recognising, of course, that he could not have known it as such) is Thomas Aquinas. For Thomists, there is a clear distinction between the existential (ontic) use of 'is' and the 'is' of identity and of predication (Weidemann 1987). The two latter, however, are regarded as being closely related, in that the predicative 'Don is foolish' is seen as suggesting the identity of Don with something foolish, and 'Don is Dr Crewe' or 'Don = Don' is taken to suggest that the predicate of being Don inheres in Don. Thomists further wish to separate two kinds of use of the existential 'is' into a distinction between essence (ontological) and existence (ontic). In its first, essential sense, it occurs in any answer to the question 'what is . . . ?' in its second, existential sense it represents the truth in any 'is there such a thing as . . . ?' question.

This distinction between the essential and the existential use of 'is' was rejected by thinkers such as Hume, Descartes, and Leibniz (Miller 2002). For Hume, the idea of existence must either be derived from a

distinct impression, conjoined with the idea of the perception of the object, or must be identical to that perception (Hume 1874: vol. I, Part 2, Section vi). Since there is nothing, claims Hume, to suggest that there is any impression that is attached to *every* object of thought, there can be no impression from which the idea of 'existence' can be derived. Logically, for Hume, it falls to anyone who disagrees with him to locate the idea from which the idea of existence derives. Thus for Hume we cannot apprehend any essential *nature* of existence, and indeed, the idea of existence makes no addition to the idea of any object.[3]

The following passage indicates admirably that Kant was similarly concerned to dismiss the utility of concerns about existence.

> By whatever and by however many predicates we think a thing – even if we completely determine it – we do not make the least addition to the thing when we further declare that the thing is . . . If we think in a thing every feature of reality except one, the missing reality is not added by my saying that this defective thing exists.
>
> (Kant 1993: B628)

He further states that 'the real contains no more than the merely possible. A hundred thalers do not contain the least coin more than one hundred possible thalers' (1993: BII, Chapter III, Section 4).

Challenging the classical perspective

Consistent with the foregoing it will be apparent that I take it to be necessary to interrogate the nature of being in a manner that has utility for our investigations into the nature of the relationship between selves and social structures. However conceptions of humans as fully formed (complete), self-contained or self-sufficient do not accord with a view of societies as changing. For, if societies change their human constituents, their constituents either cannot have been fully formed or, post change they are no longer fully formed. If humans are changed by social structures, then they cannot be self-sufficient, if they themselves change social structures then they cannot be self-contained. In the accounts of being that we have thus far encountered from the classical tradition, being has been taken to equate with existence (presence). It is at least implicit in this view that 'existence' presupposes the being of a complete, fully formed entity (the entity is *self-present*): it is taken to be nonsense to consider that an entity exists if it is missing any of its predicative qualities. That is, it is taken to be nonsense to speak of

the existence of an apple if that of which we speak does not have all the necessary qualities of an apple and thus is not an apple at all but a banana. This has had profound implications on the conception of what it is to exist *qua* a human being. It permits the commonplace assumption that humans are complete beings, that they possess all their necessary predicates (are self-present). This is not to suggest that we can somehow be human in the absence of the necessary predicates for being human, but that those predicates have, in the above accounts, been taken to be intransitive qualities permitting notions of static plenitude; not just necessary but sufficient. Furthermore, it has thus far proven impossible to pin down what those predicates might be in any form upon which even a mere majority might agree. I wish to explore the question of what it means for human being to say that the merely necessary is insufficient; I wish to embark on an exploration of the idea that the essence of being for humans is that they are constantly becoming: indeed, simultaneously being and becoming. For Nietzsche the world is a world of becoming. In '*The Will to Power*' he avers that there can be no Being, such a world is a fiction of appearances: unity, completeness, and finality are illusions of philosophy and religion. Furthermore, nothing that is becoming may 'flow' to being. Thus he says, 'one must admit nothing that has being . . . because then becoming would lose its value and actually appear meaningless and superfluous' (Nietzsche 1996: §708). Perhaps the most thorough exploration of the temporal, and transitive nature of human being is to be found in Heidegger's Being and Time and it is to this work that I now wish to proceed, nonetheless, it is wise first to undertake a brief excursus into the nature of Cartesian being in order that we may better appreciate the origin of some of Heidegger's concerns.

Cartesian being

Dualism is the conception that mental phenomena are separate from the physical. Perhaps the most common expression of this notion is that of Descartes, who holds that the mind is a non-physical substance. That is to say, minds have no topical properties – they are not located (extended) in space: as Deleuze and Guattari would say, in the Cartesian world, minds are intensive ordinates, not extensive co-ordinates. Physical entities are always topically extended; they always exist in space. Thus it follows, since humans have bodies that are physical realities – that are extended in space – we are all composites of two separate entities: a physical body and a non-physical mind. This

conception is not unrelated to the '*Cogito*' argument. '*Cogito ergo sum*' – I am thinking, therefore I am.[4] The result of this conjunction is that man's awareness of his own being is separate from the world of which it is aware. Therefore, for Descartes – as indeed it is to a certain degree for Kant and Husserl among others – the nature of the being of man is separate from the world. The being of nature (*res extensa*) and the being of the mind (*res cogitans*) are, in the Cartesian world, ultimately unrelated (Heidegger 1982: 122). This is essentially the foundation of the modern conviction that the world (*res extensa*), over on the one hand, is best understood through mathematical and physical study, whilst the physically disembodied mental entities (*res cogitans*), transparent only to themselves, are to be comprehended only through introspection (Heidegger 1996: 129).

The Cartesian account of ontology is, therefore, one of substances that need no other entity to exist. The trees outside my office window do not rely upon my presence to exist, and my mind does not need the tree for *it* to exist. Both, for Descartes, are created by God, as the causal relationships between them are ordained by Him. However, despite the severity of the basic position in the *cogito*, Descartes does believe that things outside his mind exist, including his body, which interacts with his mind (Cooper 1996: 18) – his arm moves in a way consistent with him having will towards it. Famously this presents Descartes with a problem: how can such divergent substances – mind and body – interact? The conventional view in Descartes' time was that they could not; they merely coexist and act in parallel, God's design merely giving the appearance of relatedness.

Despite these differences Cartesians were of unified mind when accepting the existence of two different kinds of substances – subjects and objects – the former representing to itself the latter, and while other concerns regarding whether representations of objects may ever be direct or require some kind of intermediary (such as the processes of our senses or directed states of mind), consensus prevailed in recognising that representation is the essence of our relationship to the world. This is so, since we may only do *different* things if we first apprehend how things *are* – I may only move my arm wilfully to point Y following the cognition that it is currently at point X. Thus, for Heidegger, in the Cartesian tradition,[5] we have the relationship (should our representations be correct) of knowing the world, as our single exemplar of our existential relationship with it (Heidegger 1996: 86–7). That is, *for humans* things exist only inasmuch as we have 'knowledge' of them. These positions are problematic for Heidegger inasmuch as he thinks

that, in many cases, the problems have been misconceived. I move now, therefore, to an outline of the way in which Heidegger thinks we should reformulate the nature of the problematic of being.

Being and time

Reformulating the question

In the introduction to Division I of Being and Time, Heidegger outlines what he takes to be the nature of the task in hand: what he takes to be his aims. First, he is keen to overturn the Cartesian conception of being. There are several reasons for this, not least, that he is thus able to do away with certain apparently irresolvable aporia in the Cartesian account,[6] such as the problem of knowledge and the mind–body problem. Nonetheless, such avoidance cannot be reason in itself since these surely are crucial questions to which he will have to return. More concretely, he posits three ways in which being has been misinterpreted by the Cartesian tradition. First, the claim that ' "Being" is the "most universal" concept' (1996: 22). For Heidegger, this concept is arrived at by abstraction. Historically, from Platonic forms – trees have 'treeness', trees, bushes, and flowers have 'plantness', plants, and animals have 'livingness', and finally, we arrive at the commonality between all things – animate and inanimate objects have 'beingness',[7] that is, '[t]he universality of Being "*transcends*" any universality of genus' (1996: 22). However, as Aristotle pointed out, the nature of being of imaginary objects such as unicorns, or of numbers for example, appears to be different to the being of real objects, thus, it appears that 'Being' is no ordinary – or universal – concept. The second inheritance from Cartesian tradition that Heidegger wishes to contest is that an abstract notion like ' "Being" is indefinable' (ibid.: 23). This, typically, is not a straightforward refutation of the claim. Indeed, at one level Heidegger accepts the premise; however, it becomes apparent, that he is saying something quite different. When philosophers have it that being is indefinable, what they say is that there is nothing that exists – by definition – to which it does not refer. Thus for these philosophers, there is nothing specific to which it *does* refer, the term lacks any definable content. Heidegger's response is that ' "Being" cannot . . . be conceived of as an entity . . . nor can it acquire such character as to have the term "entity" applied to it. "Being" cannot be derived from higher concepts by definition, nor can it be presented through lower ones' (ibid.). Thus it is not possible to apply to 'Being' the concept of definition. The concept of definition is founded, he states, in ancient ontology that provides

only for definition of entities. Thus, Heidegger accepts that 'Being' is indefinable, but this is because the *concept of definition* is not appropriate to it. So, to say that it is not definable because it does not attach to any specificity is to miss the point, it is indefinable because it is not an entity and as such, definition is not an appropriate conceptual tool. Nonetheless, he is keen to point out that this does not mean that we can have nothing meaningful to say about it. 'The indefinability of Being does not eliminate the question of its meaning; it demands that we look that question in the face' (ibid.).

The third historical misconception with which Heidegger wishes to engage, is the idea that ' "Being" is of all concepts the one that is self evident' (ibid.). Heidegger's response to this is to point out that we all live in a world where we take it for granted that we know what we are talking about when we use the verb 'to be': we all use locutions like the 'tree *is* green', 'I *am* happy' and the like. However, he suggests that this is simply 'an average kind of intelligibility which merely demonstrates that it is unintelligible' (ibid.). In other words, our unquestioning use of the concept of being is evidence not of its self-evidence but of its being obscure. Thus, the standard reasons for dismissing the questions concerning being, that they are unanswerable, or that they are self-evident, are refuted by Heidegger. It is this that lies at the heart of the reformulation of the 'being question' for Heidegger such that it is no longer a question of the relationship between the human of substance and his rational mind – the possibility of 'distinct perceptions' (Descartes 1996) – but what it is to have access to entities and to make sense of making sense (Dreyfus 1997: 11).

It will be apparent from the foregoing that Heidegger is anxious to do away with the Cartesian tradition and its dualism, and the corrections that he proposes are crucial. He is further concerned with rectifying Cartesian modes of philosophical enquiry: he is keen to overturn the Cartesian privilege of epistemology over ontology – of questions of knowledge over questions of aseity – since any consideration of knowledge must have its origin in conceptions concerning the necessary existence of the knower (Heidegger 1982: 276). This flaw in Cartesian method arises out of the dualism that permits disembodied 'thinking things' that exist in opposition to things that are extended in space. In this tradition it is impossible to escape our disembodied minds to acquire knowledge of external objects. Second, Heidegger proposes a shift from the study of entities to the study of the 'thematisation of Being' (ibid.: 227). He contends that in the Cartesian tradition, Being is merely dealt with as 'that on the basis of which entities are already

understood' (1996: 25) that is, Being is considered merely in terms of what Being means with regard to the nature of entities, whereas, Heidegger wants to uncover the nature of Being itself. Heidegger's final correction involves the call to phenomenology. He adopts his mentor's exhortation to get back to the things themselves,[8] to be free from metaphysical preconceptions; however, he feels that Husserl has misinterpreted the call. Heidegger's concern is not merely for things to be allowed to present themselves to the enquirer in some kind of simplistic empiricism, but since things show themselves to us, it is with us that our inquiry into their Being must begin. Since we interpret that presentation in various ways, the nature of the understanding must be hermeneutic, and to fathom this hermeneutic, we must first be concerned with the nature of Being of the interpreter: that is, us.

Being-in-the-world

Whatever the nature of our enquiry, whatever we wish to know, our investigation is possessed of some object: any enquiry is about something. The problem that we have in this regard is that our enquiry is about the meaning of being. This is a theoretical question which reflects upon its own nature and purpose, thus, we are not in a position to use the word being in our question since it is the very term at issue and, therefore, we cannot know to what the term refers (axiomatically). We can have no presuppositionless origin for our question, we must supply some more or less – we hope less – arbitrary referent from which to begin our enquiry, and then own responsibility for it. Thus we find that it is impossible for there to be any entirely new knowledge, since all enquiry must begin with at least some presupposition, perhaps drawn from pre-existing theory. From the foregoing threefold questioning of past theorising of Being, we were made aware of the claim that Being is not an entity, but is *of* entities. Since we cannot question Being itself – that would be the Being of Being, and this is a nonsense as Being is not an entity – we must investigate the Being of entities, or more directedly, our inquiry will be of entities with regard to their Being, in order that we can get at the meaning of Being. Humans are, of course, the only beings for whom enquiry about entities and their Being is a possibility of their Being, and thus, the only being capable of apprehending their own Being. It is this, the human *qua* the being that is uniquely capable of comprehending its own Being, that Heidegger refers to as Dasein,[9] and it is from Dasein's own understanding of its being that we can initiate an enquiry concerning the more general nature of the meaning of Being. Thus Heidegger adopts Dasein as the object of his enquiry which must

precede any proper posing of the question concerning the meaning of Being.

Heidegger adopts this term for many reasons. In everyday German, this term tends to refer to humans, and particularly with regard to their everyday essence or being, thus for his German readership, the term is less alien than it is to Anglophones. The term also permits him to avoid terms used by other philosophers and thus the appearance of supporting their positions: terms such as subjectivity, consciousness or spirit for example might lead to inaccurate inferences imported from earlier theorising. Following from this, the term is *tabula rasa* it can acquire all and only the meanings that Heidegger wishes it to have. Thus it is that the whole of Being and Time Division I becomes an extended definition of the meaning of 'Dasein'.

It was pointed out above that Dasein in everyday German means the 'everyday essence of human existence' or 'human being'. It therefore means an individual as well as that which is universal to all humans. We should be wary, however, when we think of Dasein in the singular, of thinking that this refers to a conscious subject. In Husserl, a human is a 'meaning-giving transcendental subject'[10] (Føllesdal 2000) and Heidegger has been seen by some, notably Føllesdal (1962) and Sartre, as giving a mere elaboration of this position. However, Heidegger is at pains to avoid this conception, he writes, 'One of our first tasks will be to prove that if we posit an "I" or subject as that which is [primarily][11] given, we shall completely miss the phenomenal content of Dasein' (1996: 72). Consciousness is not a fundamental property but a property emergent from the fundamental nature of Dasein. As Heidegger opaquely puts it '[t]he intentionality of "consciousness" is grounded in the ecstatical temporality of Dasein' (ibid.: 498). Nonetheless, we should also be aware that Heidegger does not mean by Dasein the collectivity of human kind: '[b]ecause Dasein has in each case mineness one must always use a *personal* pronoun when one addresses it: "I am," "you are"' (ibid.: 68). Thus we are to take it that Dasein refers to that property of *individuals* in virtue of their Being that is *universal* in humans. That is, while Dasein is the name for each of us, he does not see human individuals as central to his enquiry: what is being studied is not Dasein, but Dasein's way of Being. 'When we designate this entity with the term "Dasein," we are expressing not its "what" (as if it were a table, house, or tree) but its being' (ibid.: 67).

As will be evident in much of what has thus far been said, that the fundamental character of the Being of Dasein is that it should be capable of enquiring into that fundamentality: the essence of our being is that

we can comprehend our Being. 'These beings in their being comport themselves toward their being' (ibid.: 67). It will be apparent that this is entirely consistent with Mead's view of selves. For Mead we are human inasmuch as we have selves, and we have selves because we exist in a relationship to ourselves such that we can treat ourselves as objects of our own cognition – we are reflexive: the self is that which is an object to itself. For Heidegger, only self-interpreting beings exist (Dreyfus 1997). We should not, however take this to mean that reflexivity is a necessary or sufficient property of existence, reflexivity is the *structure* of the way of being, it is the process that permits our particular way of being, it is the reason that man can represent beings as such and why he can be conscious of them. (Heidegger 1975: 272). For this reason, it is possible for cultures to exist since a culture's practices contain an interpretation of what it means to be that culture: cultures, like Afro-American culture for example, are aware of the conditions of existence of that culture – Afro-Americans are capable of comprehending or interpreting what it is to be Afro-American. Similarly institutions have existence as a way of being: unions, the Church, universities, governments, all express interpretations of their own way of being. This is fundamental to the present account in that, as will become apparent in the chapter on Constraint, cultures and institutions embody practices, the interpretation of which by individuals, informs the individuals' behaviour in reproducing the institutions or cultures of which they are a part. Thus, the way of being of Dasein is that it comport itself in a manner consistent with its capacity to view itself as an object in the world.[12]

Inauthenticity and the everyday

As we have mentioned above, Heidegger felt that Cartesian dualism was a fundamentally flawed concept. Once we adopt the belief that all we can apprehend are our own thoughts and representations of things rather than the things themselves, it becomes problematic when we want to know that other people exist. For example, if my knowledge of another person is merely an internal representation, how can I know what such a person might be thinking? As Freddie Ayer once put it, 'the only ground that I can have for believing that other people have experiences, and that some at least of their experiences are of the same character as my own, is that their overt behaviour is similar to mine' (Ayer 1964: 346–7). Since we can never have direct evidence that others are having experiences, we can never be sure of the existence of others. While analytical philosophers wrestle with their inability to prove the obvious, that we are not alone in the world for example, social

theorists are concerned with the opposite conundrum: how is it that we co-exist with others in the world. Particularly, one of the concerns is the observation that one of the dynamics of societies is the phenomenon of increasing uniformity or normalization. Like many commentators – Kierkegaard or Nietzsche, Derrida, or Deleuze[13] – Heidegger is concerned with the dangers of normalization in modern societies, however, Heidegger saw such uniformity as being at least, in part, embedded in the nature of human being. For Heidegger, our 'being-(in-the-world-) with-others' is the root of final division with the solipsism of the Cartesian tradition. I know, for example that this watch was bought for me as a graduation present by my wife. I can walk down the corridor to collect my post, which I know has been placed there by someone else, it was sent by yet another. It is nonsense to suggest that it might have written itself and somehow got into my pigeonhole by magic. I am in a place – my office – and I am with other people – the postman, who has his own understandings of the world.

> Being-with is an existential constituent of being-in-the-world. Dasein has proved to be a kind of Being which entities encountered within-the-world have as their own. So far as Dasein *is* at all, it has Being-with-one-another as its kind of Being.
>
> (1996: 163)

What this means is that we are not merely that being that can perceive its own being, but that we can perceive others in the world and we can perceive that they are not entirely similar and not entirely dissimilar to ourselves.

In one of its forms, Heidegger deals with Being-with-one-another, as *everyday* Being-with-one-another, or being with in the mode of das *Man* – 'the they' 'the one'. 'The "who" is not this one, not that one, not oneself,[14] not some people,[15] and not the sum of them all. The "who" is the neuter, *the "they"* '[16] (1996: 154). Heidegger's claim then, is that we deal with others first and foremost in the form of what we might call 'the one'.[17]

> By 'Others' we do not mean everyone else but me – those over against whom the 'I' stands out. They are rather those from whom, for the most part, one does *not* distinguish oneself – those among whom one is too. This Being-there-too[18] with them does not have the ontological character of a Being-present-at-hand-along-'with' them in the world. This is something of the character of Dasein; the

> 'too' means a sameness of Being as circumspectively concernful Being-in-the-world.
>
> (ibid.)

That is, we conceive of ourselves in relation to others in terms of what *one* ordinarily does in situations that confront us. Before we think about what we would choose (exhibit will), we understand the world in terms that the others around us in the world have introduced to us.[19] All acts therefore are social and take place within a pre-existing context.[20] Even resistance is resistance to an existing state of affairs. Thus the question is no longer how can I know that there are others and that they have experiences? But how can I know who *I* am, since it appears that all that I am is pre-existent in the world of 'the one'. This leads Heidegger to the – at first – bizarre claim that Dasein is not.

> [T]his distantiality which belongs to Being-with, is such that Dasein, as everyday Being-with-one-another, stands in *subjection*[21] to Others. It itself is not;[22] its being has been taken away by Others to dispose of as they please. These others moreover are not *definite* Others. On the contrary, any Other can represent them . . . One belongs to the Others oneself and enhances their power.

According to Heidegger therefore, all that we do has its origin in the pre-existing dispositions of others. That is not to say, however, that we can posit any individual who makes decisions for us. On the contrary, we may be able to trace the origin of certain beliefs or practices, but ultimately no *one* can be responsible for their cultural dominance, just as I cannot ultimately (or originally) be responsible for *my* choices. Thus no one makes the decision concerning what I am going to do this week end, not me, and not them.

By organising our world, conformity provides the foundation upon which we make important decisions (however grounded in the presence of others they may be). When we resist conformity it is necessary that we take stock of our difference from others. As we saw earlier in our look at the Cartesian view, we must know where we now stand in order that we can know that we may differ. This concern with our difference from norms Heidegger calls 'distantiality'. This 'distantiality' tends to level down our practices, it is the classic example of the origin of dumbing-down: we modify our behaviour to a level where it is acceptable to the majority of our fellow humans. This 'distantiality' also has the effect of 'disburdening' us with the responsibility for our judgements. The result

is that no one ever really decides how things should be done.[23] The danger is that we so thoroughly disburden ourselves that we can no longer claim to be ourselves, we can no longer claim to be 'authentic'.

> The Self of the everyday Dasein is the *they-self*,[24] which we distinguish from the *authentic self* – that is, from the self which has been taken hold of in its own way.[25] As they-self, the particular Dasein has been *dispersed* into the 'they', and must first find itself. This dispersal characterises the subject of that kind of Being which we know as concernful absorption in the world we encounter.
>
> (1996: 167)

The question therefore remains, what is the authentic self, and, since we exist in the world, how can we have any form of being for which we have sole responsibility whilst still being in-the-world?

Authenticity and death

We move now to consideration of elements of Division II of Being and Time. With the conclusion to Division I we were left merely with the description of the inauthentic being in the world. In Division II Heidegger moves to a consideration of the 'Temporality' of Being. This consideration of 'Temporality' of Being-in-time is of interest to the current project in that it provides space for consideration of our capacity to view ourselves as an object of the future and to have will toward that object, that is, to have hopes and aspirations. Heidegger first, however, needs to establish the nature of that self for which *we* are solely responsible – the authentic self – and this he does by placing our authentic existence in relationship to the temporal inevitability of death.

With hindsight, we can place Heidegger among those thinkers like Kierkegaard, Pascal, Nietzsche, or Sartre for example, as an existentialist. So to say is to assert that for Heidegger, philosophy must be grounded in our personal experiences: all our knowledge of the world is founded upon our engagement with it. It is mediated by our understanding of its social and historical contingency. This means that we have to find out for ourselves what norms to adopt, what set of rules we should conform to. This, however, is problematic. For Heidegger, in common with the existentialists, the common response to the contingency of life is to 'flee' from it and to attempt to deceive ourselves that our lives are *eudaimon*[26] by attempting wholeheartedly to adopt our cultural norms. Nonetheless, existentialists claim, we cannot fully eradicate the feeling that such unthinking conformity is not necessarily the way of the

full and fulfilling life. Existentialists are of the belief that it will always be apparent to us even in the smallest degree, that we cannot deny our anxiety concerning the meaninglessness of life conducted as merely norm-following dopes. For Heidegger, there cannot be any release from such anxiety because there is no way of knowing what constitutes a true ideal of how to live a life. Furthermore, we cannot be authentic unless we take responsibility for our own choices concerning the *eudaimon* life. However, to be authentic is the source of Dasein's greatest dignity, and this is achieved by stripping away self-deception.

> If Dasein discovers the world in its own way[27] and brings it close, if it discloses to itself its own authentic Being, then this discovery of the 'world' and this disclosure of Dasein are always accomplished as a clearing away of certain concealments and obscurities, as a breaking up of the disguises with which Dasein bars its own way.
>
> (1996: 167)

A further belief held in common with the existentialists is that it is through fearless engagement with the idea of our own death that we can face up to our responsibility for achieving our own *eudaimon* life.

> He who is resolute knows no fear; but he understands the possibility of anxiety as the possibility of the very mood which neither inhibits nor bewilders him. Anxiety liberates him *from* possibilities which 'count for nothing',[28] and lets him become free *for* those which are authentic.
>
> (1996: 395)

Indeed death is that which makes us the beings that we are: death is our 'ownmost[29] possibility' (1996: 302). We are finite beings. For Heidegger, it is necessary to separate two aspects of death: the physical processes of death – often thought of in terms of causes, and the existential aspects of death. The existential aspects of death include no longer being part of our world, no longer able to do things, no longer capable of striving, particularly towards our *eudaimon* life. Death is defined by Heidegger as 'the possibility of the impossibility of every way of comporting oneself towards anything, of every way of existing' (1996: 307). The key here is that death is a 'possibility' – it matters not that it is a certainty, that we cease to exist when death is actual is irrelevant – it is a *possibility* and as such it is able to shape our experience of the world since we *do* exist when death is possible. Because it is the possibility of the impossibility

of ever being anything anymore, we are made aware of the possibilities of being. Death is meaningful to us in life. Thus since at some point I will cease to be, no manner of living can achieve *eudaimonia* since no way of living will permit me to continue in the world. This contends Heidegger, should shatter any illusion that mere norm-following might be the right way to live. Thus in the face of our inevitable death we are brought to reject our reliance on cultural norms as the *eudaimon* way to be, and to take responsibility for our own selves. In anticipating death I reject 'the they' and take responsibility for myself: I become authentic. The knowledge that our lives will end brings with it the joy of the realization that our choices about our way of being matter.

> We may now summarise our characterisation of authentic Being-towards-death as we have projected it existentially: *anticipation reveals to Dasein its lostness in the they-self, and brings it face to face with the possibility of being itself, primarily supported by concernful solicitude, but of being itself, rather, in an impassioned* **freedom towards death** – *a freedom which has been released from the illusions of the 'they', and which is factical,*[30] *certain of itself, and anxious*.
>
> (1996: 311)

Being in time

It will be evident from the foregoing that Heidegger's conception of our Being-towards-death opens the possibility of our having will and indeed places the choice-making that flows from the possession of will towards ourselves in a normatively positive light. Furthermore, it is evident from the use of words like anticipation, that such choice-making has temporal qualities – we have will towards ourselves as objects of the *future*.

The radical nature of Heidegger's work, and one that has profound implications for the present project is that Heidegger renders Being not only as Being-in-the-world – the comportment of oneself in recognition of others and oneself as objects in the world – but as Being-in-time. We should be aware, however, that this does not equate to the un-hyphenated 'being in time', that is, that our being should in some way be related to the temporality of the world, but that the being of Dasein is the very essence of temporality – temporality only comes about through the nature of being of Dasein (Blatner 1992: 99). The relevance of this conjunction to the current enterprise is that it permits us to have intentions towards ourselves as objects of the future: aspirations, hopes, and desires. It is appropriate that we consider how we come to have the desires that we do.

In the face of certain issues concerning the resolution of problems of authenticity at the end of Division I (§41) he introduces the term 'care'. Following from the claim, consistent with existentialists, that the fundamental human value is Angst,[31] and that that angst may be at the knowledge of the ultimate tragedy of the human race –its ultimate inability ever to be complete or whole (I will later use the term 'consummate'), it follows from our being-in-the-world with others and our awareness of the ultimate tragedy of *their* lives, that we experience the value of care towards others. Since Dasein is always occupied with the objects it encounters in the world: the world and everything that is in it cannot fail to matter to it.

> The formally existential totality of Dasein's ontological structural whole must . . . be grasped in the following structure: the being of Dasein means ahead-of-itself-Being-already-in(-the-world) as Being-alongside (entities encountered within-the-world). This Being fills in the signification of the term '*care*',[32] which is used in a purely ontologico-existential manner. From this signification every tendency of Being which one might have in mind ontically, such as worry[33] or carefreeness,[34] is ruled out.
>
> (1996: 273)

The point is made clearly, not that there cannot be failures of sympathy, not that Dasein is always concerned, but that Dasein cannot fail to be engaged with the fate (as it were) of every other.

As we have seen in the foregoing, authenticity presupposes our openness to temporal aspects of our being, it provides for the disposition of the self towards the future state of being as we will it to be. Such 'projection' – such colonization of the future, as it has elsewhere been termed (Giddens 1991: 125) – requires that we grasp the essential nature of Dasein as 'Being-guilty'.[35] For Heidegger, this means engaging with oneself as past – what one has been – as an indelible aspect of what one is, present. That is, since authenticity 'discloses'[36] the current moment as a situation of choice towards action – towards the future, it requires that we are open to responsibilities to all others in the world with us, this is the nature of care – of concern for or commitment to others in the world – and of the condition of 'Being-guilty'.

> Coming back to itself futurally, resoluteness[37] brings itself into the Situation by making present. The character of 'having been' arises from the future, and in such a way that the future which 'has been'

> (or better, which 'is in the process of having been') releases from itself the present. This phenomenon has the unity of a future which makes present in the process of having been: we designate it as temporality. (1996: 374)

This extraordinarily opaque passage reveals the nature of Being-in-time for Heidegger and it reveals it as the fundamental structure of care. Earlier this structure was defined as ahead-of-itself-already-being-in (-the-world) or Being-alongside (others in the world). This arises out of Dasein's existence as 'thrown[38] projection'.[39] Where authenticity and resoluteness provide for anticipation of the future, 'thrown projection' represents our active colonization of that future: it therefore implicitly recognizes an openness to the temporality of existence. 'Ahead-of-itself' refers to Dasein's awareness through anticipation of that property of the future, that it has 'possibilities', 'Already-Being-in' recognizes the capacity of Dasein to relate to the past, and 'Being-alongside' represents the being in the world with all those others, for whom we have responsibility (the structure of care), in the present. Thus the three aspects of our relationship to time are interrelated, but Heidegger's ordering of his definition reveals the primacy of existence as future, existence is a matter of projecting thrownness into the future through present choices. As authenticity is consummated in anticipation, so existence is consummated through colonization of the future.[40]

I necessarily do violence to Heidegger in the above rendering of his account, through inadequate attention to the subtleties of his thought. Nonetheless, I achieve my aim in showing how Heidegger opens up for us the concept that we can have future oriented concerns. Nonetheless, the account is inadequate. It is flawed inasmuch as it relies on our presupposed disposition towards our death. Even though Rousseau tells us, 'I can certainly say that I never began to live until I looked upon myself as a dead man' (cited in Derrida 1976: 143) I think it would be relatively uncontroversial to suggest that most people do not go about making choices about their future in the light of their possibility of not-being; nor because they are made aware of the possibility of making choices through an understanding of the impossibility of their being able to consummate themselves because they will inevitably at some point cease to be. Indeed, we witness, especially among the young, a degree of disengagement from concerns about their own eventual demise that gives rise to dangerous – reckless – behaviour, paradoxically, in some circumstances hastening the possibility of their departure from the world.

And yet, these people make decisions concerning their own future – they have will towards themselves as objects of the future – their hopes and desires, their aspirations and ambitions, and thus upon the way that they project themselves into the future. They make choices about going to university or getting a job or career or a family. More mundanely, they make choices what to wear on Friday night when they go clubbing, what drink to have, whether to cross the road here or at the crossing, whether to look in the shop window. All of which they do without recourse to understandings of the possibilities of life of which the possibility of their death Heidegger maintains makes them aware. Furthermore, they make choices unconsciously or semiconsciously in social situations. They decide when it is appropriate to laugh or smile, when to pass condolence; when to frown, when not to cough. All of these decisions are decisions about the future, they are oriented towards the expected interpretation of another which is yet to come, it is simply impossible for such a response to be contemporary with its origin – its stimulus – no matter how soon after the event it is: it is *after*. Thus *all* decisions are oriented towards the future as much as they are rooted in the past. Very few, if any, require us to engage with the possibility of our own death for them to be thought, willed, or realized. Furthermore, while it may be laudable to initiate a call for authenticity – not to be as the herd – this is a merely normative call. Hence, if we take it from Heidegger that we have the capacity to orient ourselves toward our future and yet reject that this stems from a particular disposition towards our own death, we need to enquire what form that orientation takes. It will be the contention of this chapter that the form of this orientation is that of constant movement towards an unachievable completion – consummation. I therefore introduce at this point the work of a writer who challenges notions that we are already somehow complete – which notion is embedded in static concepts of being – permitting a conception of ourselves as constantly in a process of becoming.

Being and self-presence

Derrida and supplementation

Following the Second World War, its participants, even among the allies fared very differently. The USA was spared the large-scale destruction of infrastructure that had been the fate of Germany and France in particular. Its military Keynesianism meant that its economy benefited from the war in the absence of the vast reconstruction costs that followed the close of hostilities in Europe. However, a booming economy needs

markets, and so, the reconstruction of Europe was conducted in accordance with that need (see Tavor Bannet 1989). The USA was thus keen to proffer help in the form of reconstruction loans, for *re*-construction in the case of the already industrialized Britain and Germany and for *construction* in the form of Fordist industrialization of countries like France and Italy which had previously been largely agrarian. France, for example moved from being a predominantly agricultural society to being a predominantly industrial one in a mere 20 years following the war (ibid.). The Marshall Plan was also intended to stave off the threat of Communism from the USSR by ensuring centralized stability. Such central control emanating from the USA was seen by many French intellectuals in particular as constituting a new form of totalitarianism akin to that which had just been defeated: it was too close to Nazism for comfort. Thus much of the thought of the post-war political left in France was critical of centralization. Anything resembling 'hierarchical structures of authority and domination, standardization, systematization [or] programmed conformities' (ibid.: 232) was open to criticism. The Fordist claim was that the more tight the regulation, the more complete the controls, the more stable would become the society. The critique of central control led Derrida, and Deleuze and Guattari, among others, to challenge the very notion of completeness: to make empty the claims of completeness – not just that such totalities were undesirable – but that notions of plenitude and sufficiency were fundamentally flawed and unachievable. This Derrida does by taking an examination of the nature of writing and speech as the tool to open 'a window into the soul of a philosophical system from Plato to Husserl' (Smith 2005: 38).

Derrida's primary concerns are with the nature of communication, and it is therefore unsurprising that he is not frequently the first port of call for criminologists in their search for a solution to their problems. Nonetheless, Derrida's method of deconstruction and his critique of authority based upon logocentrism,[41] – the archaic view of the privilege of speech over writing – and notions of self-presence, present criminologists with a critical tool of significant utility particularly in relation to the law, but indeed with regard to any topoi of authority or plenitude.

It is evident to Derrida that from the time of Plato writing has been seen as secondary to speech: that writing has been seen to be a mere rendering of speech in a way that does not require the presence of the speaker. Thus it has been taken to be the case that speech is closer to the truth – *logos* – of meaning. This *logocentrism* claims Derrida, has been the central principle of language and philosophy. All original

meanings, however, are subject to *sedimentation*, that is, to covering through time – as in the deposition of sediment – of their original meanings. *Grammatology* is Derrida's name for the method of uncovering those original meanings, and of freeing us from the notion that writing is somehow subservient to speech. Philosophers, like Hegel, for example, keen to privilege reason or the product of thought over all, have seen writing as a mere secondary tool. (It will be remembered that for Aristotle, a philosopher's work took the form of public dialogues and was not primarily expressed in writing – doctoral theses on the continent still require a public verbal defence and, even here, a private one.[42]) Logocentrism presupposes the exteriority of the sign to the signifier, and of the signifier to the signified originary thought. Thus, as thought in the Cartesian tradition is the ultimate interior, so speech is exterior to thought and writing to speech: writing is a mere signifier of a signifier – 'mediation of mediation' (1976: 12). The importance of speech is centralized and writing marginalized. In a passage stretching from page 33 to 36 of '*Of Grammatology*' Derrida engages with this marginalization in terms of interiority and exteriority, presenting writing as exterior to speech in the work of Plato and Saussure.

The relevance of this line of argument to the present undertaking is that it leads Derrida to claim that logocentrism is the form of all philosophy to date, and indeed is the common ground that permits philosophies to compete with one another: if they did not all manifest the search for originary truth – *logos* – then they would not have grounds upon which to compete with one another. Thus all philosophy has been a 'metaphysics of *presence* . . . It could be shown that all names related to fundamentals, to principles or to the center [*sic*] have always designated the constant of a presence' (1978: 279 my emphasis).

> We already have a foreboding that phonocentricism merges with the historical determination of the meaning of being in general as *presence*, with all the subdeterminations which depend on this general form and which organize within it their system and their historical sequence (presence of the thing to the sight as *eidos*,[43] presence as substance/essence/existence (*ousia*), temporal presence as point (*stigme*) of the now or of the moment (*nun*), the self-presence of the cogito, consciousness, subjectivity, the co-presence of the other and of the self, intersubjectivity as the intentional phenomenon of the ego, and so forth). Logocentrism would thus support the determination of the being of the entity as presence.
>
> (1976: 12)

These concepts, Culler points out are indissolubly related to those of centring or grounding (1993: 93). Furthermore Lee, in his argument concerning what we might term an ontology of childhood (Lee 2001), takes such notions to be indicative of authority founded in notions of the 'completed' adult, a point to which I will return shortly.

Further engagement with the pervasiveness of logocentrism is undertaken by Derrida in a critique of 'Essay on the Origin of Languages' of Rousseau. This particular turn is of significance to the current project in that it deals with Rousseau's notion of the supplement. For Rousseau, writing is a supplement to speech. Derrida has already (in a section of '*Of Grammatology*' that I do not discuss here) revealed the 'classical' distinction between pure and innocent nature, and the impure imposition of culture present in the work of Levi-Strauss,[44] where Strauss equates the imposition of culture with the deleterious effects of the imposition of writing over the pure nature of speech.[45] 'Thus we are led back to Rousseau. The ideal profoundly underlying this philosophy of writing is therefore the image of a community immediately present to itself, without difference, a community of speech where all the members are in earshot.' (Derrida 1976: 136) In Rousseau, however, writing is not merely violence, but necessary: it is a necessary supplement. The question arises, what is this writing a supplement to? The answer that Rousseau provides is that it restores the presence of the writer. Derrida, however, maintains that this is a supplement fulfilling some *lack* in nature (ibid.: 146–7): the adoption of the supplement makes visible an original deficiency. '[T]here is *lack* in Nature and that *because of that very fact* something is *added* to it . . . the supplement comes *naturally* to put itself in Nature's place' (ibid.: 149). Thus writing is '*required*' by nature and thus must be considered as 'inscribed in the origin of language *as such*' (Smith 2005: 42). What this means for our current project is that in the face of notions of the correlation between absence and alterity,[46] the failure of notions of presence founded in logocentrism, present us with the impossibility of the possibility of completeness of self-presence. That is, faced with the knowledge of the infinite regression of 'mediation' – of signifiers of signifiers – inscribed in intersubjective communities, we are all originarily communal: we are all in need of supplementation – presence itself depends upon supplementation.

Lee: The paradox of power and completion

In his work concerning an ontology of childhood, Nick Lee (2001) engages with the above constellation of ideas present in Derrida to outline a deconstruction of notions of self-sufficiency claimed for adults as

over against the conventionally incomplete child. In so doing he takes the associated metaphors for self-presence; centeredness, groundedness, that we found earlier in Culler (93–4, see above), and places them at the centre of our natural associations with authority. For Derrida, says Lee, the equation between central control and stability at the heart of the Fordist Marshall plan for Europe

> did not necessarily hold good, yet he was well aware that this equation had long informed the distribution of power within western culture. Only those deemed capable of controlling themselves from their own 'centres' have enjoyed the benefits of being thought stable and reliable.
>
> (Lee 2001: 108)

One concomitant of this is that powerless groups are frequently deemed to be justly so because of some perceived lack or deficiency, in particular in the case of women, and less so in the case of children and slaves, unable to moderate themselves from their own centres. That is, they have frequently been seen as ir-*rational*[47] in a society that values the logocentric product of rationality – 'truth'. Rationality is the product of Cartesian self-presence and thus, those who are powerful are seen to be those who exhibit self-presence. The notion of self-presence in this context involves connotations of economic self-ownership – and indeed the ownership of others such as slaves, wives, and children; it involves connotations with consistency and trustworthiness. For Derrida, observes Lee, the most interesting manifestation of self-presence is the ownership of one's voice. Self-present persons are seen to be well moderated, in that they are seen as capable of controlling their own utterances such that they always intend to say what they say: of directing their meanings from the centre of their self-awareness. The opinions of the self-present can be taken seriously because in being in control of their utterances they are less likely to declare that they did not mean what they said. Self-presence, for Derrida, claims Lee (108) is another way of saying 'human being'. Communities of the self-present can generate and 'other' those who are deemed not to own themselves. The voices of women, children, and slaves have historically been muted, partly because they were not deemed to have voices of their own that were worth listening to – we may call to mind the oft repeated phrase 'children should be seen and not heard'.

Derrida's concerns, however, are not primarily with the normative aspects of such inequalities but with the claim of self-presence upon

which these inequalities are based. As we saw above, the quality of self-presence has been taken to be constitutive of a person's power: the possession of direct control over their own voice and the connotations that that has with presence bound up in speech. However, should that powerful person wish to assert his power over distance or time he is in need of some kind of mediation.[48] He must historically commit his words to a messenger or other mediation. It will immediately be apparent that in so doing he absents himself from his own voice. Such supplementation destroys his self-presence, the hearer of the self-present's words can no longer trust them since they have been mediated and their veracity now relies on trust in the medium not the originally self-present powerful. Thus it may be seen that the more powerful a person is perceived to be in virtue of his self-presence the less self-present he is, and the more dependent upon the actions of others he is seen to be.

> [T]he power and self-possession of the powerful is never complete. As soon as their spoken word is conveyed, they are distanced from themselves, dispossessed of themselves in the moment that self-possession is broken. The equation of central control and stability rings hollow, because even the most independent and powerful are made incomplete, distanced from their self-presence, in their bids to exercise their power'.
>
> (Lee 2001: 110)

The exercise of their power axiomatically cuts them off from the source of their power. Thus notions of adults as being in a completed self-sufficient state of being – as over against children, men as over against women, owners as over against slaves – is shown to be an unfounded proposition. In the face of this persistent state of incompletedness we must view humans as being in a constant state of becoming, of having intentions towards ourselves with regard to the future. The nature of those intentions is the subject of Chapter 6.

6
Becoming

As we have seen from the previous two chapters, humans have conventionally been seen as being complete, whole, finished entities, manifested in their ability to be reflexive concerning their presence: I am self-present, and co-present with others who are self-present. However, as I have pointed out, such notions of completeness are called into question, particularly where the necessary mediation of the manifestation of such self-presence is concerned. The unavoidability of mediation becomes apparent when we consider that when I am perceived by someone else, they *represent* me to themselves. That is, what they perceive is the state of mind that they have that is *something like* perceiving me. Thus my presence is mediated to them through their own perceptual apparatuses – states of mind and physical senses. It is evident from this that humans are far from static beings but creatures that have intentions towards themselves concerning their being in the future: they have aspirations, hopes, and ambitions. More mundanely they make choices concerning the immediate future, where such a future succeeds an infinitesimally small and indivisible present.[1] Social change is innervated by these choices, it is manifest inasmuch as the chooser brings power to affect those choices to the situation, aspects of which constrain their outcome. Thus it is not merely in the more or less abstract realm of philosophical investigation that the question of Being and Becoming has purchase. These real-world choices have about them what is technically referred to as intentionality, and it is to this concept that I now turn in furtherance of an examination of processes that motivate such choices.

Motivation

Intentionality

While adherents of the analytical tradition have their own concerns regarding intentionality, consistent with my adoption of a phenomenological account of will, it is to the expression of this concept among phenomenologists that I wish to confine my exposition. The first thing that must be stated boldly here is that 'intentionality' is not that concept bound up with doing things with forethought – intention. At base level, intentionality is that quality of mental states or events that means that they are *about* or *of* things as in 'I am thinking about this object' or 'I am thinking of that occasion' and so forth. That is to say, that intentionality refers to the *directedness* of mind or a state of mind *towards* things – objects, events, and so on. To have hopes or beliefs, those hopes and beliefs must be about something, when we have will, that will is toward something. If we have aspirations and ambitions, they are aspirations and ambitions concerning our selves because we can have states of mind that are directed towards ourselves: our ambitions are *about* us, we have will toward ourselves. It will be evident from this depiction that it is indivisibly bound up with notions of consciousness and of phenomenology: we are conscious of the objects in the world towards which our states of mind are directed, and we are able to *experience having* those states of mind 'phenomenally'. That is, our experiences of our directedness are states of mind in which it seems that we are having 'something like'[2] the experience of being aware of our directedness towards a particular object.

The concept has a long history; however, it is reasonable to begin with the work of Brentano (1973) in the nineteenth century, where we find an account with many of the features of its current use. Brentano is not ignorant of the concept's long history and points out that it is crucial to Descartes' theory of ideas. The idea is present in Plato in his discussions of false belief in the *Sophist* and the *Theaetetus* (1935). For Brentano there are two kinds of Phenomena, physical and mental (1973). Initially, what is at issue is the apparent capacity of the mind to be 'directed' at objects that exist only in the mind, that is, that are imaginary: such 'immanent' objects are not real. This directedness is further exhibited where objects *are* real and, since Brentano believes that there is no such thing as the unconscious, states of mind are always – if not always primarily – directed towards themselves. Thus it appears that all mental phenomena are directed towards objects, that is, all our cognitive acts are objects of cognition in their own right. As Mead would have it, our mental

states are directed towards objects and the self is one of those objects towards which they may be directed. These views were to be taken up by Husserl and thus communicated to Heidegger and through him to Sartre and Merleau-Ponty, and indeed through rejection in Derrida and other deconstructionists.

Husserl was similarly concerned with the way in which both thought and experience appear to be directed towards objects. While he rejected Brentano's 'immanent' objects thesis (1970, 1966) and did not deny unconscious mentation, he retained Brentano's focus upon conscious 'mental acts'. Knowledge of one's own mental acts is seen as resting upon intuitive apprehension of their instances (Siewert 2003), and while denying that *all* experiences of consciousness are objects of intentional direction, Husserl maintained that we are conscious *of* each of our cognitive experiences. Thus reflexivity is built into every conscious act. An immediate problem with reading Husserl is his phenomenological method that requires 'bracketing' off the natural world, that is, avoiding any talk that affirms the existence of the topical or temporal reality of objects. This Husserl does, he claims, in order to get at the 'essential' nature of consciousness, but it means that his discussions of phenomena are essentially removed from the world of which later writers would take them to be a part. Among those writers, Heidegger and Merleau-Ponty, for example, are keen to relate intentional experience to practical engagement in the world towards which it is directed. Indeed, crucial to the current discussion, Merleau-Ponty believes that perception requires a consciousness of the world related to one's goals and aspirations, and as such it is not related to attempts to express it in terms of 'objective' representations (Merleau-Ponty 1962). That is, our representation of the world to ourselves is independent of any 'actual' reality of the world, though such a notion should not be assumed to equate to relativistic conceptions of the world, since an 'objective' view remains *possible* in this scheme.[3] What is of import to our current project is that we are capable of states of mind that are directed towards ourselves and that those states of mind are representative of the world as it is, relative to our view of ourselves in it futurally: we have the *innate* capacity to view ourselves as part of the world of the future, but that the experience of those objects is not representative of an 'objective' reality but of our relationship to them. What this means in the criminological world is that people, including offenders, make choices concerning their behaviour and they do this in relation to the perception of themselves as objects of the future; however, those objects of the future are conditioned by the nature of the offender's history and his perception of it, as well as

his current circumstance and his perception of it. These objects are not conditioned, necessarily, by any reference to *real* objects. Indeed, the offender's (or anyone's for that matter) perception of his current state and his history is circularly dependent upon his perception of himself futurally: the way he perceives of himself as an object of the future.

Following this goal-related perception of Merleau-Ponty it has been suggested that phenomenal experience and intentional acts are socially interrelated, and it is this issue that I wish to discuss here. In order to do this I am going to relate some ideas brought to us by Robert Brandom. However, in order to do this in a way that is coherent with what I have said above, it is necessary to undertake a slight shift in terminology. We have just dealt with the idea that our intentional states of mind are directed towards objects. Further, we say that those states of mind can be intentional objects in themselves – phenomenally. That is, we have awareness of experiencing the event of having a state of mind that is directed towards something and we *represent* that experience to ourselves. The object towards which our mind is directed we might call the content of that state of mind. If we say 'I am thinking about a pint of beer', then the pint of beer is the content of that state of mind, and of the statement. If we then say something *about* the pint of beer – the pint of beer is refreshing for example – we introduce to the statement a proposition concerning our content, that is, the proposition that the pint of beer is refreshing. Thus our statements concerning what we are thinking about have propositional content and these statements *represent* that object of concern. The statement *has* propositional content and the statement *is* representational. In a paper 'Reasoning and Representing' from 1994 that discusses the content of mental states and their communicability to others with regard to the communicability of reasons or ascriptions given by actors, Robert Brandom argues that – among other things – our capacity to understand the content of the propositions of others – in other words to comprehend the nature of the objects of others – is conditional on a shared social knowledge. Brandom says that we undertake the task of understanding the thought or talk of others in two parts: what people are thinking and talking about, and what they are thinking and saying about it. The former is its representational dimension, the latter propositional. Brandom's claim is that any state of mind or utterance that has 'propositional content' also has 'representational content'. The reason this is so, claims Brandom, is that propositional contents (what thoughts or utterances are about) must be understood in terms of the social situation of their articulation. That is, the propositional content of a 'belief or claim can have a

different significance from the perspective of the individual believer or claimer . . . than it does from the perspective of one who attributes that belief or claim to the individual' (1994: 510). This is the issue addressed – somewhat differently – by Mead when he discusses the inability for us to know what others are thinking or what might constitute an accurate representation of their meanings in a situation.

Brandom points out that according to Quine, many communications between people are ambiguous because of ellipses that remove words like 'of' and 'that'. So, Brandom asks us to consider the claim, 'Henry Adams believed the popularizer of the lightning rod did not popularise the lightning rod.' Read in one way (*de dicto* i.e. according to the word of the claim), 'Henry Adams believed *that* the popularizer of the lightning rod did not popularise the lightning rod' – we have some difficulty making sense of the claim; however, read in another (*de re* i.e. according to the 'thing' – res – or object of the statement), 'Henry Adams believed *of* the popularizer of the lightning rod *that* he did not popularise the lightning rod' – it is possible that the claim is true since Benjamin Franklin was also the inventor of bifocals, thus the *de dicto* claim 'Henry Adams believed that the inventor of bifocals did not popularise the lightening rod' is entirely plausible. However, Brandom maintains that the important thing that this example is that it points out that it is *de re* statements that we use in everyday life to express what it is that we are thinking or talking *about* (what the object of our directed state of mind is). Brandom further maintains that these statements significant aspects of our communication with others concerning the nature of our intentional objects. So he goes on to say:

> Understood this way, what is expressed by *de re* specifications of the contents of the beliefs of others are crucial to *communication*. Being able to understand what others are saying, in the sense that makes remarks available for use as premises in one's own inferences, depends precisely on being able to specify those contents *de re*, and not merely *de dicto* terms. If the only way I can specify the content of the shaman's belief is by a de dicto ascription
>
> He believes malaria can be prevented by drinking the liquor distilled from the bark of that kind of tree, I may not be in a position to assess the truth of his claim. It is otherwise if I can specify that content in the *de re* ascription
>
> He believes of quinine that malaria can be prevented by drinking it, for quinine is a term with rich inferential connections to others

> I know how to employ. If he says that the seventh sun god has just risen, I may not know what to make of his remark. Clearly he will take it to have consequences that I could not endorse, so nothing in my mouth could ever *mean* just what his remark does. But if I am told that the seventh god is the sun then I can specify the content of his report in a more useful form
>
> He claims of the sun that it has just risen, which I can extract *information* from, that is, can use to generate premises that I can reason with.
>
> (Ibid.: 518)

The ambiguity inherent in such propositional statements about objects cannot be resolved without mastery of 'the *social* dimension of their inferential articulation' (ibid.). That is, the situation as defined by the previously acquired social-context-knowledge of all the other actors. The social dimension cannot be avoided because the inferential significance of a propositional statement cannot be established outside a background of other interpretations of objects that are available as plausible other interpretations of the other actors in the situation. Thus our own objects are conditioned by the disjuncture in our knowledge of the objects of others and our subsequent *relative* interpretations of claims or ascriptions of commitment to those objects. What this means is, that the nature of objects as we represent them to ourselves is contingent upon our understanding of our social situation; however, our understanding of the social situation is contingent upon our knowledge of the objects of others. The knowledge of both those objects and of the social situation which informs *them* is contingent on our apprehension of the situation. What this further means is that our apprehension of objects – ours and those of others – and of the social situation that is constructed of and through them is emergent from the complex interplay of all these elements in a non-linear fashion. I wish to go on to explore how these objects come to be conditioned by the social situation, and so I embark on an examination of the social conditioning of objects.

The social conditioning of objects

Thus far my argument has followed this trajectory: (1) Traditional, historical, conventional accounts have treated merely of the existence (presence) of humankind as an object of its own cognition (Cartesianism). The Heideggerian perspective places mankind in a world

of which he is an integral and knowing part. This view further projects humankind as having the capacity to comport itself towards itself as an object of the future. (2) Traditional, historical, conventional accounts have treated merely of humans as static completed creatures. Rousseau, Derrida, and Lee place this account under considerable strain and present humans as becomings, not beings. (3) Studies of the directed nature of mental states – their aboutness – have provided for an account of the social contingency of our expressions concerning our objects and thus the social contingency of the *possibilities* of the content of our intentional states and thus the social contingency of the possibilities of our own view of ourselves as objects directed toward the future. That is, we have mental states that are directed towards ourselves as objects of the future, the possible nature of which objects is socially conditioned.[4] In Foucauldian language, we might say that there exists with regard to our will towards ourselves as objects of the future, a 'historical *a priori*', (Foucault 1970: xxiv)[5] limiting the repertoire of objects that we can conceive of ourselves as being: there exists a 'historical *a priori*' limiting the freedom of will, that simultaneously removes from us any possibility of knowledge of that limitation. Thus *free* will must be seen to be an illusion.

The further trajectory of the current argument is that we make socially conditioned (constrained or enabled) choices about *goals* towards our selves as objects that are constituted by the *conception* of our selves as objects of the future. It is appropriate that I should now turn to examine the sociological nature of the conditioning of those objects; in other words, how do we come to have the aspirations concerning ourselves that we do? I shall proceed by outlining the concept from the interactionist tradition of typification and then briefly discuss its near relation, Reference Group Theory. I shall then suggest that the notion of performativity gives us an insight of what it means to 'be' – we are what we perform. I shall then return to Rousseau's notion of the supplement to introduce the notion that making choices involves the adoption of supplements (extensions) and will conclude with the introduction of a new concept, 'The Will to Self Consummation' that draws together all the above strands.

Typification

For interactionists, typification is one of the most important forms of social knowledge (Schutz 1970: 111–22). While the notion is quite straightforward, its ramifications are significant. Our knowledge of what to expect from a particular situation relies upon certain assumptions

that we make concerning the roles of various others in that situation. We know that different people in different roles behave in recognisable ways in specific circumstances. A doctor behaves like a doctor in a doctor's surgery for example. Our typification of a doctor consists in a set of assumptions concerning what doctors conventionally do in that situation. As long as the doctor conforms to that 'knowledge' and that the behaviour is in the appropriate situation – that is, the doctor is not at the opera for example – so the identity 'doctor' and the definition of the situation are not in need of challenge (mostly). Should the doctor go about the opera house placing his stethoscope in the cleavage of the female singers he will find himself spending a night in *chokey* (prison), whereas such behaviour might be normal of a doctor when in his surgery. Typification, then, is that image of a person, role or situation that organizes our knowledge of it. Such typification takes place on the basis of visual and auditory cues: we observe and respond to others' words and deeds. We also respond to appearance, that is, we respond to their dress and demeanour – their physical features – as well as what they do and say. Every aspect of these observations form cues in establishing a typification (Stone 1981).

Remarkably little about people is visible to observers. Appearance constituted in physical features of body or face, dress, mannerisms, posture. In addition, we have a restricted, socially conditioned repertoire of formal linguistic expressions concerning the representation of our objects. These are all that we have to draw upon when we encounter others. Their motives, beliefs, capacities or histories remain relatively hidden in most circumstances. And yet, all these things serve as clues upon which we found a whole set of assumptions for which we have little, or no concrete evidence. These attributes are all that we have upon which to base considerable inferences concerning the identity of the person concerned and to place him or her in a collection of typical categories that help us to make sense of the world and the people in it. For example, we typify the doctor *qua* doctor, on the grounds that he is sitting in a doctor's surgery and wearing a bow tie and a velvet waistcoat (perhaps), and because he invites us to sit down, saying, 'and what seems to be the problem Dr Crewe?' (or Andrews or whatever). Actually, it is probable that we typify him as a doctor *merely* because he is sitting in a doctor's surgery. Indeed, if we saw the doctor at the opera house, placing his stethoscope in the ample cleavages of the female singers, we would not typify him as a doctor at all, but as someone with challenging behaviour problems. Such judgements, as Robert Brandom's paper show us, are reliant upon a

vast stock of social knowledge concerning what we expect in a given situation.

'Appearance is important not only because it provides us with the cues we need to typify someone initially, but also because it assists us in maintaining and refining that typification as interaction proceeds' (Hewitt 1997: 134). We typify the bank manager on the grounds that they are wearing a pin-striped suit and sitting in an office in a bank, but we continue to refine that typification by listening to ever-more subtle clues like tone of voice, so that we can typify them as being cold, arrogant, courteous, charming, brusque, and so on. Because we have relatively little information, we can never know what people are really like. Certainly we can never predict with certainty what they may or may not do, but the more information we have the closer we can get to an accurate assessment. We consequently are capable of refining our prediction of what people are really like by gathering more and more detailed information: we can say (more or less) that people will behave in certain ways because we can draw upon a stock of this social knowledge that we call typifications.

The process of taking roles relies on just such typifications. People can assume knowledge of the way that others view them because they can typify *their own* acts and they can know that if they themselves typify people, they themselves will be typified by others and the roles in which they are typified shapes their situated identity. Thus role *taking* is a process in which we attend to others' typifications of us, and role *making*, a process in which we comport ourselves in a manner likely to generate certain desirable typifications of ourselves in others. On the strength of our awareness of this stock of social knowledge, we observe others and may choose to adopt certain behaviours that encourage others to redefine the situation in accordance with our choices of the typification that we wish to adopt: our choice concerning what we wish to become.

The major problem here is that people appear to choose behaviours that result in negative typifications; that is, in the criminological sense, shame is insufficient to alter behaviour: people steal, 'knowing' that they will be typified as a thief.

Reference groups

It is a long-established notion that humans act in accordance with conventions of groups with which they are associated. Nonetheless, as the example of the thief's failure to respond to favourable typification shows, the notion is not universally without difficulty. Some of the difficulties concerning failure of behaviour to be shaped by membership

of particular groups – such as the Conservative-voting working-class, for example, or social reforming aristocrats – begins to be addressed by Reference Group Theory. Reference Group Theory presents a more sophisticated and nuanced account of the ways in which people make choices about behaviour based on the behaviour of others. Fundamentally, it allows for choices to be informed by a large body of references from which the individual makes choices that are unique and in some cases counterintuitive. It is clear indeed that in shaping their attitudes, people 'frequently orient themselves to groups other than their own' (Merton & Kitt Rossi 1968: 35) thus often referring to groups that are not their own by membership. Reference Group Theory and research attempts to ground empirically the processes of reference to groups made by people in their self-evaluations such as to render accurately those processes and improve knowledge of behaviour based on such processes. Thus the knowledge gained concerning the ways in which humans shape their attitudes and self-evaluations by reference to groups *other* than their own is the distinctive feature of Reference Group Theory. Certainly, such contradictory behaviour can be explained without the concept of reference groups in that people belong simultaneously to many groups and many differing scales of groups as members. Furthermore some people may exhibit conflicts of self-image as a result of occupying several different statuses in differing groups. Nonetheless, the concept of reference group makes a significant contribution to understanding which of the multiple memberships, or multiple statuses is most influential in forming behaviour. A further contribution made by the concept of reference group is illustrated by reference to a methodological debate prevalent at the height of Reference Group Theory's popularity in the early 1950s. For Hans Reichenbach (1951), prediction in the social sciences – the likelihood of a particular lifespan, or postnatal mortality for example – was to be achieved by use of a tool that invokes a concept called 'reference class'. Better predictive accuracy was to be gained by repeatedly 'narrowing' the reference class; thus the social group of the mother whose infant was the subject of an infant-mortality prediction would have her socio-economic class 'reduced' to some more specific reference class, and her geographic circumstances would be reduced from district to street, and from street to block and so forth. Better prediction was to be achieved by proceeding 'step by step to better reference class' (ibid.: 126). Reference Group theorists made the claim that their work was distinguished from Reichenbach's work by its ability to determine the group(s) to which a person refers themselves, not by arbitrary 'narrowing', but empirically (Hyman & Singer 1968: 5).

The term was first used in 1942 by Hyman in a paper entitled 'The Psychology of Status'. This paper was a semi-experimental investigation into the ways in which people ranked themselves with reference to frameworks of membership and aspiration. It was contemporary with work by Newcomb (1943) on the stasis or change of attitudes relating to membership of Bennington College, in which the important conceptual distinction between comparative and normative groups was established. Furthermore, a concept of great importance to criminological theorising,[6] 'relative deprivation', was introduced by Samuel Stoufer in his paper concerning the apparent contradictions in feelings of contentment or deprivation among soldiers (Stoufer 1949). While these works introduce terms crucial to Reference Group Theory, they did not arise in a vacuum. Concepts cognate with those of Reference Group Theory are evident in the work of Charles Horton Cooley in 1902. Of particular interest to our current project is the following:

> The more simple, concrete, dramatic, their habit of mind is, the more their thinking is carried on in terms of actual conversation with a visible and audible interlocutor. Women, as a rule, probably do this more vividly than men, the unlettered more vividly than those trained to abstract thought, and the sort of people we call emotional more vividly than the impassive. Moreover, the interlocutor is a very mutable person, and is likely to resemble the last strong character we have been in contact with. I have noticed, for instance, that when I take up a book after a person of decided and interesting character has been talking with me I am likely to hear the words of the book in his voice. The same is true of opinions, of moral standards and the like . . . in short, the interlocutor, who is half of all thought and life, is drawn from the accessible environment.
>
> (Cooley 1956 [1902]: 95)

Indeed, even earlier, William James observed that our potential selves were developed by thoughts of remote individuals who served as normative referents (James 1901 [1890]: Chapter 10). In the 20 years following the Stoufer, and the Merton & Rossi papers, Reference Group Theory underwent a substantial elaboration and extension. Its concepts were used in analysing minority groups (Emery & Katz 1951, Taft 1952), student drinking behaviour (Rogers 1958), hospital administration (Bennis et al. 1958), and juvenile delinquency (Haskel 1963), to mention but a few.

Perhaps the most fundamental distinction in Reference Group Theory is that between normative and comparative groups. These relate to identificatory and to judgemental orientations to a group respectively as identified in Hyman's 1942 paper. Reference Group Theory further identifies four dimensions within which reference takes place. The first consideration distinguishes between different kinds of social object to which reference is made: an individual, a group or collectivity, or a social category. The second consideration distinguishes between positive and negative references. The third consideration relates to the kind of object that constitutes the audience, that is, whether it is a group, an individual that is doing the referring. The fourth consideration involves the recognition that the relationship of an individual to any group or groups is highly fluid and complexly constituted of formal, psychological, and emotional bonds that are temporally constituted in any number of ways (see Merton 1968). Indeed Reference Group Theory plays a significant role in the generation of Merton's concept of anomie in that it drives the notion of culturally acceptable goals.

Numerous expressions of Reference Group Theory have spawned a similar number of attempts to show universal explanations of the selection of normative groups. Some argue that adoption of a particular reference depends upon the ease with which contacts are made, others that reference is made to self-status image. Further accounts stress the degree to which interdependence is established and yet others emphasize the social–functional value of the individual to the referent group. The most significant *consequence* identified is that of relative deprivation as mentioned in the Stoufer and the Runciman accounts alluded to earlier, and is a significant concept in Left Realist Criminology. However, significant problems exist with operationalization of such studies in that tautology is difficult to avoid, that is, reference to a particular group is both the *explicandum* and part of the *explicans* of the investigation. From the point of the current project, Reference Group Theory fails in that it does not exhibit sufficient *understanding* of the *processes* of reference to any particular group or individual, merely the empirical observation that certain references have been made. Any actor may have any number of opportunities for reference to a huge array of referents, especially in this globally mediated age. Indeed, Reference Group Theory has a tendency to suggest a wholesale adoption of sets of attitudes and behaviours as a kind of complete, one off, 'do-it-all' kit approach to self-constitution. It is hoped that not too much violence is done to a substantial group of theories by this comment; however, it is here claimed that these normative and comparative choices are made in a much more piecemeal

fashion most of the time. Actors make more or less conscious or unconscious choices about self-constitutive issues continually and at the most mundane and microscopic levels. Actors do not – by and large – simply choose a reference – individual or collectivity – and decide to be like or unlike that reference, but rather, adopt a whole sequence of separate selfcompleting supplements that will come from many sources, but that may come predominantly from the reference, such that attitudes and behaviours approach more nearly those of the reference. This is necessarily so, if it were not, all those for whom David Beckham constitutes a reference would turn out pretty much like David Beckham. Of course, the meaning that 'David Beckham' has is different for different people. For some he represents a particular kind of successful masculinity through his sporting prowess, for others a different kind of masculinity through his marriage. Others may simply like his clothes or his haircut, but those close to him might adopt a particular speech pattern or even more intimately a way of holding his mouth or raising an eyebrow. The lines of these miniscule choices are etched in the faces of every human being; they are heard in the inflections of every individual's speech. They are manifested in their walk, they are inscribed upon and in their bodies, they are embedded in their religion, they inform their political views, they transform the way they eat spaghetti, or hold a cigarette. Only in the most generalized view of these choices can a reference – individual or collective – be identified as forming behaviour, but every single conscious or unconscious decision at the most miniscule level represents choice about becoming, and contributes towards the manifestation of the 'will to self consummation'. The question is therefore not why do individuals make the choices that they do, but rather, what are the constraints that mean that only some choices are successful? The answer to this question is that our choices are restricted to those suitable to 'the situation', and that some people have more power than others to define what that situation is, hence some more or less powerful people define the situation and those others in the situation are thus constrained to bring to it only those behaviours drawn from referents that are compatible with that definition: failure to observe this rule makes one deviant or transgressive.

Performance

At the beginning of my argument concerning being and becoming I addressed certain conceptualizations that relied upon a more or less static conception of the nature of being, in that it was related to the notion of presence or absence and to ideas related to plenitude,

sufficiency, and completion. These conceptions were brought under considerable strain through engagement with the accounts of Heidegger and Derrida in particular, in an attempt to establish a view of the human as a process of becoming, or that *what it is to be* human is *to partake in* a process of becoming. Without undermining this conception one iota I wish to return now to the nature of being in the way that we might ask the question, 'what am I?' and answer, I am a fireman. This, it will be recalled, is the question of the being of identity presented at the beginning of Chapter 5. I wish to establish the idea that *alongside* any consideration of what we are becoming is the question of what one is now. Earlier I alluded to the idea of the period of the present being equal to $1/\infty$ seconds.[7] This is the period of the now of what we *are*, and what we are is our current performance.

Perhaps the most enduring account of performance in the social context is to be found in the work of Erving Goffman. For Goffman, the most central sociological idea is that the self is a social product. It will be evident in so saying that we have taken a turn from Mead's essential definition of the self as that which is an object to itself and are now in the realm of concepts of self that bleed into ideas of identity and constructivist representationalist views of identification and prepared object positions. Goffman is far less precise when he uses the word 'self' than Mead is, or than I would like to be. Consequently I should like to offer a suggestion of what it is that I think Goffman is talking about. When Mead speaks of self he speaks of that which we can see when we look at ourselves. For Goffman the concept is more nebulous, not least because for Goffman, the self can be that that other people see. This raises the problems associated with authentic performances. When we watch a play or a film[8] we might suggest that we are watching someone *being* something they *are not*. How can we simultaneously be and not be that that we are? The answer lies in saying what the person is *now*: they are an actor *playing Bottom*; and in saying that we say something about what they are not *now*: they are not merely an actor, and they are not 'Wopsle Waldengarver,[9] celebrated thespian'. This leads us to suggest that we *are* only our current performance (and we can of course perform to ourselves) and the repository of knowledge that in part led to that performance.

In Goffman, we see two seemingly contradictory expressions of what the self is. First, he suggests on the one hand that the self is purely socially generated with no essential foundation. On the other he suggests a dualistic view in which there is an unsocialized component that drives the individual to social interaction or isolation and may promote deviant behaviour. Second, there is the suggestion that individuals are

not fully determined by society but are able to manipulate situations through performances rather in the way that actors do on stage. On the other hand again, Goffman suggests that we are not entirely free to choose which images of self we present. We would take each of these views as consistent with the current view presented here. The reason that they appear contradictory in Goffman is because he does not present them in a coherent scheme, but they are dispersed through several works. Furthermore they are seen as contradictory in the light of the kind of dualism mentioned at the start of this part of the book, concerning agency and structure; in this case choice and constraint, that is, choice is conditioned by its social environment providing an illusion of free will,[10] expression of that choice is constrained by social structures. Goffman does not tell us how these things come about in a systematic, internally consistent account that relates the different elements and levels of his analysis.

The foundations of Goffman's ideas about self emerge in the early paper 'On Cooling the Mark Out' (1952) in which he discusses performances of self in terms of more or less successful self-claims. That is, to give a performance of self is to make a claim about oneself that is either sustainable or not. In some cases, as in the case where the 'mark' or proposed victim of a 'sting' or 'con trick' can no longer sustain his performances of self once it is known that he is the 'mark', we need to make adjustments to our performance of self to reflect the fact that our self claims can no longer be sustained. The degree to which such claims can be sustained is socially contingent. The mark's claims may only be valid claims within the criminal community, and as such will only cease to be sustainable in that community; he may need to make no other adjustments to his performances to his (unknowing) wife for example. The process of 'cooling the mark out' is the process whereby the community eases the changes that the person needs to make to his unsustainable performances.

In *On Face Work* (1974a [1955]) Goffman's dualism of self is clearly evident.

> So far I have implicitly been using a double definition of self: the self as an image pieced together from the expressive implications of the full flow of events in an undertaking; and the self as a kind of player in a ritual game who copes honourably or dishonourably, . . . with the judgemental contingencies of the situation.

In other words, the self is the performance – which is socially constrained – and the performer who chooses which performance to

enact. In *The Presentation of Self in Everyday Life* a similar dualism persists in the distinction between the 'all-too-human self' and the 'socialized self' (1990: 56). The 'all-too-human self' is the embodiment of moods and emotions and energies, but it is also the preparer of performances. Thus the performer is not solely a social being but the harbour of imagination, dreams, and desires and the bearer of shame, and pride (1990: 252–4). Such considerations, in conjunction with the socialising forces over sustainable self-claims produce the socialized self. This entity conforms to the character being performed as over against the performer, and it is this socialized self, or self-as-character that for Goffman represents our unique humanity. Paradoxically, this means that for Goffman, our 'true' self is the self which is performed outwardly in the situation, not that which we might assume most people would take to be our 'real' self – our inner, motivational self.[11]

> A correctly staged and performed character leads the audience to impute a self to a performed character, but this imputation – this self – is a *product* of a scene that comes off, and is not a *cause* of it. The self, then, as performed character is not an organic thing that has a specific location, whose fundamental fate is to be born, to mature, and to die; it is a dramatic effect arising diffusely from a scene that is presented, and the characteristic issue, the crucial concern, is whether it will be credited or discredited.
>
> (1990: 252–3)

While it is important here to stress that Goffman distances himself from the suggestion that the situationally defined role is *all* that the self is,[12] it is crucial that we take on board that what any person is in the moment of *now* is their performance and that all of our social acts are performances.

Extension and supplementation

The importance of the foregoing to our present project is this. The objects that we see ourselves as being are performances: when we view ourselves as objects in the world we view ourselves as performances. The choices concerning what those objects look like are socially conditioned by our reflexive engagement with our own biography and by our engagement with the presentation of the selves and biographies[13] of others, either within social interaction or, importantly contemporaneously, via various mediations. Performances, thus, are statements of self. When we view ourselves as objects of the future we view more or less

possible future statements. It will be apparent that we make different statements in different situations. This confirms the fact that our statements are not congruent with one another but change from situation to situation. Furthermore, because this is true for everyone, situations also change; even where superficially situations are the same – the same office, the same pub, the same holiday accommodation – it will be apparent that they also are constantly in flux. It follows therefore that we are never the same person twice, we never repeat a performance. Each performance, each statement, is different. Each statement represents an expression of the nature of the object that we hold ourselves to be *now*, and each performance is the consummate statement of that self, it leaves nothing out and it requires nothing to complete it; there is no remainder and there is no deficit in the performance of the self of *now*. However, since we are never the same person twice, what we will be (however near that future) must be different to the self of *now.* If this is so, then there must be some *thing* that is different about us then and us in the future – some deficit or some remainder revealed by the difference between us then and future. We recall Derrida when he says that the supplement *reveals* the deficit. If we were complete in that *now* past, and are now somehow different we must have adopted a supplement, an extension, to that completeness, some addition, that permitted us to become the self of *this* moment, and since we will change again, we will adopt other extensions, other supplements to our simultaneously completed and incomplete selves, for we are complete in this moment and we will adopt supplements to complete us again in the next.

Earlier I indicated that this notion of supplementation stretches back to Rousseau, and forms a central part of Derrida's argument in *Of Grammatology* (1976). Derrida's concern is with writing, and in particular with deconstructing the notion that writing is somehow a supplement to speech or presence. We observed that for Rousseau, writing was a 'dangerous supplement'; it represented a product of necessity born of an ever-increasing growth of impersonal human networks. Writing was necessary as a supplement to mediate speech across social distances that were too large for presence and unmediated voice alone to bridge. Writing, for Rousseau, is the supplement adopted by the powerful, lawgivers, priests, as the ultimate tool of social control and of the perpetuation of inequality. It is the disruptor of a state of communal grace where communities would exist on a scale commensurate with unmediated self-presence (Derrida 1976: 137). A similar conception is evident in Rousseau when he speaks of the origins of music. For Rousseau, the high-baroque contrapuntal style of his

contemporary and countryman Rameau is the result of the application of the supplement of melody to rhythm, of harmony to melody, and of counterpoint to harmony. Rousseau is concerned to show how the music of his age has departed from an elysian ideal in which musical communication is achieved by self-present humans in a community of equals. The adoption of the series of supplements separates musical expression from some, since not all possess the skills of harmony or counterpoint. Thus supplementation for Rousseau is a producer and reproducer of inequality. It is not important to this portion of the current argument that Derrida brings these notions under significant critical scrutiny, but it is important that Rousseau brings to our attention the idea that portions of apparently taken-for-granted wholes are in fact supplements to an earlier whole: they are assemblages of supplements.

We spoke above of agency as that concept which frees us from structural determination. Another way of saying this is to say that agency is that concept which permits change in that it allows us to resist convention. It exhibits significant utility in this form in that it permits pre-existent social injustice to be changed; it permits the undermining of power. If one is an agent, one has the self-possessed capacity for independence from the constraints of structure. The question arises, however, where does this self-possession come from. An answer to this question of significant interest to the current argument is to be found in the Sociology of Translation, sometimes referred to as Actor Network Theory, significant statements of which are to be found in Latour (1988), Law (1991), and Callon (1986a & b). The Sociology of Translation suggests that the more a person appears to be self-present and possessed of agency in terms of the apparent power to achieve certain actions or to be self-possessed of their identity, the more that person is reliant upon a network of extensions or supplements to that self (Lee 1998). Perhaps the most straightforward account of this type is to be found in Latour's (1988) account of the work of Louis Pasteur. Pasteur is thought of as being an independent scientist and thinker who single-handedly developed the processes that made milk safe to drink. However, when one examines this conception it becomes evident that Pasteur was reliant upon a network of other actors, politicians, researchers, bacteria, education, and so on. Indeed, Pasteur himself is but one small element of the assemblage[14] of extensions that imbues him with the appearance of agency. This assemblage now includes the vast majority of milk farmers in the Western world. I shall return to 'assemblage' in the part of the book on constraint, but suffice it to say that for Translation theorists

agency does not rely on completedness and self-possession but is dependent upon a network of supplements or extensions. The more complete the powerful self-present appears, the more that appearance of completeness is reliant upon a network of other actors and of mediation that reveals the incompleteness of that person. The supplement reveals the deficit.

The will to self consummation

If agency can be seen as dependency, then self and identity can be seen as merely partial. Self in this view becomes an open-ended *process* of becoming – a process of producing self by the adoption of extensions to the existing self. As Garfinkel has put it, life is an 'endless ongoing accomplishment' (1967: 1). Of course we can never be complete except at the point of death, and then we are only completed because there can be no more process of becoming. I wish now to conclude this chapter by introducing a new concept that refers to the process of becoming in human beings and relates it to our will.

I opened this chapter by separating two aspects of agency: will and the overcoming of constraint upon the execution of that will. Through engagement with Heidegger we have seen that we are capable of viewing ourselves as objects of our own cognition and that we are further capable of viewing that object as a projection into the future. We have conceptualized the movement from self present to self future in terms of the adoption of supplements or extensions to the existing self in order to complete the self of *this* moment. We have further noted that such a process of 'completion' is never finally accomplished but that we continually 'complete' ourselves; we are in a never-ending process of 'self consummation'. Our desires concerning our future selves are reflected in us having will towards ourselves as objects of the future, that is, desires and aspirations concerning future performances. Such will is manifest in the choices that we make concerning supplements to our existing selves that infinitesimally, temporarily complete us in our current performance. Our will towards ourselves as objects of the future relies upon a repertoire of objects that we may view ourselves as being in the future that is conditioned by social circumstance and biography, that is, by the playing out of the biographies of our own and other selves in social situations. The choices that we make concerning our temporary consummation are constrained by processes of assemblage. This constrained will towards ourselves as objects of the future I thus term The Will to Self Consummation.

Matza revisited

This chapter really should have ended with the foregoing sentence; however, there is one loose end to be tied up. In Chapter 4, I outlined a criminological account of will from David Matza; we are now in a position to return to Matza's conception of 'will' and to examine it in the light of what has been said in the preceding three chapters. The problem with Matza's conception is not whether determinism deprives us of freedom but a false conception of the notion of freedom and determinism and the relationship between them in human experience. If we change the language a little the notion becomes clearer. If we say we are *constrained*, we can say we are not free. This is because freedom is set over against constraint not over against cause or determination. Hence, to say that we are constrained is not the same thing as saying that we have no will. We can choose to see ourselves as objects of the future in any form that we can imagine, even though we cannot always *exercise* that choice. This is because will is *emergent* from a human's capacity for reflexivity: the capacity for will is *emergent from* his awareness of the complexity of his history and the complexity of his situated self, it is not *reducible* to either let alone to both. Will is not a whole, reducible to its subvening causes, will is an emergent capacity that is greater than the sum of its parts: our will has antecedents; however, those antecedents, while necessary, are insufficient.

In common with many other control theorists, and other theorists of the time, Matza accepts unproblematically a conception of law as an expression of societal consensus.[15] This is evident in his casting of delinquent behaviour as sub-cultural.[16] Indeed, the conception of a will to crime presupposes an ontological reality to crime that we would today reject.[17] If we accept the ontological non-existence of crime then there is no object upon which a 'will to crime' may focus. This is crucial because, as we have seen, will is intentional; that is, it is a state of mind that is directed towards some object. In the case of human beings I have shown that the object to which that state of mind is directed is the self as an object of the future. In Matza's case, the object towards which the state of mind is directed must be crime, but if as many criminologists now accept, crime has no ontological reality, there is nothing in Matza's conception towards which the state of mind, 'will', *can* be directed. However, this is not to say that delinquent acts may not be wilful, to be sure, a delinquent may choose an act because it is transgressive and indeed Matza suggests that such choices may be made. But here again, there is confusion between a 'will to crime' and choice, or any kind of

general will. If crime has no ontological reality then it is not possible to have will towards that abstract, crime. However, it is perfectly possible to choose to do something because it is transgressive. Among the influences upon the imagination – whose limitations limit the capacity to imagine – is some possible knowledge of what is transgressive in a particular situation; however, there cannot be knowledge of *crime* in any sense other than its *legally* transgressive form. (A will to crime would surely therefore require a proper knowledge of the law). Thus, a will to transgress presupposes in the delinquent, knowledge of what constitutes transgressive behaviour in *that situation*. We know, of course, that what is transgressive in any particular situation is highly contingent, even where – as Matza himself illustrates[18] in his account of an exchange between a drunken teenager and a policeman – the offices of the law are involved. I have argued elsewhere in this book that what constitutes transgressive behaviour in any situation is negotiated in that situation in interaction with others who possess will, and who exhibit differentially distributed power to constrain or enable that will. Will to act in a way that is deemed inappropriate through negotiation of what *is* appropriate in the situation is, if enacted, transgressive. Thus, what I suggest is that all will is merely the motor of becoming. It is the intentional state of mind that is directed to the self as an object of the future: as *any possible* object of the future that the individual can imagine. The actual *choice* of mode of becoming is only limited by the imagination, which itself emerges from the complex reflexive awareness of history and circumstance. The exercise of that choice is differentially constrained such that some behaviours *become* delinquent – emerge as delinquent – from the negotiations of norms of acceptable behaviour in any given situation. Thus, it may be possible that a will to transgression may *emerge* in a particular situation, where that transgression is an act of becoming. Thus we may not postulate a general will to crime, but merely a situated will to transgress.

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Part III
Constraint

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7
Power

I have suggested earlier that I take it that human behaviour is the product of constrained will. This is, I think, a fundamental shift for criminologists (perhaps with the exception of David Matza). Conventionally the aetiology of crime has been said to lie between two conceptions of the human: the determined and the free. The determined human is more or less a slave to things beyond his control such as his biology, his psychology, or his social environment. The free individual is said to be at liberty to follow his hedonistic desires. It has been clear for some time that these conceptions of the human in their purest form are inadequate accounts of our condition. The champion of determinism, who says that we can never do anything other than just exactly what we do do, denies the experience and the reality of human choice – there is always at least one alternative, to do, or not to do, or at least to resist or not to resist – they further deny the possibility of the compatibility of freedom and determinism. Most soft accounts of determinism – possibly compatibilist accounts – have at their heart an assumption that certain aspects of the world are fixed and no amount of human freedom can change these things. On the other hand, the classicist champion of free will and rationality denies there is any human action for which he is not ultimately responsible, and that social formations arise and become stable because there exist certain controls that limit the exercise of humans' freedoms. The largely phenomenological, compatibilist account of will that I gave in the preceding part of the book suggests most strongly that human nature is neither of these dichotomous things: we are simultaneously determined and capable of choices, and our resultant behaviour is *emergent* (in the strong sense) from that nexus of conditions. Where the classicist's conception of freedom and choice is concerned, my claim is that these qualities do not manifest themselves in rationality but in

phenomenal engagement with a past environment that we are not at liberty to change – determinism – and a similar engagement with a future that we are capable of making choices about. This is the nature of will, and this is the condition that Marx referred to when he said, '[m]en make their own history, but they do not make it as they please; they do not make it under circumstances of their own choosing, but under circumstances existing already, given and transmitted from the past' (1963). The classicist, were he to concede this point, would say that social controls limit the expression of our will. However, 'social controls' have always been defined very narrowly, and in some cases perniciously in order to demonize certain lifestyles or practices – often associated with parenting (chosen and determined conditions) and economic disadvantage. Criminologists have defined social controls as equating to certain limited kinds of bonds, to self-control, to the *conscience collective*, to panoptical surveillance, or to rational calculations of the odds of being caught, for example. If for this reason alone, the notion of 'social control' as a fundamental concept in social theory is inadequate to describe human social behaviour because it limits the conception of its sphere of action to those arenas *defined as* social by the control theorist in line with his agenda. The problem with this becomes apparent when we consider non-social controls upon people. An obvious example concerns the prisoner locked in a cell for hours on end. This is not a social control – in the way that control theorists usually intend them – and yet it is clearly a control that is of significant importance not only to the criminologist but also to the psychologist and the sociologist: the will of the actor is constrained. When we read Paul Willis' (1977) important book, *Learning to Labour: How Working Class Kids Get Working Class Jobs*, we are made aware that certain attitudes, practices interactive features, social structures, and so on serve to limit the "lads'" imagination of what they may become. This is the historical *a priori* of which I spoke above. These things serve to constrain the *formation* of the 'lads' futural view of themselves. Their will is constrained. Thus to speak of the constraint of will is not the same as to speak of social controls. The notion of freedom is flawed, the notion of rationality is flawed and so is the notion of social control. However, while we have will it is not free. I should like to be lying on a beach in the Maldives with the warm zephyrs blowing through the palms, but I cannot be there: some thing or things constrain me from being there. We have will and it is constrained in certain ways, and if human behaviour is the product of constrained will then we must turn our attention to the nature of that constraint. This is what this part of the book will do. However, there is another issue, and that is,

if our will is constrained, someone or something has *power* to constrain it – in whatever way – they *can* (it can) constrain it. Thus it is necessary that we turn first to the nature of power.

Power

As an undergraduate student of social theory I vividly remember being told that certain theoretical perspectives were deficient in that they lacked an adequate account of power. Indeed Barnes contends that 'it is tempting to say that there is no account at all in the [social science] literature, accepted or not, of the basic nature of power in society' (1986: 181). In the realm of criminological theory, this absence is particularly acute, albeit not in the way that my theory teachers meant. What my theory teachers meant was that perspectives like Symbolic Interactionism, rational choice or phenomenological models were lacking in an account of how powerful structures subjugate individual social actors, in other words, of the exercise of power, or of the normative critique of the distribution of power. They also meant that these perspectives were too consensual and failed to give an account of conflict. What I mean when I say that there is an absence of accounts of power in criminological theory is that such accounts of the exercise of power, its distribution and role in conflict is *all* that there is in many cases where discussions of power are concerned. Criminological theories have largely failed to adopt a view of what power *is* and where it comes from. Views such as those of Scraton, Sim and Skidmore (1991: 62) that '[l]ife in most British prisons is an unrelenting imposition of authority' are not uncommon and are located at one end of a continuum that represents a zero-sum relationship between the 'imposition of authority' and individual freedom of some kind, as found in classical theory for example. In other words, power is represented in much criminological literature solely in terms of its manifestation, its assumed distribution, or the (assumed) normatively negative effect of its exercise, rather than any exploration of its ontology: the concept is used without ever stating what the concept is.

The concept 'power' has proven to be among the most slippery concepts in the whole of the social sciences. Writers are conventionally concerned with the effects of the exercise of power by the powerful over the powerless and in some cases they are concerned to identify common attributes of phenomena that are to be observed when power is exercised justly, and when it is exercised unjustly. For example, in a recent paper entitled 'Symbolic interactionism and the concept of power', Dennis

and Martin (2005) state that interactionism has in the past been taken to be lacking in a concept of power. They go on to say that they wish to correct this view by showing that 'interactionist research … shows a fundamental concern with power *phenomena* … [and] with the social *processes* through which power is *enacted* … in real situations' (191 my emphases). In other words, Denis and Martin are not, as their title suggests, interested in what the *concept power is*, but in the effects or outcomes of the exercise of power, which effects are phenomena emergent from the complex 'systems' within which power is exercised.

In the more philosophically grounded work of Nusbaum (2006 *inter alia*) and of Sen (1999 *inter alia*), for example, this tendency to speak of power in terms of its normative status is also manifest. Both writers are interested in international development, and while Nusbaum is keen to establish a set of core capabilities of humans, she does this in order to establish a normative critique of the unequal distribution of the possibility of or constraint upon exercising those capacities. Similarly, Sen's work on capabilities advocates deliberative democracy as a productive space in which societies may strive for social justice and equality. In both of these accounts, power – or capability – is examined in terms of its exercise or application and in terms of the normative judgements that may be made concerning the outcomes of that application. This is done in order to establish that this group or that group is negatively constrained by the processes of the exercise of power by another, and that this is a bad thing. However, should we accept the social ubiquity of power as expressed in Foucault (1970, 1980, 1982, 1991, 1998, 2001, 2002 & *passim*) or in Weber (1964, 1968, 1978 & *inter alia*), for example, a normative account will not do: any account that limits power to its moments of exercise denies its temporal and situational ubiquity, or suggests that power is exercised in some moments and not others, when, as will become clear, power is not a thing to be exercised in discrete quanta, but *is an expression of continuous and universal* (though unequal) *distribution of capacities*. Should we wish to examine the role of power in structuring interactions and in structuring institutions, or, indeed the structuring attributes *of* interactions, then first, a non-normative account of the *concept* 'power' becomes necessary.

The production of such an account, however, appears to have reached a particular impasse. In 1982 Hindess published an important, much-cited paper entitled 'Power, interests and the outcome of struggles' (Hindess 1982). In this paper, Hindess made plain that he believed that it was impossible for power to be a disposition since its bases were situationally contingent. In 1987 Morris produced the book, *Power:*

A philosophical analysis (Morriss 2002) that argued that power must be taken as a disposition. Both works are soundly argued and thus there appear to be two equally convincing, but aporic conceptions of power. They are aporic since, to be situated, a phenomenon must be founded in its temporal and topical circumstances – the situation: to be a disposition it must transcend both the topical and the temporal.

In the same year as Peter Morriss published 'Power', Giles Deleuze and Felix Guattari published a work which, it is my belief, permits us to transcend this apparent aporia. *Thousand Plateaus: Capitalism and Schizophrenia* offers the seeds of a new ontology of social structures and processes, which, through the work of Manuel DeLanda (2006), is achieving some recognition as 'Assemblage Theory' in parts of the academy more used to the foundations of analytical philosophy, rather than the continental philosophical style of Deleuze & Guattari. I intend to outline a way in which 'Assemblage Theory' permits a new social ontology of power that transcends the limits of situational or dispositional accounts, and allows us to conceive of power as a disposition of situated processes. Furthermore, I shall suggest that it provides that *holy grail* of interactionists, that is, the link between interactive and structuring processes.

The contested nature of 'power' in the social sciences

If there is one single commonly (not absolutely) accepted view of the concept of power in the social sciences, it is taken to mean the bringing about of consequences. Attempts to be more rigorous have proven fraught with difficulties, and, we might ask, whether indeed, the bringing about of consequences is a necessary or sufficient aspect of power at all: power, after all, can be latent – the prime minister does not cease to be powerful when he is doing nothing, he only ceases to be powerful when he is no longer attached to the government; the policeman does not cease to have the power of arrest when he sits down to a cup of tea, he does, however, loose that power when he ceases to belong to the police force, or indeed goes home after work. Different disciplines within the social sciences recognize different *bases* for power such as wealth, knowledge, violence, or status for example; they recognize different *forms* of power such as dominance, influence, charisma, or control; they speak of different *vehicles* of power such as discourse, money, or weapons; and they recognize different *uses* of power such as political, economic, or community ends. Thus, different branches of the social sciences locate and describe power differently according to their own

particular theoretical needs. Writers have questioned whether power is, for example, a zero-sum concept (Mills 1956, Parsons 1960); a potential or a resource (Barry 1976; Wrong 1995); a *property* of systems or individuals, or a property of the *relationship between* systems and individuals (Arendt 1970; Lukes 1974; Parsons 1963); whether it relies upon coercion (Cartwright 1959), or can be expressed as a product of negotiation (Beetham 1991; Giddens 1986). Dispute arises from the choice of unit or level of analysis: power as emergent from the bourgeois economy (Marx *passim*) is conceived of very differently from power emergent from The Situation (Blumer 1954); thus, it is argued (Gray 1983; Lukes 1974; Morriss 2002) that the concept of power is frequently theoretically contingent: it varies its nature according to what the theorist wishes to do with the concept.

Sociologists have frequently been concerned with a core dispute between two views represented by Weber (1968 [1922]) and Mills (1956) on the one hand, and Parsons (1963) on the other: the former, claim that power equates to domination of one group over another in the pursuit of disputed interests, the latter, Structural Functionalist view, that power is a general property of societies that permits objectives to be achieved in the interest of *collective* goals. This latter portrays power as a capacity of systems to achieve ends, whereas the former stresses the relationship where one group trumps another. Mills' account was also the subject of critique from pluralists (Dahl 1957, 1961; Polsby 1980 [1963]) in that it represents the view that one group dominates a society, rather than the pluralist view that temporary alliances are formed by similarly interested persons creating a fluid, constantly restructuring pattern of power relations. Significantly, this view rejected any conception of power as resident in non-decisions, that is, the view of Bachrach and Baratz (1970) that the powerful can affect the powerless by deliberately not making decisions where they are concerned, or as related to un-operationalizable concepts such as 'interests', or the 'mobilisation of bias' (Merelman 1968, Wolfinger 1971). Specifically, this requirement for observability in pluralist accounts was the focus for discontent among neo-elitists (*inter alia* Mills) and conflict theorists (*inter alia* Poulanzas 1979), who maintained that public decision-making frequently masked the true operation of power. Such stratified theories have dominated considerations of power within political sciences; however, Barry's 1976 rational choice account, Foucault (1970, and *pasim*) and Luhmann's (1979) neo-functionalist accounts have brought such stratified views under increasing scrutiny, a retreat from the tendency to assume that power is always exercised from the top down, and a retreat from entirely

macroscopic analyses. This retreat from wholly macroscopic analyses of power brings into focus the effect of power upon the individual and of the individual's role in bringing about consequences. However, a view of what the *nature* of power is, is not constrained by notions of intention or outcome (as I shall show later), as it is not normatively contingent, as White (1972) attempts to suggest. To limit talk of power to its outcomes restricts the notion of power to its exercise; furthermore, it is nonsense to suggest that all outcomes of the exercise of power are normatively negative: it requires the exercise of significant power to mobilize a UN peacekeeping force to enable the distribution of aid in the third world for example. To speak only of intentional acts denies an account of the consequential effects of recursive or 'practically conscious' behaviour. What this broad spread of conceptualizations of power brings to light is that it should be recognized that there are several different questions that one can ask about power: What is power – or what does it amount to? How is power distributed: that is two questions; one, what are the mechanisms (vehicles) of its distribution and two, where is it concentrated? What are the effects of its distribution? The evidence in the extant literature is that the vast majority of writers on power seem to fail to recognize this: they fail to take care what question concerning power they *are in effect* answering.

All of the above modes of conceiving of power fail to tell us what power *is*; they tell us what power can do, they tell how power can be used, how it can be distributed, who might hold it and whether any of these things is normatively positive or negative. In terms of asking (or answering), what power *is* it is rather like asking: What is jam? And getting the answer, jam is sweet: the reason why this is so is because writers are speaking of the description of some of the effects, or patterns, or mechanisms, of the distribution of power rather than speaking about its ontology. This is not to say that any of these accounts of power is necessarily wrong, it is just that writers have been careless in identifying what question concerning power they are, in effect, answering.

It must be recognized that power is a concept and it is important to know what the concept 'concept' means before one can grapple with the concept 'power', and I addressed this issue in Part I of this book. I was once severely berated by a senior academic at a presentation during the gestation of this book, for suggesting that power was a concept: 'tell that to the powerless and disenfranchised', he said, or something a little less temperate. For this academic, power was some kind of measurable, quantifiable, tangible stuff 'out there': some *res extensa*, some extended, physical thing that was being illicitly appropriated by the powerful and

denied to the powerless, and presumably carried around in boxes or bags, and distributed or hoarded like fruit or meat in wartime. Such beliefs are harboured by people who would be quite prepared to ask where the capacity to hoard foodstuff came from, but utterly unprepared to question their view of power in the same way. But of course power *is* a concept; it is an idea that brackets a range of other conceptual relations in such a way that it is shorthand for whatever relations it conveys – it is an intensive ordinate, not an extensive co-ordinate, it has thisness or *haecceity*, not aboutness, and it is this 'content' of the *concept* 'power' that we need to disentangle. What does it mean to say that someone is powerful, or that someone has power; we need to ask the question: What does power amount to? And our expression must be universal and parsimonious.

Why we need an ontology of power

Concepts are made by thinking people – theoreticians, philosophers and so on – in order to produce theories that solve sense-making problems in the real world. (The concept is formed in the same crucible as the problem that the theory – that is made from the concept – is made to solve.) Power is a concept in this way. We need to attempt to agree that the concept that any one thinker generates is useful to more than just him, or his theory won't be of any use to anyone but him. Hence, the concept that is made must be one that can be agreed upon because it more or less conforms to what others would agree constitutes a useful expression of the concept. So, my concept power is not only expressed in a way that makes the theory expressed in this book coherent, but also in a way that I hope others will recognize as being coherent with the way they see the world and the place of the concept within it. If this is so, then readers of this theory are more likely to agree that it represents a good sense-making tool.

Examining the concept power

It is appropriate at this stage that I make some comments about my intentions how to proceed with my discussion of power. It follows from what I have said immediately above concerning the nature of the manufacture of concepts that I take it that a concept should enable the production of coherent, effective theory and that it should be agreed upon in usage such that it clarifies and eradicates inconsistencies and unnecessary disputes: A usefully, parsimoniously expressed concept

should stop us from talking at cross purposes. I intend to proceed by examining some of those disputes concerning power, and I shall examine them in the light of my claim that power merely equates to can. This may seem like a bold and even unjustified step since I have provided no grounds for this claim; however, I cannot illustrate the sense-making capacities of my claim without stating it, and so I do this: Power equates to can.

My claim will be, in effect, tried alongside the other disputed claims concerning power. While there is not room in this place for an exhaustive examination of the concept, it is my intention that the examination should be illustrative at least of the efficacy of my expression of the nature of power. In addition to the disputes in the sociological and political science literature I will explore common usage of the concept. It is not that I take it that common sense use is necessarily accurate, true, or efficacious, but a concept generated for theory making that does not cohere with real- world usage of the term is likely not to have much use in the real world.

Power merely equates to can: Can, capacity, and ability

Is 'can' 'iffy'?

The position that I wish to advance is that power equates to can, or is the capacity to do something. Not only do I contend that this is so, but, as will be made clear in the rest of this book, we can have a picture of societies that corresponds to an account of the capacities of their elements rather than of the properties, allied to functions, of their constituent parts. To speak of power in this view is merely to speak of the distribution of capacities in society and that is what the view advanced in the rest of this book does. Hence conceiving of power in this way has the fortuitous property that it contributes to an homogenous, parsimonious, and coherent theory of the structuring processes of societies, of which law, transgression, and crime are a part. The claim then is that power equates to can. It is appropriate that we examine what this means.

A particularly important dispute concerning the verb can was highlighted by the great philosopher J. L. Austin when he wrote that 'can' is 'constitutionally iffy' (1956: 205). What Austin meant was not that 'can' is constitutionally 'dodgy', but that the verb 'can' always needs to be associated with the word 'if'. There are two ways in which this is so, claims Austin. The first is that whenever we use the word can or could, we must either supply or imply an 'if' clause to complete the sentence.

The second is that if we don't need to use an 'if' to complete a sentence we need to use an 'if' to analyse the nature of the 'can' that is being talked about. These two views, says Austin, are incompatible with one another. Morriss (2002) begs to differ. Both views, for him, are correct.

> '[I]fs' are related to 'cans' in many different ways, two of which are captured by Austin's distinction: *some* 'ifs' complete 'can'-sentences; *others* are part of the analysis; and it is to overlook the complexity of the conditional aspects of ability to force *all* 'ifs' into the one category or the other.
>
> (2002: 60–1)

It seems to me, however, that both writers are wrong, they do not appear to be using the same word 'can' as I am. Among the meanings of 'can' possibly associated with power, none requires an 'if'. The first of these meanings is to be able – to have the ability. If we append an 'if' to a claim concerning this meaning of can it would look like this: 'I can drive my car *if* I put some petrol in it'. We can legitimately rephrase this by saying 'I *could* . . . if I put some petrol in it'. What this means is this: '*I can't* – I am powerless to – drive my car *because* I haven't put any petrol in it.' Adding an 'if' changes 'can' to 'can't'. The second aspect of this meaning is to know how, that is, I know how to drive my car. This can also be expressed as the ability, or skill, to do something. This capacity is relatively enduring and constitutes a dispositional claim – something to which we will turn shortly. However, this claim, 'I can drive my car' expressed as 'I know how to drive my car' most certainly does not require an 'if'. Furthermore if we try to append some kind of 'if' the claim becomes 'I know how to drive my car if, and only if, such and such is true' (I can remember how, lets say). This means 'I *cannot* drive my car because I have forgotten how' (for example). 'If' turns 'can' into 'cannot' (until such and such is true; or we might say until the 'ifs' are satisfied). Morriss asks us to consider the capacity of sugar to dissolve in water. This, he says, is an example of a disposition that has conditions – 'ifs' – attached to it: sugar does not dissolve in water in all circumstances he claims. Sugar will not dissolve in water when the water is already saturated with sugar he tells us, nor will it dissolve if it has been heated sufficiently to caramelize it into bonfire toffee. These are 'ifs', says Morriss, that attach to the 'can' of 'sugar can dissolve in water'. That is, sugar can dissolve in water *if* the water is not already saturated, or sugar can dissolve in water if it has not been caramelized. But clearly this is wrong. What Morriss is actually saying is 'sugar will

not dissolve in a saturated sugar solution' or that 'bonfire toffee will not dissolve in water', not 'sugar will dissolve in water *if* . . . '. Morriss goes on to say that there are 'ordinary' ifs such as 'if that is sugar, the water can dissolve it'. However, in the two cases immediately above, the 'if' of this claim is not satisfied, it is not sugar, or it is not water, it is toffee, or it is a saturated sugar solution. This kind of confusion is very much akin to Gilbert Ryle's (2000 [1949]) category-mistake.

Abilities, however, are 'iffy'

I can, but I am not doing.

When we use the word 'can' in those circumstances associated with the power to do something or other we frequently associate it with the word 'ability'. If you can do something, you are 'able' to do something. This is always true. However, it is not always true that if you are able to do something, you can do it. This is because there are two kinds of use of the word 'able'. This is the distinction between capacities and abilities. Capacities are 'cans' that you can do, and they may be manifest or latent, but you can do them. Abilities can be things that you can't do, but could do in other circumstances. We could say, 'I have the ability to do this and I could do it if . . . '

Peter Morriss distinguishes between epistemic abilities, things that you know how to do, and non-epistemic abilities, things that you just can and do do without the need for specific knowledge. I take Morriss to be talking about what Giddens (1986) has called practical consciousness knowledge – our fundamental set of abilities that we use in our basic capacity to know how to 'go on' in day-to-day life. Morriss illustrates this with the following:

> We [are able to] say both 'He is so incompetent that he's unable to do it' and 'He's able to do it all right, but too incompetent to manage it'. These statements do not contradict each other; they simply use epistemic and non-epistemic senses of ability.
>
> (2002: 52)

He goes on to say that he is unable to do *The Times* crossword, but that it is not because he lacks the strength to fill in the letters that he cannot do it, but that he lacks the required knowledge or skill. This it seems to me to introduce a fundamental confusion. Clearly, Morriss, like me, cannot do *The Times* crossword, and his incompetent is incapable of

doing whatever it is Morriss has in mind him doing. That is, both are powerless to do the things in question. The question Morriss is trying to introduce lies not in their power or powerlessness since that is obvious, they are powerless in these respects, but in the *nature of the constraint* that is placed upon them. However, it is not necessary to understand the nature of any particular constraint in order to comprehend the nature of power or whether or not someone is powerful in any particular regard. The nature of constraints is a sociological problem not a philosophical one.

Morriss goes on to ask whether, when he plays loud music in his flat late at night, that keeps his neighbours awake, he can be considered powerful to keep them awake if it is merely an unforeseen consequence that he keeps them awake. 'Is, in this case, what I am *doing* keeping them awake, or is this merely a *consequence* of what I am doing? Am I doing two things at once and, if so am I performing two different actions or one action with two descriptions?' Surely, this is an unnecessary distinction since, he does keep his neighbours awake – he is able to do it – and it makes no sense whatsoever to suggest that he (or anyone else for that matter) is powerless to do something that they do do. He *can* keep his neighbours awake: he has the power – the ability – to keep his neighbours awake.

The key point here is that if you can do something you have the ability – the power – to do it, whether that ability rests on 'practical' – practical consciousness knowledge – or cognitive knowledge or skills. However, when you have the *cognitive* ability or the skill to do something, it does not mean that you can do that thing, and that is because someone or something may have the power to *constrain* your actions in that regard. This is where the distinction between capacities and abilities becomes important; that is, in the *analysis* of the *mechanisms* of the *distribution* of power. We might bring to mind, for example, a clever junior hot-rod engineer whose abilities far outstrip those of his boss. However, because the young engineer is in the employ of his boss the poorer decisions of his boss concerning building the car prevail. The young engineer has the ability to build a fine hot-rod but he does not have the capacity. The capacities of his employer to fire him constrain his abilities such that he can't – he is powerless to, he does not have power to – build the good car because his employer can (ultimately) fire him. Some would undoubtedly say that his boss has power over him in this regard, but, as we shall see later, the locution 'power over' is at best unnecessary, and at worst a damaging idea or form of power talk. One's abilities can be constrained. Ones capacities cannot. Since, if you

have the capacity to do something, you can do it, and if you can do something, you cannot be considered powerless in that regard.

Power and the bringing about of consequences: Dispositionals and the exercise fallacy

As I mentioned above, power has been taken by many to equate to the 'bringing about of consequences' (Lukes 1979: 634, 1986). Or, in Dahl's formulation – 'for the assertion "C has the power over R", one can substitute the assertion "C's behaviour causes R's behaviour" ' (Dahl 1968: 410). We might rephrase Dahl's formulation further 'for the assertion "C has the power over R", one can substitute the assertion "C's behaviour *is causing* R's behaviour" or "C's Behaviour *is bringing about* R's behaviour" '. It is Dahl's use of the word 'causes' that permits us to substitute 'is causing'. Had he written, 'may cause', the meaning would have been different; indeed it would have meant 'could cause *if* . . . '. If this were the nature of Dahl's claim, then he would have to specify those specific circumstances that would satisfy the *if* for every possible instance of C's power over R. This notwithstanding, it is far from clear that this claim that power equates to the bringing about of consequences is an adequate one. The problem with this conception of power is that it denies the existence of latent power or, as Morriss (2002) has pointed out, and as we shall see below, it commits the exercise fallacy. We may bring to mind a policeman, in whom we assume is vested the power of arrest. Lukes' and Dahl's claim that power equates to the bringing about of consequences makes it plain that the policeman's power *equates* only to his actually arresting someone. When he is not arresting someone he is not bringing about that consequence and thus, according to this claim, when he is not actually arresting someone, he does not have power to do so. In this circumstance we would then have to ask where the power 'came from' when he was arresting someone, if he did not possess it latently – as a disposition. At what point, we might ask, did the power to arrest 'enter into him' (as it were) such that he could begin his arrest. If, as Lukes, and Dahl, and others suggest, his power to arrest equates to his *actually arresting*, that 'power' cannot become available to him until he starts his arrest, but if this is so, until he has started his arrest he has no power to affect that arrest and thus would be powerless to start the arrest. Clearly this will not do. When we say that power *equates* to its exercise the period of having that power and the period of its exercise must be *identical*. This problem arises because this conception of power denies the latent qualities or the dispositional nature

of power. A person never can have power to do anything unless he is actually doing it, and that simply cannot be true of the real world.

This problem is closely related to the dispute between writers who take power to be a disposition and those like Hindess (1982) who see power as being entirely situated. For Hindess, the bases of power and the vehicles of power in each situation are so varied that it is nonsense to suggest that there is any enduring quality to power, or that power might be latent or possessed. The solution to this problem is the same as the solution to the dispute between those who take power to be a disposition and those who see power as the bringing about of consequences. It is commonplace in language to speak of events that we observe or have observed taking place, we can say for example that people are leaving the campus because it is five o'clock or the leaves on the trees are turning red or orange. But we can also speak of the potential for things to happen. We can say, for example, during the late summer, the leaves will be turning red, or orange in a few weeks time. So to do is not to describe an event but to refer to a disposition. Thus we may refer to temporally situated events and we may refer to potentialities that are relatively temporally un-situated, they are relatively enduring capacities. Where the concept of power is concerned, some writers have been less than fully concerned to distinguish between the two. Kenny, cited at length in Morriss 2002 has this to say:

> Consider the capacity of whisky to intoxicate. The possession of this capacity is clearly distinct from its exercise: the whisky possesses the capacity while it is standing harmlessly in the bottle, but it only begins to exercise it after being imbibed. The vehicle of this capacity to intoxicate is the alcohol that the whisky contains: it is the ingredient in virtue of which the whisky has the power to intoxicate. The vehicle of a power need not be a substantial ingredient like alcohol which can be physically separated from the possessor of the power . . . The connection between the power and its vehicle may be a necessary or a contingent one. It is a contingent matter, discovered by experiment, that alcohol is the vehicle of intoxication; but it is a conceptual truth that a bolt has the power to screw into a nut.
>
> Throughout the history of philosophy there has been a tendency for philosophers – especially scientifically-minded philosophers – to reduce potentialities to actualities. But there have been two different forms of reductionism, often combined and often confused, depending on whether the attempt was to reduce a power to its exercise or to

> its vehicle. Hume when he said that the distinction between a power and its exercise was wholly frivolous wanted to reduce powers to their exercises. Descartes when he attempted to identify all the powers of bodies within their geometrical properties, wanted to reduce powers to their vehicles.
>
> (Kenny 1975: 10)

To attempt these two reductions is to commit respectively the exercise and the vehicle fallacies. The first involves the suggestion that talking of having power is merely a metaphysically illegitimate way of saying that you are exercising that power (Morriss 2002). We may call to mind Polsby, when he states that we have no reason to presuppose that a person or an object possesses a particular attribute unless we have firsthand experience of an event that demonstrates the exercise of that attribute. To illustrate the point, Morriss paraphrases Polsby. Where Polsby speaks of powerful actors, Morriss substitutes sugar, thus

> How can one tell after all, whether or not a sugar lump is soluble unless some sequence of events competently observed, attests to its solubility? If these events take place, then the solubility of the sugar lump is not 'potential' but actual [i.e., presumably, the sugar dissolves]. If these events do not occur, then what grounds have we to suppose that the sugar is soluble?
>
> (Morriss 2002: 16)

When sugar is substituted for Polsby's powerful actors in this way, so to speak becomes plainly fallacious. Of course we have many grounds to suggest that the sugar is soluble, not least the common knowledge that sugar is soluble, accompanied by knowledge of other attributes of sugar molecules (from chemistry) that attest to the permanent, abiding, disposition of sugar to dissolve in water. Dispositions can remain entirely unmanifest. The glass in our windows we hope will remain intact despite the fact that we know it to be fragile – I know, and trust the fact, that Professor Lippens can speak Flemish without ever having heard him speak the language: to say that he has the capacity to speak Flemish is not the same as saying he *is speaking* Flemish. Some, like Dahl (1984), have argued that we cannot know where power lies if we cannot see it exercised. However, there is a significant difference between admitting that we can only experience or observe power through its exercise and arguing that power is in and of itself *no more* than its exercise. The police officer continues to have the power of arrest even when he is not

exercising that power. Thus, says Morriss – 'power [is] a dispositional concept [it] is neither a *thing* (a resource or vehicle) nor an *event* (an exercise of power): it is a *capacity*.' (2002: 19). It represents a relative disposition belonging to social relationships.

Let us return again to our policeman. Clearly, when he is sitting down to have his cup of tea, he *can* effect an arrest should a man attempt to rob the till of the café in which he is sat, even though he is not, at this time doing it. It makes no sense whatsoever to say that he is powerless to do something that he can do; hence, if he can do it he has power to do it[1] – if he can arrest the man (to all intents and purposes) while sitting down having a cup of tea, he has the power to do so. It is also the case that should the police officer have been handcuffed to the chair by the gang robbing the café, he cannot effect an arrest. It makes no sense whatsoever to suggest that he has the power to do something he cannot do, since if he cannot do something, then he is powerless to do it (he is powerless with respect to that thing) and it makes no sense whatsoever to suggest that someone has the power to do something that they are powerless to do. The perspicacious might aver that the policeman can't arrest the man if the man is not committing the robbery, that is, he can't arrest the man until he starts his robbery and then the policeman will arrest him. This looks a bit like not having the power *until* the burglary takes place, or only having the power when exercising it. This would mean that his power was situated, not dispositional. What this shows us is that while power is dispositional, such dispositions are variably durable: our capacities are not fixed but always in a state of flux. We can do things until we can't. It is never legitimate to say that someone has power with respect to any thing he cannot do, for whatever reason, and it is never legitimate to say that someone is powerless to do something that they can do – for whatever reason. Thus, when the policemen *can* effect an arrest, he has power in that regard, when he cannot, then he is powerless to effect an arrest. This does not mean that these capacities may not be dispositional, but if someone cannot do something they cannot be legitimately described as being powerful in that regard. So, it is true that my brother can ride a motorcycle; he has the power to ride that motorcycle. He does not have the power to ride his motorcycle if he has sold it and no one will lend him one. He doesn't have power to ride the motorcycle even if he possesses one but his wife won't let him ride it because it is icy, *even though* he doesn't lose the skill or the ability to ride it: he still is powerless with regard to riding the motorcycle. Power is a disposition, but it is a disposition that is always situated, each situation brings the capacities of others

with which that capacity may be in conflict, and in each new situation new capacities emerge and some 'cans' (capacities) that may have been relatively durable become 'can'ts'. We may be interested in the effects of power – who has criminalized whom, who produces economic circumstances that weaken the informal social functions of families and encourage violent crime (Currie 1997), who successfully lobbies government to ratchet up surveillance and securitization, but we are also interested in who *might* have the power to do these things and that power, existent and unexercised is latent, dispositional, and un-situated. Sometimes 'can' means exactly 'could' if the 'ifs' of 'could' are satisfied ('could do if . . . '), but *only* if the 'ifs' are satisfied. But 'could do' does not equate in any way to 'is doing' – in fact they are mutually exclusive – therefore 'is doing' cannot *equate* to 'can', but is merely a possible subset (or, indeed, evidence) of can.

Power and influence

In addition to the conflation or identification of power with its exercise, power is also commonly conflated with other terms. In Machiavelli, for example *imperio, forza, potente*, and *autorità* are used interchangeably without clarification or definition (Dahl 1968). A further wrongful identification is commonplace, and that is the identification of power with influence. Above, we examined the claim that power equates to the *effecting* of consequences. The conflation of power with influence concerns the claim that power equates to *affecting* things or people. It is worthwhile settling the difference between these two frequently confused words. They are confusing because the noun that relates to affect is effect: we can affect someone such that it causes an effect. Moreover the word 'affect' can be used as a noun. In its most common meaning, the verb 'affect' means to have an impact on or to make a difference to or to influence. To 'effect' something is to bring it about. Many writers have insisted that power and influence are indistinguishable. Napel and Widgrén (2004) use the terms interchangeably when they argue that power is less interesting a concept than influence. This may be so, but it does not mean that the concepts can be substituted for one another, as they appear to do. Dahl has this to say: 'A has power over B to the extent that he can get B to do something that B would not otherwise do' (1957: 80). He also says 'A influences B to the extent that he gets B to do something that B would not otherwise do' (Dahl 1961: 40). This, of course would mean that power and influence are identical. Indeed in his 1957 he argues that any perceived difference between the two words

is merely a quirk of the English language. The question must be asked: Is this claimed identity true?

If we look at the linguistic question first, influence is both a verb and a noun while power is primarily a noun. A verb 'to power', meaning to *provide* power exists for some material objects like some machines, but it doesn't really make much sense socially. However, we cannot say 'to influence', meaning to *provide* influence. It is not uncommon for nouns (like power) to be transformed into verbs – the noun 'cart' becomes the verb 'to cart', the noun 'house' becomes 'to house' – while we can do this with 'influence' (the noun 'influence' becomes the verb, 'to influence') we cannot do it to 'power'. The two are not the same grammatically and it would be an odd word if the two concepts were identical but one had a grammatical form that the other lacked. The reason that they are grammatically different would be explained if power did not refer to something that could be expressed as a verb, and indeed, this is true. There is no verb 'to can' or 'to capacity'. We can see how this grammatical difference shows the non-identity of these concepts when we try to substitute one for another in various sentences. Take for example the possible 'Tony Blair influenced George Bush to go to war'. We cannot substitute power for influence in this sentence legitimately and say 'Tony Blair powered George Bush to go to war'. Even if we took poetic licence with the grammatical form it would not mean the same as 'Tony Blair *influenced*'. 'Tony Blair *powered*' if used legitimately could only mean 'Tony Blair *provided* the power for George Bush' and this clearly is not the same as saying 'Tony Blair provided the influence'.

Similar problems arise again in Dahl:

> When one says the president has more power to influence foreign policy than I have, then I think that one means that the president can cause behaviour in the State Department or Congress or in Germany or elsewhere that I cannot cause.
>
> (Dahl 1965: 93)

This may be true, as we can rephrase what Dahl says thus: 'When one says the president can influence foreign policy more than I can'. This is a legitimate substitution, however, substituting the claimed identical power for influence thus: 'When one says the president has more influence to influence foreign policy than I have' or 'When one says the president has more power to power foreign policy than I have' results in nonsense.

Having looked at some of the linguistic problems associated with the misidentification of power with influence, we may now turn to some other problems that an assumed identity might pose. An immediate problem comes to mind where certain areas of criminological study are concerned. It is contended by criminologists that the absence of certain controls leads to the commission of crime. Where the misidentification of power with influence is concerned this would mean that the victim of a burglary at a house without a burglar alarm had power over the burglar. We do not feel that this is right. This is probably because we feel that the powerful must be powerful with respect to something he *intends* to do, and frequently that the intended thing is normatively negative. However, we will see shortly, that intention is not axiomatically associated with acts of power. The real reason that this is problematic is that power equates to 'can'. What we must do is ask in what regard is the victim powerful – what is it they can, or in this case, have done? What they can do (have done) is influence the burglar – they have power to influence the burglar. If power and influence were the same thing there would be no necessity to use the same idea twice in the sentence as we saw above 'the victim has influence to influence the burglar' or 'power to power the burglar'. However, if power equates to *can* the two words power and can should be interchangeable: 'the victim can influence the burglar', 'the victim has the capacity to influence the burglar' or 'the victim has the power to influence the burglar'. These three propositions have meaning for criminologists in a way that suggestions that the victim is powerless do not. Wormuth (1967) suggests that it is problematic to consider that a person who fails adequately to hide his wallet exercises power over the wallet thief. He most certainly does influence the wallet thief, and therefore it is illegitimate to suggest that he is powerless to influence him. Young (1978) suggests that it is problematic to consider that a person who crashes their car and thus gives the insurance company a bill has exercised power over the insurance company. He most certainly does influence the insurance company's behaviour and therefore it is illegitimate to suggest that he is powerless to influence them. Benn (1967) suggests that it is problematic to assume that the bankrupt financier whose dealings ruin the investments of thousands exercises power over them. The financier most certainly does influence the investors and it is therefore illegitimate to suggest that he is powerless to influence them. Each of these writers use their examples to attempt to argue that influencing people is not identical to what we mean by power. They do this by suggesting that the thief, the driver, and the financier are not powerful with respect to these cases, but this is clearly not so. Nonetheless, it is

also clear that they are right to suggest that power and influence are not the same thing. Power equates to can. I can influence people, and I can influence things, I have power in that regard: it is nonsense to suggest that I am powerless to influence those things I actually do influence. However, I *also* have power to effect things, and unless 'to effect' and 'to affect' are identical, then power and affecting cannot be identical, since if power and affecting were identical, it is a logical necessity that the identity must mean that power is no more and no less than affecting and thus, unless effecting were identical with affecting, it could have no part in power as identical to affecting. Affecting and effecting are (different) things you can do, like walking or painting or thinking or believing. I can walk somewhere, I can paint something, I can think something, or I can believe something. I cannot 'can' something: I cannot power something. Power is can – capacity: effecting, affecting, walking, painting, thinking, believing, are things that I *can do* that I have the capacity to do. They are not the capacity itself: that is what power is.

A further problem with power and influence is that I clearly can have the capacity to affect something without doing it – this is in the nature of latency or disposition that we discussed above, and if I can have power to influence while *not actually* influencing (not effecting the affecting), it is impossible for them to be the same thing. I have the capacity to influence the practices of my colleagues in the criminology team at my university, but I am not currently doing so because I am at home in my study writing this. Thus, my actual influencing and my capacity to influence are two separate things. It is impossible for power and influence to be identical to one another.

'Power over' and 'power to'

One of the major reasons that the above error of misidentifying power with influence has had such a hold in the power literature is because it is strongly associated with the notion of power as 'power over'. When we re-read each of the statements concerning the claimed influence over burglars, wallet thieves, insurance companies and so on, it becomes apparent that the phrase 'power over' is used every time. That is, power is talked about as though to be power it must constitute power *over* someone or something. One aspect of having power over someone that is frequently cited as a requisite is that it must involve getting someone to do something that they do not want to do. What this means is that, if this claim is true, if a person does something that you want them to do but they do it wilfully and of their own volition, you do not have power

to get them to do what it is they do – you are powerless to do this. But this is a mistake in that it is not *necessarily* so. Here we can legitimately use the word 'could' to examine this proposition. We might legitimately say (if it were true) that the person X *could* have power to get Y to do that something *p* in the circumstance that he (Y) doesn't want to do *p*; and we can still say this even in the circumstance that Y *does* want to do *p*. This is because 'power' refers merely to the capacity to do something (and such a capacity may be a relatively durable disposition), in this case to get Y to do that something *p* in the circumstance that he (Y) doesn't want to do *p*. Such a capacity *could* still exist in the circumstance that Y *does* want to do *p*. If this were untrue, we would be able to say that when Y doesn't want to do *p*, X is powerful to make him do it. We should then say that if Y wants to do *p*, then X's capacity to get him to do *p* suddenly evaporates even if there is no change in X's capacities, or that Y's wanting somehow changes X's capacities. This, it seems to me, is nonsense. I cannot imagine how Y's wanting could affect X's capacities, and if X's capacities remain unchanged, it matters not whether Y wants to do *p* or not, what X can do, he can do. What that thing is, is to get Y to perform *p*, not to get Y to do something – any thing – that is against his will: it matters not whether *p* is or is not against Y's will, if X can do it he has the capacity to do it, it makes no sense to suggest that he is powerless to do it regardless of Y's intention. As a practical example, we might say that a judge or senior police officer *could* cause a policeman to police by the rules even if that officer wants to police by the rules, because they could even in the circumstance that he doesn't want to: they *can* in either circumstance; and what they *can* do is get the police officer to abide by the rules, not get him to do something – anything – that is against his will. This is true, because, as we have seen above, it is 'could' that is 'constitutionally iffy', not 'can'. The senior police officer 'can', because he 'could if', and when the police officer doesn't want to police by the rules, the 'if' of the 'could if' is satisfied.

The locution 'power over' is frequently taken to mean something normatively negative. For example, white supremacists represented the phrase 'Black Power' to mean 'black power over white people' when the phrase actually meant black empowerment. They used the association of power with 'power over' to misrepresent the legitimate aims of black people. To speak of power merely as 'power over' is to reduce power solely to those instances when one person's objective is to subjugate another to his own ends or to get someone to do something they do not want to do. This, of course, as is evident in Foucault, ignores any positive power such as the power to mobilize food aid in Ethiopia for example.

One reason that 'power over' has been championed by some is that it is claimed (Oppenheim 1981) that 'power to' fails to represent the relational nature of power between people: the truth that power exists in relational quantities between people. A has greater power than B: A is more powerful than B. Lukes, for example, avers that 'power to' 'indicates a "capacity", a "facility", an "ability" not a relationship. Accordingly, the conflictual aspect of power – the fact that it is exercised *over* people – disappears altogether from view.' Once again, this is mistaken. What Lukes wants to say is that power is frequently exercised in ways that are normatively negative – people's capacity to govern their lives is restricted, their chances for personal development constrained. He also wants to say that powerful people have more power than powerless people. Following from these two statements, he sees powerful people as bad people. However, to say that someone has 'power to' in no way hides what they can do, even if what they can do is in conflict with the desires of others and what they can do is bad. That a government can tax the poor inequitably can be legitimately expressed by saying the government has 'power to' tax poor people more harshly than the rich. We may also express this relationally by saying that the government has more 'power to' keep your money than you do. Whether this state of affairs is the result of the power of bad people, whether it is normatively negative is a question for us when we think ethically, it is not of concern when examining the essential qualities of power. We do not need to use the normatively laden 'power over' to express exactly what we mean about our inequitable tax system and the role of powerful people in its application.

When we use the word power, we always use it in conjunction with something else. If we say 'John has power' the statement is meaningless unless we say what it is he has power to do, and the locution 'power over' is seen as legitimate in these terms – Algernon has power over Ichabod. However, it is always the case that we can express any kind of 'power over' in terms of 'power to'. Morriss (2002: 32) says that '[t]he only way that the English language allows "power" to be followed by a word for a person is by talking of power being *over* the person. Ergo, it seems, all social power becomes power over someone.' However, even though what Morriss says is true of the language in the specific terms of this rule, it is not the case that this is the only way that the relationship between power and people can be expressed. We can say Algernon has power over his wife, and this is meaningless unless we say what Algernon can do: Algernon has power over his wife's choice of car. Note that this has changed from power over his wife – which on its own is

meaningless, to power over her choices, which is not the same thing as power over her *per se*. We can express this perfectly legitimately by saying that Algernon has power to affect his wife's choice of car, or power to direct his wife's choice of car. We do not have to use 'power over' at all, indeed, 'power over' in itself is meaningless unless we say what it is 'power to' do, and if we are explicit and say *what* it is power to do, we do not need the locution power over at all.

Power and intention

A further dispute concerning the nature of power becomes visible when we take Bertrand Russell's definition of power: power is 'the production of intended effects' (Russell 1938: 25). This theme is adopted by Wrong in 1979, 'power is the capacity of some persons to produce intended and foreseen effects on others' (Wrong 1995: 2). The key word here is not 'effects', we have discussed the reliance of a conception of power on 'effects' above. The word in contention here is 'intended'. The claim of these two definitions is that one is only powerful when one intends to do things: that one only has power with respect to something when one intends to do that thing and in consequence one cannot be taken to be powerful with respect to some thing if the doing of it was unintentional. Once again, the claim that power equates merely to 'can' suggests that this conception is misguided.

Wrong (1995 [1979]) is of the opinion that power can only refer to intentional acts. He opens his discussion of this point by saying that all social interaction consists in various controls, but that not all of those controls are intentional. Many controls are internalized by socializing processes such as parenting for example, and, in these circumstances, says Wrong, the controls act without the intention of the others in the situation. Here, he says, it makes no sense to suggest that power is evident in effecting those controls. However, this is mistaken. Because all social controls are situated as well as being relatively durable and dispositional, it is the actors in any situation that bring those controls to bare on the controlled, by whatever means (and it is to the study of those means that criminologists and sociologists should direct their studies). This is true even if the control that is at work has been internalized. The actors in a situation are taken to have the capacity, more or less, to bring another to behave to the norms and typifications of that situation as defined by the participants in the situation (see in particular Blumer 1969; Hewitt 1997; Goffman 1952, 1961, 1968, & *passim*; Collins 2004; & *inter alia*). Actors do not do this intentionally, but they do do it.

It would make no sense whatsoever to suggest that those in the situation who do this were powerless to do it.

What Wrong goes on to say is that there are many social outcomes that are unintended by the actors that may have brought them about, and indeed sociologists from Merton (1968) to Giddens (1976, 1979, 1986 & *passim*) and beyond have encouraged us to make a study of the unintended consequences of intended action. He tells us that people are not held responsible for unintended consequences if they could have not foreseen these consequences. However, it is a long way from saying that people are or are not morally responsible for their actions to saying that they are powerful or powerless.[2] While the two often go together, they do not equate to one another, and I will explore this issue a little more later (indeed Wrong himself points out that there are grey areas).

The claim that I support here that power is not necessarily to be equated to intentional acts is sometimes undermined by its own supporters. Oppenheim (1981), for example, points to the unintended outcomes involved in certain reporting of electoral politics. He brings our attention to the pollsters who predicted Truman would lose the presidential election in 1948 and who in so doing spurred previously apathetic voters to turn out and vote for him. Oppenheim claims that this is a case of unintentional power to *effect* Truman's election. This, however, is a case of influence (indeed, Oppenheim uses the word himself) and we have seen above that influence and power are not identical to one another. What the case really shows is that the pollsters have the power to *affect* the actions of the voters, not *effect* the election of Truman.

There are, however, two kinds of defence of the non-identity of power and intention that I take to be of great significance. The first has to do with unintentional bodily functions. Danto (1973) points out that some of our bodily functions occur without our intention. We might consider the involuntary, unintended consequence of our appearance or behaviour (or other intangible) to the opposite sex. We clearly have power in that regard: we attract them (if we are lucky), we have the power to do that. It is nonsense to suggest that we are powerless to attract the opposite sex if and when we do it, whether we do it intentionally or not. What is of importance here is that this capacity of humans to attract the opposite sex unintentionally is socially of great consequence, and just because it is ubiquitous or even universal, this does not mean that it is equally distributed. Indeed the means of its distribution have significant ramifications, especially when it appears that certain

social patterns and inequalities are reproduced in our (possibly, partially unintended) choice of mate. This reproduction of patterns of choice of mate has considerable influence on the reproduction of inequalities of the distribution of capacities in our society. The unintended powers imbued by the capacity to send a young man to an expensive school, such as a bearing and manner, of confidence and suavity, perhaps, may have important effects in the reproduction of the capacity to continue to send offspring of that family to expensive educational establishments and then to the best universities. These are capacities – powers – that are very much of interest to both sociologists and criminologists.

The second important claim supporting the assertion that power is not identical to intention alerts us to that assertion's consequent denial of the importance of materialities or inanimate objects that plainly do not possess the capacity for intention. Morriss suggests that to introduce inanimate objects into the equation is to confuse social power with natural power. While he may be right that it introduces natural power into consideration of powers he is wrong to say that this is a confusion. What this introduction does is to point out that the assumption of a natural distinction between natural power and social power is problematic. This is an area that has received much attention from scholars studying hybridity such as Marilyn Strathern (1991 *inter alia*), Donna Haraway (1991), and writers such as Callon (1986a & b, 1991), Law (1986, 1991) and Latour (1986, 1988) among others, in the school known as Actor Network Theory. Callon, for example, in his account of Electricité de France's attempts to promote an electric car (1986b), shows how the company assembles individual, social, material, and expressive powers to bring about the emergence of new capacities in its attempts to get the car to the market-place.

The observation that the boundary between natural power and social power is indistinct or non-existent is nowhere more apparent than it is in criminology. The carrying of a gun or a knife causes a significant quantity of new capacities to emerge that would not be present in the absence of a weapon, and these capacities are of the utmost interest to criminologists. No criminal has the power to stab another person if he is not in possession of a knife: a man only has the power to shoot someone if he is in possession of a gun. The material object has a considerable role in the emergent capacities of any social situation but particularly where weapons are concerned, and weapons can effect injuries and death even when the carrier has no intention to do so, as, for example in the case of boys carrying knives purely for show and status. The criminal or moral responsibility in such cases is a separate

matter for moral philosophers. It is not an issue in identifying the *nature* of power.

Power and responsibility

Above, it was noted that Wrong made use of a supposed relationship between power and moral responsibility in support of his claim that power must be intentional. I suggested that to use this supposed relationship as a support for this claim was mistaken because the relationship is not as straightforward as is conventionally assumed. While it is conventional to *assume* that power and moral responsibility equate to one another, this assumption is problematic. This is so because moral responsibility is primarily related to freedom and not to power; it is the freedom of an actor that is in question not necessarily their powerfulness or powerlessness with respect to some act that determines their moral responsibility. That is, moral responsibility relates to what is termed the Principle of Alternative Possibilities (PAP): we are held to be morally responsible for actions when we could have done otherwise than we did do. The problem with equating power to moral responsibility is illustrated by what are known as Frankfurt-type examples.

In a paper of 1969 Frankfurt presents a conundrum concerning moral responsibility and freedom.[3] The premise in such cases is that an actor acts with freedom and intention to do something while it is simultaneously true that he is powerless to do otherwise (a conventional litmus of freedom as we have seen). We are encouraged to imagine an all-powerful ruler who can prevent any and all actions that he chooses and permit, similarly, only those that are his will. This power is exercised over a man such that he can only do exactly x. However, the man over whom the power is exercised *wishes* to do x, and he *does* x. We are aware from our discussion thus far of power that the man cannot be described as being powerless to do what he does, although we know (and he doesn't) that he is powerless to do anything other than what he does do. So, the man is powerful with respect to x, the question arises whether he has moral responsibility with respect to x (whatever x is, although we may choose to assume that it is a normatively negative act). These cases are usually advanced as evidence of an actor's moral responsibility in the face of the absence of alternate possibilities and this is so because he wills freely what he does. However an argument has been advanced relatively recently by Widerker (1991), Copp (1997), and Haji (1993) that supports the opposing view, that is, that the absence of possibilities even in

Frankfurt style cases removes moral responsibility, and would thus sever the automatic link between moral responsibility and power.

Let us suppose that someone does something that we would recognize and agree was bad. Let's suggest, say, lying about the dangerous condition of a car when selling it. If this act is, as we agree, wrong, then it is the case that the seller *should* not (ought not) have done it: he should have done something else instead – and this could mean simply not doing what he did. But 'ought' implies 'can', that is, whenever we use the word ought (or should) it can only be used legitimately if the actor *can* do what we say they *ought* to do: it is relatively straightforward to say that we would be wrong to assert that someone ought to do something when it is not possible for them to do it. This is a maxim that is generally accepted to be true from Kant (1993). In this circumstance, it would mean that the seller of the car must be capable of not selling it, or not lying about it if we are to be able to say legitimately that he ought not to do it. However, if this were a Frankfurt-style case our all-powerful being would prevent him from doing anything other than exactly what he does and thus he would be powerless to do otherwise. In this circumstance therefore the 'ought implies can' maxim and the car salesman's consequent powerlessness to do otherwise absolve him of moral responsibility even though he clearly is willing to lie to sell the dodgy car, and even though he does lie to sell the car and therefore is powerful to do it. The salesman is powerful with respect to selling the car; he is not powerful to do otherwise.

While this is only the most simple look at the problems associated with Frankfurt-style cases (and indeed many writers conclude that Frankfurt-style cases provide reason to abandon the Principle of Alternative Possibilities test for moral responsibility), and even though Frankfurt-style all-powerful beings don't exist in the real world, it opens up to us the possibility that the assumed correlation between powerfulness and moral responsibility is far from straightforward.

Power and its vehicles

Each of these engagements with disputes concerning the nature of power leaves us with the strong suggestion that power equates merely to 'can' or 'capacity'. What one is powerful with respect to is another question altogether, what mechanisms distribute power another again. If our capacities are what we can do, then everything that we actually do can be expressed in terms of our capacity to do that thing. Thus, all elements of the processes of societies are capacities of someone or

other, or something or other. In this circumstance any analysis of the structure of societies becomes an analysis of the distribution of capacities. That is, power is not a *property* of powerful people as seems to be the contention of many writers, where the *property* 'powerfulness' gives rise to the function 'exercising power', but power merely relates to their capacities, and therefore any analysis of social 'structures' requires an analysis of the distribution of and the mechanisms of the distribution of capacities: institutions are what they *can* do, not merely what they do do. This means that they are greater than the apparent sum of their parts: indeed they are greater than the real sum of their parts because capacities *emerge* (in the strong sense) from their assemblage. This undermines the functional whole in two ways. It shows that the elements of a structure need not equate to their function because they can be greater than what they *do* do – they must be aligned with their capacities not their properties. Moreover, inasmuch as they are greater than the sum of their parts, they, as elements of other structures, assemble to create entities that are greater than the sum of their parts too. I turn now therefore to an account of the 'structuring' of societies and their elements that relies upon the capacities of elements rather than their properties allied to functions in forming a functional whole.

8
Constraint

It may be said that large quantities of criminological theory is control theory of one kind or another. In Chicago-School theory, for example, various kinds of solidarity operate as social controls. In Mertonian theory, something akin to reference groups operate as social controls. Indeed any theory that posits a desire for conformity uses the notion of control in that such a desire forms the basis of control. Hence any theory that speaks of deviance is, at base, a control theory. Even in Messner and Rosenfeld (2007) or Currie (1997), for example, the market is criminogenic because its control of desires shifts the values of society away from human values towards the monetary values of the powerful: our desire for material wealth undermines the efficacy of certain controls on our behaviour. Neo-classical and Rational-choice theories may be seen as control theories in that they suggest that our decision-making can be controlled by situational interventions. Control theories are frequently seen to be problematic because they tend to conceive of controls in a very narrow way, frequently in line with a 'political' or ideological agenda on the part of the theorist (see Gluek & Gluek 1950 for example). Furthermore, they are often defined tautologically. In Travis Hirschi (1969), for example, the establishment of strong bonds is said to promote conformity; the actor exhibiting these bonds, in Hirschi, is *identified by* his degree of – his stake in – conformity. The conformist conforms. Moreover, control theories are limited to a conception of problematic behaviour constituted by mere deviance: behaviour that is normal but harmful is not accounted for, when behaviour that is taken to be unproblematic is behaviour that is defined by its conformity to social norms. Social-learning theories make this very plain: learning is a form of, and a product of control. Interactionist perspectives for example, are said to correct some of the perceived flaws of control

theories, in that they are said to reinstate situational factors into the equation. Nonetheless, they remain control theories in that definition of the situation and the subsequent behaviour towards the generalized other constitute social controls. Moreover, in interactionist criminologies, the simple label – the process of establishing the taxon – is a form of control. We cannot speak of human behaviour without speaking of some kind of control, so to do would be to posit total freedom. To speak of a world that permits total freedom is to posit a world that is totally inexplicable because to suggest total freedom is to deny the existence of any and all determination, even the determination constituted in choice-making of free will: the choice is mine; my behaviour is determined by it. The problem arises because of the heterogeneous nature of the definition of controls. Criminologists have selected controls that they consider material and controls that they take to be immaterial: border disputes are not about whether the theory posits controls or not, but about the materiality or otherwise of a particular kind of control to understanding behaviour. The problem is alleviated if one substitutes for control, the concept constraint. All human action is the product of constrained will. It is apposite, therefore, that we examine the nature of constraint and its distribution.

It is my intention to proceed along the following lines; I will outline the nature of social structures and processes as conceived of in assemblage theory and show that certain events occur in that model that are in some ways consistent with those entities that we have previously *presupposed* to be the objects of criminology. However, it will become plain that in this view these events or entities do not have any essential properties, functions, or causes, but are events emergent from complex processes of assemblage and disassemblage.

Totalities and assemblages: Interiority and exteriority

Totalities and interiority

It has long been the dominant view of social structure that it is a whole – a totality – made up of parts. Those parts have been taken to be its various institutions and other collections of individuals. On this view, societies are made up of government, police, army, health service, educational institutions, civil service, unions, clubs, families, companies, and so on. The society thus formed is a whole. It is the sum of all its parts, and each of those parts has certain properties which delimit their function in maintaining the whole. Thus, on this view, if we take away one of these elements, the society is no longer whole. Each element in

this kind of picture of society exists in a reciprocal relationship with its neighbours that is dependent upon the *properties* of each element. These relationships so conceived are referred to as 'relations of interiority' (DeLanda 2006: 9). This mode of description of societies has a long tradition, the height of which, it may be suggested is the work of Talcott Parsons.[1] In this view, the elements of a society exist because they serve a function in sustaining that society as a stable whole. This view prohibits any account of phenomena that are not reducible to those parts because the whole is *no more than* the sum of its parts. Why, you may ask, is this a problem? If we imagine our police force as being constituted by the *properties* (aligned with functions) of the individual policemen, how do we conceive of roles or functions or properties, or indeed a functioning whole in the absence of one of them through sickness let's say? First, we might suggest that the police force is no longer whole. This would mean that it was no longer fully functional. However, we know that the sick officer's colleagues will alter their properties (their function – what they do) to accommodate the absent officer. We would then have to say, one of two things; either the policemen was surplus to requirements – in other words he served no function and therefore was not a part of the functioning whole, or the force is not whole now: there is one policeman missing. Either this is the case or its function must have changed, and if that is the case, so must the function of all the reciprocal elements of the society of which it is a part. What this means is that views that reduce structures merely to the sum of their parts – that view societies as totalities – can have no account of change. Clearly the world is not fixed and does change and thus we need an account that permits change. We might say that the societies are not in a state of being but in a process of becoming.

Assemblages and exteriority

The dominant challenge to this view of societies comes from assemblage theory. What have been conceived of as wholes are here conceived of as *assemblages* of entities, the relationships between entities are held to be products of their *capacities* (what they *can* do, or more plainly their powers) and the relationships are referred to as 'relationships of exteriority' (DeLanda 2006: 10). Whereas in the old view, the dominant metaphor invoked the various functions of the organs of the body, where the properties and functions (co-conceived) of each organ reciprocally contribute to the body as a whole (totality), Deleuze and Guattari (1987) conceive of assemblages of different species. Symbiotic relationships such as that between bees and plants are based upon the *capacities*

of each. While it is true that the relationship is functionally necessary to the well-being of plants and insects, it is merely contingently so: the bee and the plant have come to rely on one another's capacities through evolution, and at some point in the future this assemblage will cease to exist in its current form. Individual elements may be removed from one assemblage and inserted into another without changing their capacities, but while changing their properties. We can see that it is within the capacities of our absent policeman's colleagues to adapt and cover for his absence: their capacities are not changed but their properties (functions) are. Similarly, in assemblage theory, an ecosystem is not a finished, functional whole, but an assemblage of the thousands of different plant and animal species. A point to which I shall return is that each of those species and indeed each of the individuals within that species is also an assemblage. This view deprives conventional organismic theories of their primary metaphor, the whole, immutable organism, since the organism's boundaries are arbitrary and its constituents historically contingent. Furthermore, that contingency removes the possibility of taxonomical essentialism, since all essences are seen in the historical long view to be contingent. We tend to think, for example, that the essence of all matter is that it is made of atoms. DeLanda (2006) points out that while today's chemist may reduce all atoms (and thus all matter) to collections of protons, neutrons, and electrons, such an essentialist (reductivist) view does not hold true immediately after the 'big bang' when protons, neutrons, and electrons were yet to be formed. This particular essence is historically contingent. The phylum *chordata* consists only of creatures with backbones, not because backbones are the essence that makes these creatures what they are, but because only creatures with backbones have been included (see my comments on Linnaeus in the Introduction to this book). The view of assemblages as co-evolutionary relationships of historical contingency means that assemblage is always a process: a becoming. Furthermore, because elements can be removed as well as inserted into the assemblage, assemblages are always unbecomings too. These (dis)assembling processes are characterized by movements of intensification and homogenization, or of dissipation or heterogenization. These movements are respectively referred to as territorialization, and de-territorialization. Thus assemblages have qualities such as density, homogeneity, scale, or speed, for example.

Assemblages (or their elements, which are also assemblages) are also defined in terms of their position along two primary axes. One identifies an element according to its role in stabilizing or destabilizing this

process of territorialization: sharpening or blurring the boundaries of the assemblage. The other stretches between the material and the expressive. Both identify roles that can be mixtures, an element may have various roles according to its various capacities. The picture here, then, is one where the concept of assemblage deconstructs the organismic whole as a reified structure with limited scope to describe the complexity of the fluid nature of the world of interrelationships between elements.

People as assemblages

Having deconstructed the notion of societies as totalities, and suggested a way of conceiving of collective entities as assemblages, what I intend to do now is to address the internal elements of such assemblages. Above, I suggested that the constituent parts of an assemblage may be assemblages themselves, and, when we consider institutions or other social structures as assemblages, then, humans themselves, as *their* internal elements, may be considered simultaneously as assemblages and elements of assemblages. Deleuze and Guattari (1987) offer an image which brings us closer to this realization. Drawing upon an incident related in Freud they describe a child distressed by the sight of the driver of a carriage abusing his horse. The horse has collapsed and is dying, while the driver continues to whip it. For Deleuze and Guattari, the Horse-carriage-driver-whip is an assemblage, but so is the horse, and this is crucial. The horse is a list of

> active and passive affects in the context of the individuated assemblage it is a part of: having eyes blocked by blinders, having a bit and a bridle, being proud, having a big peepee-maker, pulling heavy loads, being whipped, making a din with its legs, biting, etc. These affects circulate and are transformed within the assemblage: what a horse 'can do'.
>
> (1987: 257)

So, as the horse is an assemblage and the observing little boy, so are we also assemblages. We are assemblages of all those supplements of which I spoke in Chapter 6.

Human beings have a special way of being,[2] so they have a special way of being assemblages: that is, there is something special that humans can do – a *capacity* they possess. Husserl (1976 [1913]) tells us that rather than representing to ourselves some real object or other, we actively constitute that object. However, we can only constitute objects that are meaningful to us, and we can only constitute those objects that

are coherent – 'compossible'. Thus, it is taken by many that humans have the capacity to engage with the world in a peculiar way in that, for them, there are two kinds of entity – objects and subjects: the latter representing to itself the former. This gives humans the capacity to see *themselves* as objects; moreover, it gives them the capacity to see themselves as objects of the future. That is, they have the capacity to exercise will toward their imagined becoming. One element of humans as assemblages then, is the capacity to see themselves and others as beings, and to see themselves and others as beings of the past, but they can also see themselves and others as becomings. In order to move from the complete beings – of the infinitesimally temporal totality – of the present, it is axiomatic that they must adopt some currently un-possessed supplement to their existing selves to complete the being of the immediate future. This is because, as Bergson (1965) points out, no two states for humans are ever identical, therefore something new, something *additional* must have been added to the being of the present to make the being of the new present. We are assemblages of all of these supplements and we refer to our disposition to future additions or supplements as having will towards the assemblage that would be produced. We have the capacity to view ourselves as objects of the future. Thus we have will to complete ourselves, and we do so by the constant adoption of new supplements to our existing assemblages. The problem in the social world, however, is that we are not free to choose to see ourselves in any way: merely in ways that we can imagine. Imagination, however, is not infinite; it is dependent upon our experience of others: it is conditioned by our experience of the world, by our background, by our ethnic heritage, by our socio-economic status, by our culture (see my discussion of the work of Robert Brandom above). Furthermore, we are not free to adopt any supplement that we choose from our imagination because there are processes at work that have the power to prohibit the adoption of certain supplements that we might choose. Nonetheless, we may summarize the nature of the human assemblage by saying that it is the product of constrained will, where each supplement adopted to satisfy our will – past, present, and future – is an element in that assemblage which is us.

People and assemblages: When is a culture?

Because as individuals we are assemblages of all the supplements that we have adopted to create new assemblages in our attempts to fulfil what I have termed our 'will to self consummation', and those supplements and the assemblages that we imagine them creating are drawn from our

experience, the supplements and the resulting assemblages are similar in many ways. For example, it has taken people in the UK a long time to envisage themselves as the kind of people who eat garlic. This is in part because as individuals we may not have any acquaintances who eat garlic whom we should like to be like, or whom we wish to impress by being cosmopolitan enough to eat garlic. We may believe that the odour on our breath will cause people who don't eat garlic to shun our company; we may feel that it makes us appear 'French' and therefore unsavoury in some 'foreign' way. These are forces of territorialization; they permit the establishment of an homogenizing group of people who don't eat garlic: they promote a non-garlic-eating culture. It is the contiguity of our experiences which provides the sense of coherence between each of our various perceptions of objects that must of necessity be otherwise entirely heterogeneous. That is, the coherence of 'compossible' objects which Husserl (1977 [1931]) explains through the 'transcendental subject', for example, rather than being transcendent is immanent in our everyday association one with the other. It is formed in the continuous association of ideas through relations of temporality and topicality, their association or negation through conceptions of similarity or alterity, our constant association of cause with effect. This provides an assemblage constructed of capacities, and capable of emergent properties and capacities. One of these capacities is the capacity to make our communal objects comprehensible to one another (as subjects) and coherent in relation to one another (as objects). This is what we speak of when we speak of a culture: cultures are those assemblages of people (rather, since all assemblages are either becoming or un-becoming, collectivities that are in the *process* of being made up of people) that permit the coherence of the representation to themselves of objects or meanings. Cultures occur when the collectivities adopt assembling processes that permit the emergence of the capacity to make comprehensible; to promote the unification of sense making, and the homogenization of meanings, styles, representations, and other affects. The resultant consensus is a product of the sense making capacities emergent from that culture; the similarity of its products, affects and representations are emergent properties and capacities of that culture. It is an emergent property of the *capacity* of the culture to do that – that is what the culture does – when it does this, it is a culture.

Scale: Friendships and institutions

We have insisted above that assemblages have as one of their qualities temporality. All assemblages – which all cultures are, which all

institutions are – are on their way somewhere, they are in the process of becoming and unbecoming, forming and dissolving, producing or destroying, appropriating or rejecting: often simultaneously. This temporality also means that assemblages or cultures have the property of durability or stickiness (or relative lack of durability or stickiness). This quality may be brought to mind when we look at the English aristocracy which has managed to perpetuate itself with a few minor hiccups for nigh-on ten centuries; the older and more stable an assemblage, the more *likely* it is to have the capacity to survive to get even older and more stable.

Assemblages have as another of their qualities density. The Anglican Communion is a religious culture that is noted for its heterogeneity, the Roman Catholic Church, less so: it is more homogenous. The 'concentratedness' of belief in a belief system might be characterized in terms of the density of an assemblage; moreover, the more dense an assemblage, the more dense it is *likely* to have the capacity to become.

There is one other quality of human assemblages that I should like to introduce, and that is a quality which I will call 'practiced'. The more ritualized (for example) a culture becomes, the more dense it is *likely* to have the capacity to become: the more a group of friends see each other, the more likely they are to have the capacity to see more of each other. Old university friendships have a tendency to fade away as the extensions that join the assemblage together get stretched and less practiced: the assemblage gets less dense, and thus less durable: the assemblage thus weakened is less capable of homogenizing meanings.

Cultures as assemblages also have, of course, the quality of scale. It is imperative that we note that they need not have any *particular* scale, they may possess any scale, but scale is a quality possessed by assemblages that is not to be ignored. That is, where two or more people interact to begin to homogenize or make comprehensible to one another (share) their meanings, we have a culture. We also have cultures that consist of many millions of people. Depending on which group of meanings we wish to select, we can talk about a Chinese culture, for example, and this, of course involves a significant proportion of all living humans. In the realm of scales somewhere in between friends and humanity, we have assemblages of varying scales. These cultures – the Home Office, the Fire Brigade, Richmond Borough Council, the Boy Scouts, are relatively large, relatively dense, relatively slow, relatively practiced and not surprisingly, powerful. We tend to refer to such cultures, such assemblages, as institutions. In the next section we shall see why power is associated with these qualities of assemblages. Assemblages are made

up of elements that are themselves assemblages and we should recall that one of the axes along which we may place an assemblage or internal element is the axis that distributes between elements that tend to territorialize and elements that tend to de-territorialize. Larger, denser, more practiced assemblages have the tendency to possess the capacity to increase their power to territorialize: large assemblages *tend* to get larger.

Assemblages and power: Power equates to can

Having very briefly sketched some of the qualities of assemblages that involve people and characterized them as what we mean when we speak of cultures or institutions, it is now incumbent upon me to show why this way of conceiving of culture is useful in our study of the nature of crime, transgression, and deviance. Earlier I suggested that human conduct can be summarized by saying that it is the product of constrained will. If we accept that we have will, divorced from arguments concerning freedom or determination, then we have to ask: What are the (social) mechanisms constraining that will? That is, if we have will and we cannot do everything that we will to do (have *free* will), someone or something has the *power* to stop us doing that thing.

We have stated that we can only know what an assemblage is when we know what it can do. What something can do is its capacity. Power is about what you *can do*. Assemblages are made of capacities; thus they are made of power in varying degrees, that is, 'all reality is already a quantity of force' (Deleuze 1983: 40). The point here is that power is (capacities are) emergent from assemblages. Deleuze and Guattari (1987: 399) illustrate this notion of the emergence of power from processes of assemblage through the idea of the man–hammer. Neither the man nor the hammer has the capacity to knock in nails, but together this assemblage has this capacity. Thus we might suggest that power emerges from the assemblage. This shows how cultures can come to have capacities to affect the outcome of human will, when conceived of as assemblages: supplements adopted into assemblages have the *disposition* (always, but to varying degrees) that they can imbue *capacities* upon those assemblages; they bring their own capacities and in so doing new capacities *emerge*. Power, we might say, is the property emergent from the *adoption* of extensions that imbues assemblages with new capacities. We must point out that these capacities are always in conflict (successful or otherwise) with the capacities of others – '[t]he essence of a force is its quantitative difference from other forces, and the quality of the force in question is constituted by this quantitative difference' (Deleuze 1983: 50). When the policeman joins the police he creates a

new assemblage, from which process of assembling his power emerges: each day he goes to work he re-assembles that assemblage. That is why he still retains that power of arrest when having a cup of tea at work, but loses it when he goes home to his family. Moreover, he has significant power because the assemblage which he is involved in constituting is massive, dense, slow (old), practiced; it involves all the assemblages of the law, the police force, the judiciary, the government, and the state: their histories, presents, and possible futures. Governments are more powerful than crowds of demonstrators, even in their millions. Power emerges from the formation of assemblages in proportion to their scale *and* durability – crowds of demonstrators dissipate relatively rapidly.

The normalising power of cultures as assemblages

Originating at least in part in the phenomenological account of humans' experience of the world of others alluded to above, what has come to be known as 'Symbolic Interactionism' tells us how social groups bring about the homogenization of meanings.[3] Following from our capacity to represent to ourselves both ourselves and others as objects, we become aware of differences and similarities between ourselves and others who are neither entirely similar nor entirely different. Crucially, because we can see similarities between ourselves and others, we can conceive of the way in which certain of our behaviours may be viewed by them. That is, we may wish to constitute ourselves in a particular way – we may wish to appear like a hip-hop star, for example – we can view ourselves as the object of the future created by the adoption of the supplements – behaviour, dress, and so on – that would effect this transformation. We can conceive of the reaction of others similar to ourselves and *we* may choose to alter our aspirations for ourselves – we may normalize ourselves, we may homogenize our behaviour with that of others (behave as territorializing assemblages) every bit as much as we may choose to be different or deviant (behave as de-territorializing assemblages). The expectation of what others are like and how they will behave, as we have seen above, is known as 'typification'; altering our behaviour to fit in with these typifications is known as 'behaving to the generalized other'. However, neither the typifications nor the behaviour of those typified is fixed, they are negotiated in 'the situation' and what those typifications and behaviours are is altered by the 'definition of the situation' – a situation is 'defined' as one in which certain meanings are agreed upon, meaning that certain behaviours become normal or acceptable. The greater the power to define the situation, the greater the power to affect certain kinds of behaviour: the

more people who internalize those norms, the greater the scale and therefore power of that cultural assemblage to cause others to internalize those norms. The single individual turning up at the Royal Opera House dressed as a gorilla will be made (at least) to feel most uncomfortable by a large assemblage of people exhibiting the cultural affect that involves wearing a dinner jacket and black bow-tie to the opera. The larger, more durable assemblage is more able to define the situation as one where gorilla suits are not normal. The wearer of the gorilla suit should undergo homogenization; he should go and change into his penguin suit! Various qualities of assemblages are involved in complex ways, however, by and large, scale, density, slowness, practicedness – all contribute to domination of the definition of the situation. Behaviour to the generalized other promotes normalization and homogenization of meanings, styles, representations, and behaviours. Definition of the situation defines which meanings, styles, representations, and behaviours are acceptable, or normal and therefore, by extension, those which are unacceptable. The power to normalize thus tends to be self-replicating, giving rise to the situation that the power to normalize tends to increase the density of the assemblage increasing the power to normalize.

I use the locution 'tends to' because there is of course a flip side to this. He who is deviant performs a deviant act. This act of deviance, particularly if it is transgressive, is a *de*-territorializing event. Broken free from the constraints of the merely normal, the deviant may continue constructing new meanings and new expressions of his view of himself as an object of the future. At some time, his path will intersect with others who will see in him desirable aspects for their future selves and thus a new seed of a new assemblage or culture is formed. It will be apparent that this de-territorializing and new territorializing process is consistent with the formation of sub cultures (we are currently very concerned about the sub cultures we call gangs). Cultures are *sub*-cultures while they remain relatively small, heterogeneous, less dense, less practiced, short lived and so on.

Assemblage, culture, law

What is different from the normal is deviant; people who fail to internalize the norms defined in any situation are classed as deviant people. People who *choose* to be deviant in the full knowledge of that deviance are transgressive. The *production* of any norm axiomatically makes a deviant of anyone who contravenes that norm. The choice of which supplements to adopt in the process of becoming is dependent upon the history, present and the imagination of each individual. Some will

make choices that are made deviant because others have the capacity to – they *can* – define the situation as one where their norms are established over the choices of becoming of others. It is qualities belonging to the assemblage – culture, institution – such as scale, age, practicedness, density, and so on, that imbue that culture with the capacity to do this over others. The supplements that people choose in their acts of becoming – in their process of 'self consummation' – are not the product of *free* will but of will that must be conceived of outside notions of freedom or determination. Thus becoming deviant is not a matter of choice, nor of determination, it is a matter of the limits placed upon one's imagination in conceiving of oneself as an object of the future. It is furthermore a matter of the constraints placed upon choices – concerning style, behaviour, or meanings – thus made, by those with the power to define those choices as acceptable or otherwise through definition of the situation. Larger, more durable assemblages have greater capacities to define the situation. They have greater capacities to define the situation as one whose norms require the creation of legal definitions should they be breached. These are the cultures or institutions with the power to – that *can* – make law (criminalize). The complex, fluid nature of assemblages means that norms change. Each assemblage is an event with a certain duration. Each iteration of this event is unique. The nature of criminalization is to ossify in law what would otherwise be a fluid transgression of complex, fluid norms. Thus the law is necessary to 'fix' the concept crime. Hence, the concept crime *creates* law. Crime in this view is the inevitable effluent of assembling processes of cultures and institutions. It is a social taxonomical device that delineates us from them – the criminals from the law abiding. It thus promotes our ontological security as a member of the 'good' people's group.

What this means for criminology is that there are no acts that are inevitably crimes, there are no people who are inevitably criminal. Thus we cannot speak of the causes of crime; we may only speak of events that are seen as deviant. Some of these events will be codified in law as criminal. These events are not to be identified by any quality of rightness or wrongness, or any kind of social or psychological pathology, but merely by the power of the group doing the criminalizing. The power of these groups is emergent from the territorializing processes that intensify the durability and scale of the assemblage: processes that make meanings compossible. Some events that are harmful are normal and not criminalized for the same reason that the acting person belongs to an assemblage that is large enough, durable enough, practiced enough to establish that harmful behaviour as normal.

We may however, speak of circumstances that led to a particular event. We may rightly inquire into the background and current circumstances of the person involved in that event; that led him to choose a particular behaviour – to choose to attempt to adopt a particular supplement or extension to his existing self. We may ask, what in his circumstance or background made him want to be the kind of person who wears the gold chain which he stole. What are the constraints upon his choice of means to effect this change? What constraints and encouragements were there or are there upon his imagination which limit or promote a particular view of himself as an object of the future. We can ask these questions of any event, not just criminal or harmful ones. This means that the kind of criminal or harmful events that can be inquired into is similarly unlimited. Assemblage theory permits us to look at harmful acts that are neither deviant nor criminal. Thus it is not restricted by its identification of deviance as an object from viewing what has loosely been called white-collar, corporate, or organizational crime. Indeed, assemblage theory tells us how it is that harmful behaviour can continue, indeed become perfectly normal, and thus avoid criminalization. What criminology should investigate in addition to those factors that contribute to the individual motivation to behave in a particular way is the collective processes that tend to homogenize meanings and behaviour such that laws are generated and thus breached, or that norms are generated and some harmful acts thus not criminalized. What are the actual mechanisms that individuals use to enable them to define the situation as one where certain norms apply? Thus the object of criminological study is the body of processes, individual and collective that produce normalizing effects on behaviour or which bring about choices that deviate from those norms. It does not matter, in this view, whether an event is harmful or not. It does not matter whether a particular behaviour is a crime, nor whether it is deviant. What matters are the processes that define it as deviant or normal, and assemblage theory gives us a framework within which to conceive of those processes.

Thus the question is not what acts are criminal, but what processes lead to certain acts being codified as such. The question is not who can pin the label on whom, but how the label comes to have the meaning it does. The question is not why certain people breach social controls, but what the nature is of those controls, and what the processes are that establish them as such. The question is not why some people accept or reject cultural goals, but what the processes are that mean that some aspirations become acceptable and others not. The question is not what the nature is of discourses that construct people as certain kinds of

subject, or criminology as a certain kind of study, but what processes permit certain discourses to dominate. The question is not who has power and how he distributes it, but when does his power arise, because it is the origin of his power that governs the way he uses it. Power equates to *can*, and what he *can do* equates to the capacity of the assemblage from which his power emerges. Crime and criminalization are not concepts that are isolable in any essential way from other social concepts. We know that criminalization is not distributed in any way differently to the distribution of any other kind of 'bads' in society.

9
Change and Complexity

Introduction

Earlier in this book I suggested that social systems and structures are likely to exhibit non-reductive emergent properties and that this likelihood arises from the highly complex nature of the individual elements that pattern social interactions. I suggested, indeed, in line with Sawyer, that the very nature of the use of symbols means that the number of possible starting conditions for any interaction is, to all intents and purposes, infinite, and thus that any structures that emerge from the concatenation of those interactions are likely to be highly unpredictable in detail, although they may appear to exhibit a degree of predictability and stability on a large scale. This paradox that social phenomena appear to be highly unpredictable and reticulated at the micro level, and yet appear glassy and stable at the macro level must be examined if we are to make sense of how societies and institutions within those societies work. In Part II of this book I laid out a new conception of the bases of motivation and action and their relation to our intentional – directed – states of mind that enables us analytically to place our motivations to act within the past, present, and future of our environment. I suggested that we satisfy our will towards ourselves in performances that are enabled by the adoption of supplements, or extensions, to our existing selves. Of course, the degree to which that will is satisfied is contingent upon our power to bring off such performances, and I thus, at the beginning of Part III, reformulated a statement of the concept 'power' that is consistent with the notion of humans as 'extension wielding' creatures. I went onto outline the way in which that power serves to constrain our ability successfully to bring off our desired performances by conferring differentially upon actors the capacity to define the situation. I suggested that

among the extensions adopted by people are relationships with others. Assemblages of relationships may exist as nodes of concerted action, they may emerge from concatenations of actions that are related by their common definition of the situation or by behaviour to or deference to a common generalized other, and they thus exhibit significant normalising effects. These larger assemblages are what we tend to refer to when we talk about institutions, organizations, and structures. Structures or assemblages that tend to homogenize meanings we may label cultures (it is difficult to conceive of an assemblage of humans that does not do this). I have suggested that the larger and more practiced these assemblages are the more sticky, or durable they will be, and at a superficial level, this gives us a picture of the stability of societies. However, should this superficial picture be complete, we should have no account of how societies change, and, indeed, therefore, we should still have only a partial picture of their stability, since this stability is not static but a fluid equilibrium. It is in the contingency of this fluidity that eddies are set up that may grow into substantial changes. As recent observations in evolution studies have suggested, these highly complex fluid systems appear to be relatively stable for long periods of time, exhibiting short periods of near catastrophic change (*inter alia* Claussen et al. 1999.) It is a further aspect of the patterning of complex systems that the rhythm of these periods of stasis and change may cover the entire range of time and of scales of system and sub-system, creating a simultaneous appearance of stasis and turbulence depending on where, when, and at what level we look. It is beyond me, and beyond the scope of this thesis to make any concrete mathematical explanations of these mechanisms, however, I intend to illustrate some of the ways in which we might begin to use the insights of those working in the study of nonlinear or complex systems to understand some of the processes involved in processes of stasis and change in society.

The disparate field of complexity studies

For over a century now, social scientists have been keen to find ways of predicting social phenomena. For many reasons success in this endeavour has been elusive (Gregersen & Sailer 1993). This realization comes, not least from observations concerning the complexity of social systems and recognition that even computing power increased to its maximum possible limits cannot solve problems involving so many variables.[1] Hence, it is claimed that social systems are inherently unpredictable (ibid.). However, over the last quarter of a century, several new

perspectives have arisen in the physical and natural sciences that have exhibited purchase in describing such apparently unpredictable systems. These various areas of enquiry in the public eye tend to be grouped under the rubric 'Chaos Theory'. However, among those working in the field it goes under names such as 'nonlinear dynamic systems theory', or 'nonequilibrium thermodynamics', or 'dissipative structures', 'self-organization theory', 'catastrophe theory', 'self-organised criticality theory', 'antichaos' or 'chaos theory'. Mathews, White, & Long (1999) suggest that we should group all of these together under the title 'complexity sciences'. Each of the above names represents a different aspect of complex systems identified by those working under each epithet. Such diversity points to a lack of clear definition of the field, even in the natural sciences where it originated (Horgan 1995). This lack of cohesion is even more evident in the social sciences where complexity studies are referred to as 'the study of complex adaptive networks', or 'complex adaptive systems' (Stacey 1996). The central tenet of these fields of inquiry is that reductivist analyses of social and organizational systems are particularly ill-suited to making sense of these systems (ibid.). Mathews, White, & Long (1999) suggest that thus far 'chaos, and catastrophe theories, have been introduced into the [social] sciences, mainly as nonlinear methodological tools for use in the empirical analysis of data' (44). While it is undoubtedly true that these modes of analysis may open up new ways of analysing complex empirical data, De Greene (1996) argues that we should be missing something if we were to restrict our use of these tools to new ways of analysis rather than to completely rethink our understanding of the patterning of complex social systems.

> [These new insights should] act as perturbations and fluctuations, driving a restructuring of social science, and if they help generate new paradigm thinking, then the future can indeed be promising. If, however, the new theories function just as new tools (like a new form of regression analysis), then the social sciences may find that the exciting and challenging aspects of social reality have been usurped by the more dynamic, the more imaginative and the more adventuresome, and that traditional economics, sociology, political science, and so on, have become increasingly irrelevant.
>
> (De Greene 1996: 292)

Indeed, Puddifoot (2000) has argued that studies of complexity might serve as a catalyst for a re-examination of existing orthodoxies and major social science concepts, but that progress would be retarded by

the uncritical application of its terminology, concepts, and techniques of mathematical modelling, without this initial re-examination.

Even in the physical and natural sciences where the study of complex systems began there has not been developed a general integrated theoretical approach to what these insights might mean or concerning to what use they may be put (van Vliet 1994, Kauffman 1991). Furthermore, attempts to unify the field have met with problems of varying terminologies with origins within the various originating fields from which the different perspectives have emerged – dissipative structures from chemistry; chaos from meteorology, physics, and mathematics; complexity from Biology, and Chemistry; self-organized criticality from physics, and thermodynamics; and catastrophe from topological analysis, and mathematics – (Mathews, White, & Long 1999), and with a propensity to overemphasize either the evolutionary or the revolutionary aspects of change over the other (Kauffman & Oliva 1994). It is appropriate therefore that we look at the core assertions of four of these sub-fields and some possible implications.

Dissipative structures

The study of dissipative structures developed initially from the work in the field of nonequilibrium thermodynamics of Prigogine (Prigogine, Nicholis, & Babloyantz 1972a, 1972b; Prigogine & Allen 1982; Prigogine & Stengers 1984). This perspective focuses on systems in states of extreme instability but that exhibit tendency to self-reorganization. These systems exhibit properties that appear to contradict the second law of thermodynamics which states that the entropy[2] of a closed system will always increase to a maximum value (Carnot 1960 [1824]). A dissipative system (or dissipative structure) is an open system which is operating far from thermodynamic equilibrium within an environment with which it exchanges energy, matter, or entropy. A dissipative system is characterized by the spontaneous appearance of a complex, sometimes chaotic, structure.[3] This characteristic is illustrated by the appearance of Bérnard cells in liquids. If we imagine a body of liquid in a tank where the bottom is warmer than the top, the heat from the bottom will conduct to the cooler liquid until all the liquid is at the same temperature. This is the system's current entropic maximum. If we increase the temperature at the bottom of the tank by heating it, more conduction will occur until all the liquid is in equilibrium again. However, should we apply a large amount of energy to the bottom of the tank suddenly, the liquid will begin to convect in cells that rotate alternately

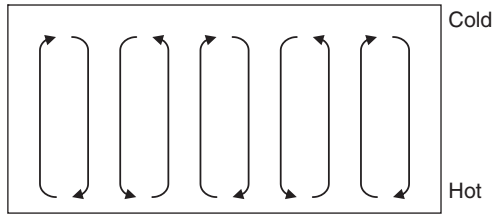

Figure 9.1 Bérnard cells.

in opposite directions to their neighbour cell (see Figure 9.1). In other words, the system exhibits greater order, it is less mixed up than the requirement for maximum entropy would require.

Even relatively large perturbations of the system will not change this pattern, even if the tank is stirred, the cells will re-emerge. Only should the liquid be allowed to anneal to a temperature where it is in equilibrium with its environment and thus cease to be dissipative, will the cells disappear. (The dissipative quality of this system is the energy *dissipated* into the air from the top of the fluid.)

The point here is that non-equilibrium thermodynamics and the study of dissipative structures suggest that complex systems exhibit the capacity for self-organising behaviour through the principle of 'order through fluctuation' (Jantsch 1975, 1980). We might say, in the language of our discussion in Chapter 1 that a new order has *emerged* in the system. These systems are further characterized by possessing many degrees of freedom and by being open to the input of energy, information, and matter. These qualities are typical of many social structures, institutions, and organizations. Dissipation may be seen as being provided by external control through larger organizations or scrutiny from government, NGOs, or the public through the media for example, the large number of degrees of freedom by the sheer complexity of human interactions, and the inflow of information through edicts, training, research, and so on. Indeed, within an organization, we might suggest that the term 'organization' itself is indicative of a dissipative structure: self-organized patterns emerge within it. We might further suggest that should the system exhibit maximum entropy, all the members of the organization would operate as if unrelated to any other – they would all be running about like headless chickens. We might like to imagine Bérnard's cells as being rather like the formation of organizational groups such as sub-committees or task forces or teams that are more or less discrete but related to one another in complex ways.

We might otherwise view them as being like nodes of concerted action or nodes of concerted belief the like of which we perceive when we view normalising structures or cultures for example, or like territorializing assemblages. While an understanding of Bérnard cells gives us no indication of how such nodes might emerge in social systems, it provides a model of such emergence in the natural world which we can use analogously to describe the emergence of properties in social systems that have no relationship to any of the properties of the individual elements of that system. The processes of social control and conformity that are inherent in behaviour to the generalized other, I would suggest, are analogous to the formation of such nodes in dissipative systems, where significant numbers of people interact in concerted and complex ways as occurs in a prison for example, the pressure to behave to the generalized other will produce nodes of similar aspirations, and similar behaviour: normalized behaviour. Refusal to conform and the production of new definitions of the situation through refusal to negotiate will provide new nodes around which conformity to a new generalized other can coalesce, producing what has in the past been termed subcultures (see Cloward & Ohlin 1960).

Catastrophe theory

Like the study of dissipative structures, Catastrophe Theory concentrates on drastic revolutionary (as over against evolutionary) behaviour in a system. Following from the work of Thom (1975) it attempts mathematically to describe novel system behaviour in terms of continuous stimuli. That is, how systems exhibit radically new states despite zero or minor changes in input (Gregory-Allen & Henderson 1991). More than in the case of the study of dissipative structures, this approach concentrates on mathematical modelling (Vendrik 1993, Kauffman & Oliva 1994) and hence its language is overtly mathematical and beyond the scope of this thesis. Nonetheless, we can state that the perspective is concerned with systems where continuous forces lead to abrupt, radical changes in the state of behaviour of the system. Perhaps the most common physical manifestations of such systems are landslides and avalanches. Sometimes given (Lorenz 1993) is the example of a pile of sand whose surface continually slides and breaks away in what appears random ways despite the continuous flow of sand to its apex. This perspective has resonances with a particularly apposite phenomenon for penological study. This is the phenomenon of prison riots. As Carrabine (2004) points out, the system at Strangeways prison was one that we might suggest was in

relative equilibrium before the riot of 1990. Furthermore, there was no one single unusual input to the system that we would say 'caused' the catastrophic outcome in April of that year. However, I would suggest that mathematical modelling of such a system is at best a long way off and, indeed, following from the understandings concerning the limits of computational power gained from consideration of the Travelling Salesman Problem, perhaps never achievable. Nonetheless, the behaviours described in catastrophe theory may analogously give us insights into the sudden and unpredictable revolution in steadily evolving systems – how a slow, sticky, and dense assemblage may change from territorializing tendencies to de-territorializing ones like the onset of deviance for example.

Chaos theory

The term is the preferred designation in commonsense language for the entire field of complexity studies following the popularization of the field through the work of Gleich (1987). However, technically the term Chaos Theory refers to attempts to describe systems that appear chaotic despite having only internal elements that are entirely deterministic (Ott 2002). That is, the system appears to be random despite its variables having no unknown or random properties. Hence, in theory the system ought to be predictable, however, in practice it is not. The question facing chaos theorists therefore is this, 'How can a deterministic system, governed by fixed rules that do not themselves involve any elements of chance, generate such random looking behaviour?' (Butler 1989, Hanson 1991) Classic examples of chaotic systems are the weather, economics, or the movement of fluids.

Such deterministic chaotic systems are defined by Kaplan and Glass (1995) as 'aperiodic bounded dynamics in a deterministic system with sensitive dependence on initial conditions' (27). The first condition, aperiodicity, means that no system state is ever repeated. This means that it is totally unpredictable and the behaviour of the system appears random. The second condition of boundedness refers to an apparent limit to the range of behaviours, that is, the behaviour of the system, while looking random, exhibits an apparent finite range within which each iteration must fall. The third condition means that the system is deterministic refers to the rule-bound qualities of the interactions of the systems elements. That is that the individual behaviours of the individual elements are known from rules that have no random or stochastic terms. The fourth condition, sensitivity to initial conditions, means

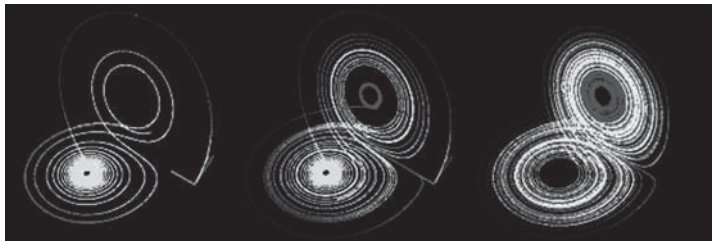

Figure 9.2 These three images are of the development of the Lorenz attractor at three different times. There are two trajectories displayed, one in gray and another which is drawn over it in white. The starting points for the two trajectories differ by only 10^{-5} units on the *x*-axis such that after t1 the two trajectories are virtually identical – we can see only the white trajectory as it is written over the gray one. However, despite such a small difference in starting point, it is clear that after t2 and then t3 that the iterations – the gray and the white – begin to diverge markedly. Nonetheless, however, much the various trajectories differ, in the Lorenz attractor, they always appear in this form of two disks set at an angle to one another.

that these systems exhibit behaviours that are radically different from one another when they have starting conditions that are very nearly identical (see Figure 9.2). This fourth condition of chaotic systems is commonly referred to as the butterfly effect.[4] As with systems such as the Lorenz attractor, some chaotic systems appear to exhibit identical behaviour over significant periods of time only to bifurcate, producing radically different end conditions – the motion of some planets exhibit this kind of behaviour (Lorenz 1993).

This condition of chaotic systems means that in the absence of infinite precision in the measurement of initial conditions, long-term predictability is likely to be theoretically and practically impossible (Mathews, White, & Long 1999). The implications of this to social science are unclear. Some, (Kiel & Elliott 1996 for example) suggest that some short-term prediction may be possible, particularly in systems that exhibit a period of more or less replicable behaviour prior to later bifurcations such as systems that behave like the Lorenz attractor. However, it is a primary condition of such systems that they are constituted by relationships that are themselves entirely rule bound and predictable. Thus it is my contention that chaotic systems cannot be models for social systems because we do not know of any such predictable behaviours from which we could map social systems that conform to this condition. A further aspect of chaotic systems is this; the further into the future

attempts are made to predict the outcome of a system, the quantity of information required about its starting conditions increases exponentially (Mathews, White, & Long 1999). Furthermore the possibility of gaining such knowledge diminishes exponentially. We might consider stirring a spoon of cream into some soup. When we stir the cream gently into the surface of the soup we see a spiral develop – a relatively simple shape. However, should we try to retrace our stirring motion and un-stir the spiral, we will find that no matter how hard we try, we cannot retrace our movements back to the original point – the cream, far from returning to a neat blob, becomes more and more complexly distributed through the soup. This is because the level of complexity in the system, even during its passage from blob to simple spiral, increases exponentially during the period of its development such that we can no longer know much of certainty about its starting conditions.[5] Thus, even if there were to be simple social actions that we could describe in terms of known non-random rules, we could not know what were the starting conditions from which to calculate our predictions. In consequence, McCleary, Crepeau, & Dallaire (1996: 223) argue that the impact of chaos theory in social science is minimal and that 'chaos type models are not well suited to the problems of modelling economies, societies, and polities'.

Self-organized criticality

While the aspects of complexity covered above – dissipative structures, catastrophe theory, and chaos theory – all deal with systems exhibiting radical change and discontinuity, attempts to describe the phenomenon 'self organized criticality' (see Jensen (2000) for example) focus on a related but different aspect of complex systems. The question for researchers in this field is this; 'Why and how, given the potential for radical discontinuities in system behaviour, do some systems seem to evolve away from the extremes of complete order, inertia and stasis on the one hand and complete randomness on the other?'

> [The task is to] demonstrate numerically that dynamical systems with extended spatial degrees of freedom in two or three dimensions naturally evolve into self-organised critical states. By self-organised we mean that the system naturally evolves to the state without detailed specifications of the initial conditions (i.e. the critical state is an attractor[6] of the system).
>
> (Bak, Tang, & Wiesenfield 1988: 365)

Bak and Chen (1991) contend that this feature of self-organized systems – that they are not sensitive to initial conditions, and that the degree of uncertainty in a system is only small in comparison to systems belonging to the foregoing three types – suggests that they exhibit what might be termed 'weak chaos'. They further suggest that such systems may be common in nature and in social systems. Evidence of such systems has been found in the study of earthquakes (Bak & Tang 1989; Sornette & Sornette 1989), forest fires (Bak, Chen, & Tang 1990), economic markets (Bak & Chen 1991), psychology (Barton 1994), and criminology (Williams 1999, see also Milovanovic (1997)).

As with catastrophe theory, an archetype for the theory is a pile of sand. As the grains pile up, the pile grows, particularly, the steepness of the sides increases to a critical point where the sides slip down and the pitch of the slope is reduced. This process continues over and over. The only significant change is the size of the pile, which keeps growing. A particular feature of self-organized systems is that no knowledge of the individual mechanisms is needed, systems are sufficiently regular for predictions to be made without such knowledge. For example, we do not have to be able to map the highly complex trajectories of individual grains of sand in order to know that the sides will keep slipping down.

In the system illustrated by the constantly collapsing pile of sand, the active variables are the rate of pouring of the sand, the effective friction between grains of sand, and gravity. In complex interrelated systems, however, a system variable might be the outcome of another self-organising system. For example, a simple feedback loop could be generated that reduced the flow of sand as the steepness of the sides of the pile increased. If that feedback were adjusted properly, the flow of sand could be made to stop just before the surface broke away producing an indefinitely stable pile. However, should there be a delay in the feedback, the sides of the pile would break away before the flow of sand stopped. If a second feedback was instigated that increased the flow of sand should the slope flatten off, then we should have two interrelated systems producing a regular fluctuation in the pitch of the sides of the pile. This resulting system would be in a state of constant flux at one level, but display overall stability at another, in that its iterative behaviour would continue undisturbed.

Carceral clawback

While not identifying it as such, Pat Carlen describes just such a complex feedback system in her account of the processes of the penal crisis

in the UK (Carlen 2003). Carlen discusses three initiating modes of prison reform – scandal driven reform, prison legitimating reform and principled reform – and illustrates the modes of 'carceral clawback' instigated by each. In the first, 'scandal driven reform', Carlen suggests that certain features of, or events within a prison or prison system provoke public outcry and calls for prison reform. This may, in the short term at least, even involve reduced public punitiveness. Carlen's example is of HM Institution Cornton Vale, Scotland's only prison for women. Here, between June 1995 and December 1997 there was a spate of suicides that led to public outcry, an official enquiry, and eventually to fundamental changes in the prison. The objective of the changes was to overhaul the organizational structure of the prison which was blamed for the scandal. There was realistic funding of rapid change, increased delegation within the regime, an acceptance of past failure and urgency in implementing reform. Reforms of this nature are sustained while ever the memory of the scandal is fresh, and if regime reforms are accompanied by sentencing reforms, then population growth is curtailed and principled reform flourishes within the system. The reforms fail to be sustained, however, as memory of the initial incident fades and public awareness begins to shift towards the costs of reform. Thus the reforms are sustainable initially when government's perception of risk to itself from diminishing legitimacy of its carceral system prompt reform, but the diminution of that risk over time permits a resurgence of discourses of 'value', consequent increased population density and the attendant concerns about security that inevitably follows an increase in prison population and thus a resurgence of the problem that sparked off the initial concern. We might suggest that the system possesses dissipative qualities in that it is required to be responsive to public mood. These dissipative qualities serve to damp the processes of reform permitting the system to return to its critical state. The critical state for the system – moderate overcrowding – is the primary attractor of the system: it self-organizes towards its critical state.

Carlen's second initiating mode of prison reform is 'prison-legitimating reform'. In this mode, sustained criticism over a substantial period concerning many aspects of imprisonment by 'a powerful coalition of official and campaigning organizations' results in official attempts to reassert the legitimacy of the prison as a mode of punishment. In women's prisons this occurred in attempts to reform an area of imprisonment where the public, in virtue of their view of women as less serious criminals and of women's roles as carers in families for example, was likely to be less punitive than if such reforms were to be proposed

in men's prisons. The reform cited by Carlen (2003) was the setting up, in England, of the Prison Service's Women's Policy Group. This was achieved with strong centralized control of funding and assessment criteria, but without any fundamental changes in authority structures within the prison or the prison service. The strategy used to attempt to re-legitimate the system included imputing to the characteristics of prisoners the responsibility for the original flaws in the system, that is, the system has problems because of the officially defined criminogenic backgrounds of prisoners in England. In Canada, the supposed cause was the women's failure to empower themselves (Carlen 2003: 10).

The reforms were unsustainable because there was a failure to accompany them with a reduction in the prison population density. Thus, the implication that the reform was in itself sufficient to reduce recidivism renewed sentencers' faith in imprisonment as an efficacious tool of deterrence with consequent rise in prison population density. Moreover, the centralized control of funding and setting of success criteria inhibited and discouraged innovation. Carceral clawback occurred as 'the centre [tried] to balance reforming consequences against continuing public demands for punitiveness and inappropriate managerialist measures of quality control' (ibid.). The result was that as a result of the consequent overcrowding, security measures had to be stiffened and the problem which originally needed solving returned. Once again, the critical state of the system is approached and passed such that calls for reform are more audible than punitive voices. Reforms are implemented and calls for more punitive sentences begin to be more audible than those of the reformers, in this case because the reforms were not adequately implemented. The system returns to oscillate closely around its critical state of moderate overcrowding.

Carlen's third initiating mode of reform is 'principled reform'. In this mode of initiating reform, a set of coherent principles in relation to certain fundamental principles, such as gender specific needs; treatment of prisoners as citizens; a view of the institution as a caring unit (Cornton Vale); a view of institutions as empowering, women centred or healing institutions (Canadian Federal Prisons for Women); or the provision of women centred groupwork non-custodial programmes (Hereford and Worcester Probation Service; Women at Risk programme in North Carolina), lead to the implementation of structures and practices that will permit the manifestation of such ideals within the system. These new structures and practices are, in carceral institutions, similar to those of scandal-driven reform, that is, rapid targeting of funds, greater delegation of imaginative authority from the centre to on-site management,

a willingness to accept past failure and a desire to see reforms through. Such reform in non-custodial projects is characterized by evolutionary, flexible client-centred organization; holism with regard to interagency working; a realistic approach to drug rehabilitation – addicts are given as many attempts as it takes – a resistance to erosion of gender specificity, and decisions made on the basis that even offenders are also human beings.

Such reforms are sustainable in jurisdictions where there is a provision of non-custodial programmes but not where provision is only custodial due to the perception of heightened security needs. Where non-custodial programmes are concerned, there has been success in limiting carceral clawback through statements of the issues of principle. However in highly centralized jurisdictions, such as the UK, where governments are concerned with the legitimacy of the carceral programme, principled reform is likely to fail through lack of central funds or through managerialist interference. Furthermore, it was pointed out to Carlen that in some US states, the corrections departments were such massive employers that even though the non-custodial programmes were more effective and cheaper, they might fail because of resistance to creating unemployment among prison staff. Here once again, under the influence of variables that are themselves the outcome of complex interrelated systems (unemployment for example) the population density of the prison returns to oscillate close to its critical condition: it fluctuates around its attractor. We might further say that the attractor is an *emergent* property of the system as it is not a property of any of the individual elements of the system.

Conclusion

In this chapter I began by suggesting that what I have laid out in previous chapters gave us no account of processes of stasis or change in societies or institutions, and suggested that insights gained from the study of complex systems may be of use in making sense of these phenomena. I then gave an overview of the field of the study of complex systems. I followed by looking at four specific areas within the field of complexity studies, dissipative structures, catastrophe, chaos, and self-organising criticality. I suggested that only one of these – chaos theory – was unlikely to provide any insights into the processes of change in complex human systems, and that the reason for that failure was that a condition of a chaotic system is that the relationships between its constructing elements must be knowable by prediction or stochastic

tools. In line with my contention and that of others in Chapter 1 of this book and *passim* that such knowledge of human behaviour is not possible or highly unlikely, chaotic behaviour is unlikely to be evident in social systems. However, I suggested that dissipative systems, catastrophic behaviour, and self-organising criticality are highly likely to be evident in social systems, and I gave examples of possible instances of such behaviour in prison systems.

The behaviour of these complex systems tends towards an attractor. That is to say that there is a state of the system towards which the system in its normal state may advance asymptotically or may oscillate around within close proximity. I suggested that population density in prisons is part of a system that has as its primary attractor the critical state of moderate overcrowding. When the critical point is passed, reform voices are heard, when reforms take place and the population density drops, punitive voices are heard and the population rises again to its critical moderately overcrowded state. I suggested that on occasion, systems like the one at Strangeways may behave in catastrophic ways, such that radical change occurs with little change in input. We might also suggest that such catastrophic events are but large oscillations within much greater self-organising systems. Such a conclusion would be drawn if, for example, little had changed at Strangeways. In addition, I showed that dissipative structures exhibit self-organising behaviour. In systems such as this, far from equilibrium behaviour is witnessed and the system's required state of maximum entropy fails to materialize. I suggested that this might be analogous to the emergence of nodes of concerted behaviour or belief in human systems. Dissipative structures, then, might suggest analogies with the organization of societies into groups, structures, systems, cultures, or other such nodes of concerted action or thought. Catastrophic systems might provide an analogy for change and self-organising criticality, an analogy for the immense durability and apparent stasis of complex human systems. Nonetheless, it will be apparent from such analogies that relative change and relative stasis in complex human systems occurs at all levels simultaneously producing the glassy appearance of societies at the macro level while permitting a seething reticulated mass of change at the micro level, that is, how we come to perceive large quantities of change in our daily lives, but at the global level of human societies, it appears almost impossible to implement change.

If we return to the image of Bérnard cells, we might suggest that they are nodes of motion within the fluid. We might also suggest that institutions, societal structures, and organizations, are nodes of more or less

concerted action. Furthermore, we might say that cultures represent nodes of concerted meaning. The conception of human behaviour as constrained will provides us with a way of conceiving of these nodes. An actor has a view of himself as an assemblage of all his previously adopted supplements or extensions, he perceives some lack existing between that and what he might wish to be and chooses, cognitively or practically, an extension that will satisfy that lack. That extension is to be adopted as a supplement to his performance in the situation where his performance is to take place. That is, he attempts to present himself as consummate in a social situation. However, acceptable behaviours and the supplements that constitute them are negotiable in the situation, and the actor with the greater power to define the situation is able, more or less, to control the supplements that are adopted. The process of definition of the situation and behaviour to the generalized other changes the actors' typifications of one another. These changed typifications are then transferred, *more or less* in tact to the opening of other negotiations in other situations. Thus, typifications, meanings and behaviours have a strong tendency to coalesce like nodes in a self organizing system. The nodes have a tendency to increase in density. The more dense the node, the more powerful those who adopt membership of that node as an extension in their performances and thus, the more power they have to bend the typifications of others towards those of that node. This is how cultures, institutions, structural properties and societies coalesce. They self-organize into more regular patterns – nodes – than the requirement for maximum entropy would permit. These structures, cultures and organizations are not reducible to their internal elements, they, *emerge*, new properties, from the complex interaction of actors, and their negotiation and exchange of meanings.

But these nodes are not like a black hole, reaching a critical mass which draws all other cultures towards its event horizon. Negotiations don't always go as planned. Some actors negotiating typifications and definitions of the situation are placed in a position where the supplements that they wish to bring to the negotiation are deemed unacceptable as behaviours by other actors whose power to define the situation far exceeds that of the first. In this circumstance, the weaker negotiator may choose to adopt a supplement that is entirely outside the bounds of that negotiation, or of behaviours that are acceptable within that culture, institution or other kind of node of concerted meaning or behaviour. That is, the prison inmate might pick up a chair and break it. In the outside world it might mean wearing a hoodie, getting a tattoo, or a piercing. These behaviours are seen as threatening to members of the

dominant node. The breakaway behaviour is catastrophic in the complex sense. The wearer of the hoodie has a view of himself as an object of the future that is not permitted by the standard typifications to be found within the node of concerted meaning represented by that culture, or society, or institution. Others similarly disenchanted with the repertoire of behaviours, meanings, and typifications available in the dominant culture will coalesce in just the same way that the dominant node coalesced, until the leaders of that dominant collectivity makes use of its coercive powers to impose sanctions on the subculture through law, like ASBOs for example. This is in line with the view that sees corrective strategies applying to structures that exhibit some form of critical (or perceived threat of critical) imbalance or instability, bringing the system dynamic back to oscillate within the narrow range of behaviour around a critical limit.

Thus, we might suggest, from this picture, that societies exhibit self-organized critical behaviour in the self-organized formation of nodes of concerted behaviour and meaning that are institutions, cultures, and laws. However, these are not stable because of the tendency towards catastrophic breakaway behaviour inherent in the internal inequalities of the distribution of power – that coalition into nodes produces – when it comes into conflict with an actor's will to self-consummation.

The tendency to self-organize into nodes produces weaker, but significant nodes or subcultures that aggregate to a critical mass that is perceived by the dominant collectivity to be critical or threatening. The dominant collectivity then suppresses the weaker collectivity in law, imposing its will to self consummation by its greater power to constrain the will of the actors bound into the weaker collectivity, causing the larger structure to return to oscillate around its attractor, critical point, or norm. Thus societies and institutions are simultaneously in a state of relative stasis and change, exhibiting a reticulated or a glassy appearance depending where, when, or at what level we look.

Notes

Introduction

1. I should like to take a moment to say that I am not happy with the systematic metaphor and that I will not use it unless forced in the main body of the book; however, it is appropriate to use it here as it is a modern metaphor and it is a metaphor that has meaning for many readers. In modern thought all entities may be seen as systems; for example, all atoms are systems of sub atomic particles – it is conventional to see societies as systems of individuals (functionalism).

1 Theory as Productive of Certainty: Teleology, Cause, Reason, and Emancipation

1. I shall adopt this term in Part II of this book when I discuss the nature of will.
2. This observation was made to me by Professor Ronnie Lippens.
3. Liska and Reid note that not only is the argument concerning the nature of criminal behaviour in relation to social control tautological, in that criminal behaviour is defined by Gottfredson and Hirschi as being that behaviour that occurs without the bounds of social control and that lack of social control is seen tautologically to be the *cause* of criminal behaviour, but also that the causal structure of the social bond that reinforces control is bipolar. That is, that it is not clear whether poor school attachment is the cause or the effect of delinquency.
4. Hobbes, in *De Corpore* Part II Chapter X (1994a [1652]) points out that the existing view of the time is that 'the essence of a thing is the cause thereof, *as to be rational is the cause of man*'. Hobbes is keen to distance himself from this view. Speaking of the metaphysicians like Bacon and Hume, Hobbes says,

> From these metaphysics, which are mingled with the Scripture to make School divinity, we are told there be in the world certain essences separated from bodies, which they call abstract essences, and substantial forms; for the interpreting of which jargon, there is need of somewhat more than ordinary attention in this place . . . The world . . . is corporeal, that is to say, body; and hath the dimensions of magnitude, namely, length, breadth, and depth: also every part of body is likewise body, and hath the like dimensions; and consequently every part of the universe is body, and that which is not body is no part of the universe: and because the universe is all that which is, no part of it is nothing, and consequently nowhere.
>
> (Leviathan Chapter 46 § 15 1994b [1651])

However, despite this Hobbes continued to maintain that essences were the cause of knowledge. '[K]nowledge of the *essence* of any-thing, is the cause of the knowledge of the thing itself; for, if I first know that a thing is *rational*, I know from thence, that the same is *man*' Hobbes *De Corpore* Part II Chapter X (1994a [1652]).
5. Hence positivism.
6. See for example Lippens (2006a, 2006b).
7. It should be noted that 'rational choice theory' is also tautological in that what constitutes a rational end is ascertained by assessing whether it is attained by rational actions, and rational actions are defined as those actions that give rise to rational ends: Oh dear!
8. It is worthy of note that Origin of Species' key assertion concerning the distribution and survival of species is also tautological – 'Someone asked how we determine who are the fittest. The answer came back that we determine this by the test of survival; there is no other criterion. But this means that a species survives because it is the fittest and is the fittest because it survives, which is circular reasoning and equivalent to saying that whatever is, is fit. The gist is that some survive and some die, but we knew this at the onset. Nothing has been explained' (Macbeth 1974: 47).
9. This is close to Merleau-Ponty's view that perception requires a consciousness of the world related to one's goals and aspirations, and as such it is not related to attempts to express it in terms of 'objective' representations. That is, our representation of the world to ourselves is independent of any 'actual' reality of the world (Merleau-Ponty 1962). Similar views are to be found throughout the work of writers whose work is in the phenomenological tradition that stems from Husserl.

2 Theory as Causal Explanation

1. See Bergson (1965) and Deleuze (1994b [1968]).
2. Richard Quinney (1970) and Leslie Wilkins (1970) are among a small number of criminologists for whom the search for the cause of crime is a futile task. It is frequently claimed by those working in the rational choice tradition or on 'situational crime prevention' that the cases of crime are not of interest, but, of course, what such criminologists are actually saying is not that knowledge of the causes of crime is of no use, but that they and they alone know (actually, assume knowledge of) the causes of crime, and thus they do not need to investigate it. For them, crime is caused by flaws in human nature and a lack of adequate controls upon that nature.
3. I use the term in its technical sense.

3 The Nature of Theory

1. The metatheoretical process that is preparatory to production of new theory, Ritzer's second category.
2. 'If I have seen a little further it is by standing on the shoulders of Giants.' Sir Isaac Newton in a letter to Robert Hooke, 6 February 1676.

3. If theory is representational of anything it can only be representational of our phenomenal states of mind – that is it can only *refer* to our *mediated presentation* of things to ourselves.
4. I use the word perfection here as a verb not as a noun – that is perfection as process not as state of being.
5. See the section on Deleuzoguattarian concepts below.
6. We experience the state of mind it is something like to perceive a car. This is in essence the phenomenological account of perception. Its origins in this form are founded on Nagel's (1974) statement that 'the fact that an organism has conscious experience *at all* means, basically, that there is something it is like to *be* that organism . . . an organism has conscious mental states if and only if there is something that it is to *be* that organism – something it is like *for* the organism.' (Nagel 1974: 135) So we might ask, 'What is it like to be the queen?' answer, 'it is like X to be the queen', thus we would say, there is something, 'X', it is like to be the queen. To extend this we might ask what it is like to perceive a car, well, there is something 'Y' it is like to perceive a car, and we experience that something when we see a car.
7. This locution 'over against' is used as a technical device to mean 'in opposition to', but specifically it is used to avoid 'in opposition to' meaning 'opposite to'.
8. For an effect to produce its cause would require a reversal of time – effects cannot cause causes. This is an equivalent statement to that in the second law of thermodynamics which states that energy always flows from a hot body to a cold one over time (time's arrow). It is impossible to reverse either process because of the irreversibility of time. It is the defining characteristic of time that its irreversibility is responsible for all other cases of irreversibility. Time is not some kind of 'stuff' out there, it is a concept. Time is the concept that brackets issues concerning the irreversibility of causes. When we use the concept, we know what we mean without having to invoke the second law of thermodynamics.
9. The notion that theories of macro-social phenomena, such as organizations, institutions or societies, are reducible to – are explicable by – mere concatenation of micro-social phenomena such as day to day interactions between individuals. It is analogous to scientific reductionism where all sciences are said to reduce to physics by stages.
10. Crime is 'behaviour which is prohibited by the criminal code' (Michael & Adler 1933: 5).
11. Plato was forced to conclude that tables would have 'tableness' as their ultimate defining attribute: chairs 'chairness', trees 'treeness', etc.
12. To say that a property is emergent is to say that it is not reducible to any aspects of its components, moreover, it is greater than the sum of its parts (Laughlin 2005).
13. I mean to speak specifically of essences.
14. This view should be taken as being over against the commonsense view that concepts are signifiers for a particular genus or class of objects.
15. '[E]vents might be characterised . . . in terms consonant with the Stoic concept *lekta*: as incorporeal transformations that subsist over and above the spatio-temporal world, but are expressible in language nonetheless' (Stagol 2005: 87).

16. Hæcceity: thisness.
17. Reading across the grain is Derrida's method of very careful 'misreading' of the texts of canonical philosophers to render subtle, imaginative, and meaningful interpretations of their work.
18. Open to objection.
19. Short presents a picture of criminological investigation that exists at several discrete levels – micro, individual, macro, and some subdivisions of these. However, examinations of effects and causes at any particular level are taken to be explanatory at that level alone. Moreover, in his subdivision of levels there is no recognition that such subdivision must of necessity be either arbitrary or infinite, and if it is the latter then – and this is the nature of infinity – the distinction of the levels must be infinitesimal and thus tend to zero. Consequently such distinction between levels must tend towards imperceptibility and thus incomprehensibility.
20. I should point out here that it is my belief that this view of Bhaskar's is not really talking about emergence. What is being described is mere downward causation, and as we will see later in the chapter, it has been claimed that mere downward causation is insufficient adequately to establish the existence of true emergence or of non-reductive systems.
21. A natural kind term refers to a group of objects that have a theoretically significant property in common. Thus watches are of a natural kind, whereas the contents of my desk drawers are not, since there is nothing linking those objects except that they are located in my desk. Thus natural kinds are a system for classifying objects and as such are a useful concept in the philosophy of science.
22. I do not mean to be too rigorous here.
23. Some writers use the term subvening here in a non-technical way.
24. Durkheim argues that if the distinctive condition for the emergence of social phenomena consists in the fact of association, then social phenomena must vary according to how a society's internal elements are associated. Durkheim called this the *inner environment* of a society, and proposed the rule: *The primary origin of social processes of any importance must be sought in the constitution of the inner social environment* (1982: 138) The arguments presented in support of this rule largely reproduce the discussion of 'social volume' and 'dynamic density' found in Book Two of *The Division of Labour* (Durkheim 1997). Individuals are not the only 'constituent elements' of this environment, they include both material and non-material objects (e.g. literature, art, law, custom, etc.) which also influence the direction and rapidity of social evolution.

4 Agency and Will

1. All events and states are new [novel] at the time they occur, because they have all previous events and states in their past, and nothing that is prior to the current event can have *all* the events in its past that the current event has. Tuesday has Monday and Sunday in its past, Monday only has Sunday. As Bergson says, 'no two moments are identical in a conscious being' (Bergson

1965:164). Heidegger discusses this point in *The Metaphysical Foundations of Logic*, 1984.
2. See O'Connor (2000), or Clarke (2005), for example.

5 Being and Becoming

1. Referring to chaotic or passive change in a continuing (continuous) systems (or objects). Aristotle (1986) for example illustrates this by reference to the persistence of bronze should it be cast and recast in different forms. The change in the form in which it is cast is not contingent upon the existence of the bronze *qua* bronze, in this regard the bronze is passive or undetermined (chaotic) its change is the result of unrelated outside processes. Thus the description of change in societies as being hylomorphic refers to them being passive or chaotic processes of change.
2. This is not in any way to suggest that concepts of power are constrained to evidence of the outcomes of its exercise.
3. See the Heideggerian critique of this position below.
4. Keen to eradicate all false reasoning from his thought, Descartes systematically rejects everything that it is possible for him to doubt, until he is left with the one thing that he cannot deny: that he is thinking.
5. Heidegger is keen, in Procrustean fashion, to fit all philosophers since Descartes into the same framework (or bed). Kant, for example, does not consider minds some kind of 'stuff' that is logically isolated from the world or from our bodies, since objects can only be perceived in circumstances of our own making. Nonetheless, Heidegger paints Kant as a Cartesian (Heidegger 1996: 248), since his objects remain the static objects of Newtonian physics rather than the transient objects in time of Heidegger's world.
6. See in particular p. 1 of 1996.
7. This term is used by Heidegger in his marginalia that do not appear in English translations. Since translation from German is beyond my competence, I rely on accounts of the marginal notes from Dreyfus (1997).
8. This comes from William James (1967 [1912]) via Husserl (1976 [1913]) who was Heidegger's mentor. James summarized his view thus, 'To be radical, an empiricism must neither admit into its constructions any element that is not directly experienced, nor exclude from them any element that is directly experienced.' James (1912: 42). This is part of the essence of Pragmatism which is the foundation, along with Dewey, of Mead's conception of the self as that which is an object to itself.
9. Da-sein – there-being.
10. For Kant the *a priori* of the transcendental subject provides the boundary of human empirical experience and thus of what we can think about. It provides the limit to what the subject of the *cogito* can represent to itself as *res extensa*. For Husserl rather than representing to ourselves some real object or other, we actively constitute that object. However, we can only constitute objects that are meaningful to us, and we can only constitute those objects that are coherent (*compossible*). This coherence has the property that it is constituted by the *a priori* laws that are the essence of the transcendental

subject. Thus, rather than any correspondence to reality providing the limit to objects that we can constitute as in Kant (from Descartes), the transcendental subject is the unifying *a priori* that sets the limit to what objects we can constitute as coherent and meaningful.

11. McQuarrie and Robinson (Heidegger 1996: 72) render 'proximally' here.
12. The sociological term of art for Dasein's 'in-the-world-ness' would be 'situated'. It should be noted that neither 'The situation' nor 'Being-in-the-world' are situated in a topological sense, but in the social sense: their location is not geographic but in the world of humans.
13. Kierkegaard was concerned with the increasing pervasiveness of the Danish Church, Nietzsche with herd behaviour, Derrida, and Deleuze (1977 in particular) with the centralizing tendencies of capitalism.
14. man selbst (notations of the original German in the footnotes are from Macquarrie and Robinson's translation. I consider it unlikely that such references are necessary for the reader of this text. However where they have felt that insertion of the original in the text clarifies its reading I have respected that decision and thus I have chosen to locate them in the footnotes).
15. einige.
16. das Man.
17. das Man. In German, *Man* is an indefinite pronoun, it renders in English as 'they' or 'one' thus we would find it in phrases such as 'they do x' or 'they say y' but also as in 'one does x' or 'one says y'; however, in the Macquarrie and Robinson translation we have rendered only 'the they'. When we use 'one does x' in English it carries an implied presumption, there is an implicit 'should', further, that presumption is impersonal: no one in particular has made that presumption. Moreover, 'one' belongs 'they' do not. When we use the form 'they do x' we lose both the presumption, belonging, and its impersonal nature: 'they' means specifically, those other than myself; Heidegger is explicit this is not what he means. I choose to make *explicit* the distinction absent in McQuarrie and Robinson between 'one' and 'they' where the distinction is *implicit* in their translation. Justification, I believe, is evident in Heidegger, as outlined above.
18. Auch-da-sein.
19. This, of course bears great similarity to 'Behaviour towards the generalized other' in Mead 1967.
20. See also the discussion of Robert Brandom's paper below.
21. Botmässigkeit.
22. Nicht es selbst *ist*.
23. It will be evident that this has resonances with Giddens' 'Practical Consciousness', people have inherent knowledge about what it is to 'go on' in everyday existence without recourse to cognitive or discursive states of mind – they do not make 'decisions'.
24. das Man-selbst. The inclusion of the hyphen distinguishes this phrase from 'das Man selbst' which Macquarrie and Robinson render as 'the "they" self'.
25. eigens ergriffenen.
26. *eudaimonia* is not a term used by Heidegger. I use it in its ancient sense of indicating the condition of an objectively desirable life – '*The Good*' life – as over against the concept of mere happiness: the subjectively satisfactory life.
27. eigens.
28. nichtigen.

29. For humanity, the inner consciousness that constitutes the 'usness' of us; also, the most primordial and authentic aspect of Being (Munday 2009) or 'What Heidegger means by 'ownmost possibility' is of course still obscure, and it is in the nature of such concepts that they can never be wrenched open all at once or be fully penetrated in any single approach' (King 2001: 32).
30. in fact.
31. Angst – anxiety, anguish, suffering – is the existentialist value par excellence. It arises from the recognition of the impossibility of human fulfilment through the stoic's rejection of the world (to be human is to be-in-the-world); through the 'ordinary man's' search for a life of physical pleasure (we cannot be fulfilled except through use of all our capacities including the capacity to question our fulfilment); or through the philosophers' call to reason (we deny our humanity by separating it from the desires of ordinary humans). The essential value is that of Angst, the fundamental distress at the knowledge that all that is may not be. It is rendered in some accounts like Nietzsche, for example, as the will to strive. There can be no freedom without anguish, since every choice involves it.

    > In sum, existentialist values have a common source, a common function, and a common identifying characteristic. Their common source is acute awareness of the tragedy inherent in the human condition. Their common function is to liberate us from the fears and frustrations of everyday life or the tedium of philosophical dreaming. Their identifying characteristic is intensity.
    >
    > (Olson 1962: 18)

32. Sorge.
33. Besorgnis.
34. Sorglosigkeit.
35. Guilt is not used in its common usage but in the sense used by Dostoevsky in *The Brothers Karamazov* about which Levinas has this to say: 'I am responsible for the Other without waiting for his reciprocity . . . Reciprocity is his affair . . . It is I who support all, [. . . as in] that sentence in Dostoevsky: "We are all guilty of all and for all men before all, and I more than the others." This is not owing to such or such a guilt which is really mine, or to offences that I would have committed; but because I am responsible for a total responsibility, which answers for all the others and for all in the others, even for their responsibility. I always have one responsibility more than the others.' (See Vinokurov 2003).
36. disclosedness – hence disclosure – *revealing* of truth. Stripping away disguise or illusion. (See 1996: 167).
37. Fearlessness – particularly in the face of angst – inherent in authenticity.
38. Thrownness – Geworfenheit – represents a *degree* of determination evident in the experience of moods for example. When we experience fear, it is because of the genuine fearfulness of the environment in which we find ourselves. It represents the way that we *are*.

    > The characteristic of Dasein's Being – this 'that it is' – is veiled in its 'whence' and 'whither', yet disclosed in itself all the more unveiledly; we call it the '*thrownness*' of this entity into its 'there'; indeed, it is thrown

> in such a way that, as Being-in-the-world, it is the 'there'. The expression 'thrownness' is meant to suggest the *facticity of its being delivered over.* The 'that it is and has to be' which is disclosed in Dasein's state of mind is not the same as 'that-it-is' which expresses ontologico-categorically the factuality belonging to presence-at-hand [actual physical presence in the world].
>
> (1996: 174)

This is to be set over against 'falling' which represents a greater degree of determinacy inherent in the process of inauthentic acceptance of 'the they'.

The phenomena we have pointed out – temptation, tranquillising, alienation and self-entangling (entanglement) – characterize the specific kind of being which belongs to falling. This 'movement' of Dasein in its own Being, we call it '*downward plunge*'. Dasein plunges out of itself into itself, into the groundlessness and nullity of inauthentic everydayness (1996: 223).

39. Projection – the *act* of colonising a situation or 'possibility'. It is set over against the 'falling into' a situation. My own suggestion is that when it is combined with 'thrown' it indicates such an action that is the result of choice and determination, it recognizes that we make our choices in the light of the past but that we are not fully determined by that past. (see Mulhall 1996: 81–2).
40. Heidegger's understanding of the nature of time is explored throughout Division II and indeed, its relation to the everyday was to be fully expanded in an unwritten Division III. This conception of time is so far removed from our everyday conception of time that it is of little interest to our project here. Fundamentally it involves an inversion of the conventionally accepted notion of time being a framework within which events take place, to one where events are the framework within which – for humans in their way of being – time takes place.
41. '. . . the effective presence of an origin in an historical development . . . , the transumption of thesis and antithesis in a dialectical synthesis, the presence in speech of logical and grammatical structure, truth as what subsists behind appearances, and the effective presence of a goal in the steps that lead to it, the *authority of presence* . . . The notions of "making clear," "grasping," "demonstrating," "revealing," and showing what is the case, all invoke presence' (Culler 1993: 93–4. My emphasis).
42. The verbal defence presupposes the presence of the writer, that is, the test in the viva voce is precisely to ascertain if the writer of the thesis is present at the test.
43. form.
44. In particular, 'Structural Anthropology'.
45. Derrida shows that Levi-Strauss' study is significantly flawed and guilty of ethnocentrism.
46. He who is not self-present with me is not me: he is 'other' than me. He who is not co-present with me is a stranger or is 'other' than 'us' (those who are co-present with me).
47. See discussions of hysteria in Szasz (1971, 1972) or Foucault (1971) for example. Historically, madness was considered a female problem: women were considered inherently unstable. It was believed that the uterus moved

around the body, during menstruation it came to rest in the brain causing 'Hysteria' – Gr. *Hysterikos*, womb.

48. Here Nick Lee embarks on a favourite method of reading of Derrida's own. We might suggest that Lee is 'reading across the grain' in his use of writing as supplement. In Lee's account writing is used in the sense of Rousseau's dangerous supplement rather than in Derrida's originary sense, to deconstruct Derridean fashion, the possibility of power based on self-presence. Reading across the grain is Derrida's method of very careful 'misreading' of the texts of canonical philosophers to render subtle, imaginative, and meaningful interpretations of their work. The whole section in Lee's book that deals with Derridean themes may be read as just such an interpretation.

6 Becoming

1. The temporal value of the present must be viewed as an asymptote, which value is diminished by considering the proximity of the future and of the past. Thus the temporal value of the present is $1/\infty$ seconds.
2. See note 7 of Chapter 3, on Thomas Nagel (1974).
3. We can represent to ourselves unicorns, which representation clearly is independent of any 'actual' reality of the world, however we can also represent to ourselves things which really are in the world. Such representations are socially, culturally, and historically contingent, however, it is possible that they *may be* objectively congruent with the world.
4. I use the word conditioned where contingent might be more conventional. I use the word conditioned to indicate enablement *or* constraint and reject 'contingent' since it has residual structural deterministic connotations. Conditioning is a softer notion.
5. This does not refer to an *a priori* in the Kantian sense but to an epistemological field that constitutes the conditions of possibility of ideas.
6. See Runciman (1972) in particular.
7. Minutes or hours – it matters not, each refers to different infinities. If we ask the questions what are the products of $10 \times \infty$ and $100 \times \infty$? The answer in both cases is ∞, it is just that the ∞ of answer two is ten times greater than the ∞ of answer one.
8. Less so in film because we are not looking at a discrete complete performance but an edited-together collection of different performances.
9. Dickens 'Great Expectations'.
10. See above and pasim.
11. In her study of the effects of the media on the construction of masculine identities in prison, Yvonne Jewkes (2002) inverts this dualism and places the *echt* self in a private domain and the *ersatz* in public view. She suggests that the private self is the place to which we retire when we are tired of our public performances. This view fosters the medicalized notion that the private 'self' is somehow *echt* and 'healthy' (40) and the public *ersatz* and represents a misunderstanding of the role of the private and the public in the act of self-constitution. Supporters of Jewkes' position might argue that we all know people who pretend to be something that they are not, that is,

that their performances of self are somehow fake. It is conceded that there are those who fabricate identities for themselves to evade the law, for example, or who pretend to be policemen or doctors, for example, in order to dupe people. But to assume that these people are exhibiting a *false* aspect of themselves is to fall into the trap of Bourdieu's 'biographical illusion' (2002 [1987]). These people notwithstanding, we are left with 'Walter Mitty' characters, and those whose behaviour simply seems out of place. The Walter Mittys of this world fantasize about being something that they are not – we experience a disjuncture between the performance that we perceive and the performance that they think they are giving – others more subtly misread the constraints of the discourses of their milieu, they exhibit what we often describe as affectation. In either case, it is a mistake to assume that what these people produce as performances of self is somehow false. The performance that they make is as much a part of the interplay between their private selves and social reality as any other aspect of their, or any other person's performance of self. Bourdieu frequently speaks of people as virtuosi in dealing with the social world, perhaps it would be more realistic to suggest that we all exhibit varying degrees of competence in our performances of self and that some people's performances leave more to be desired than others.

12. See Frame Analysis (1975: 286) where Goffman deals with the biographical continuity of self. For the purposes of this study I take such biographical continuity of self to be constituted in persisting recursive practices and states of mind, that is, memory and habit, when they become the reflexive object, help inform the view of ourselves as objects of the future.
13. All representations of ourselves or others are of necessity biographical since the present is past in a microscopic instant and thus all reflections are reflections of things past.
14. See Deleuze and Guattari (1987: 71, 88–91, 323–37, 399, 503–5).
15. W. Einstadter & S. Henry, *Criminological Theory: And Analysis of Its Underlying Assumptions*. Fort Worth, Harcourt & Brace, 1995.
16. 'Subcultural delinquents hold implicit views on the legitimacy of a variety of offenses' (Matza op. cit., 161). The norms of the delinquent are not the norms of society as a whole as expressed in the law but are the norms of a subculture.
17. Becker's conception of crime as a socially constructed label in 'Outsiders' was published just one year before *Delinquency and drift* in 1963. Hulsman's crucial statement concerning the lack of ontological reality in the concept 'crime' was more than 20 years away (L. Hulsman 1986).
18. Matza, op. cit., 163–4.

7 Power

1. This is true unless it can be shown that the use of the word powerlessness does not constitute the opposite of powerfulness, or having power with respect to, or being powerful.
2. Indeed, it is conventionally taken to be the case that it is powerfulness that is indicative of moral responsibility, not moral responsibility that is indicative of power.

3. This idea has its origins in Locke (1975 [1690]), where Locke envisages a man being carried while asleep to a room where there is a person whom he wishes to see. When he awakes he is glad to stay in the company of the person and does so willingly, even though, unbeknownst to him, the captor who brought him there asleep has locked the room against his escape. The question arises whether the man is free and morally responsible for his staying in the room.

8 Constraint

1. Incidentally, this is still true of the work of Giddens (1979, 1986 & *inter alia*), agency and structure – routines and cultural resources – mutually instantiate one another dialectically, presenting a continuous flow of action which contributes to a social whole, each element having its own function in generating or maintaining that whole. This whole is analyzable only as an aggregate of the properties or functions of its internal elements: that is, it is reducible to them.
2. This is not to suggest any essentialism but merely durability of this capacity.
3. A particularly clear account of Interactionism is to be found in Hewitt 1997 [1976], and, of course in Blumer (1969).

9 Change and Complexity

1. This comes from engagement with problems akin to what is known as the travelling salesman problem. In this problem, it is necessary to find the shortest route that a salesman must travel to visit a number of towns once each and return to his starting point. The number of possible routes to be examined is given by the formula $(n–1)!$ where n is the number of towns. This will be seen if one considers a set of three towns. Starting at town A the salesman can choose to visit towns B or C that is, two choices, when he has chosen one town B or C there is only one choice remaining. Hence the number of route choices is 2, in other words, factorial $2 – (n–1)!$. Thus the choices for four towns are $3! = 6$; for 5; $4! = 24$ and then 6 towns $5! = 120$; 7 towns = 720; 8 = 5040; 9 = 40,320; 10 = 362,880; 11 = 3,628,800; 12 = 39,916,800; 13 = 479,001,600; 14 = 6,227,020,800; 15 = 87,178,291,200; 16 = 1,307,674,368,000; 17 = 20,922,789,888,000, and so on. For 71 towns the number of possible routes is more than a google (10^{100}) it is in fact 11,978,571,669,969,891,796,072,783,721,689,098,736,458,938,142,546,425, 857,555,362,864,628,009,582,789,845,319,680,000,000,000,000,000 (figures from http://en.wikipedia.org/wiki/Factorial), the number of possibilities grows exponentially with the number of towns. This figure would represent the number of possible orders in which you might speak to people at a conference of 70 people for example. The problem is that social systems are far more complex than this. There are for example around 60 million people in the UK alone, each making hundreds, maybe thousands of decisions a day, each decision affecting, to a degree the lives and consequent decisions of every other person. The number of possibilities in such a system is incomprehensible.

2. Entropy is that value which refers to the degree of disorder in a system – or mixed-up-ness in the words of Gibbs (1914) – and the second law of thermodynamics states that this will increase to a maximum. If we take for example, a glass with ice cubes in it, we say that this system (that system bounded by the glass) exhibits a high degree of order as all the H_2O is in the form of ice and none is in the form of water. The ice in the glass will melt and the air surrounding it will cool until all the water and air are at the same temperature. There is now no ordering distinction (we might say) between the temperature of the water and the air. We might also think of the ice-cubes containing all cold atoms, and the air in the glass containing warm atoms. As the ice melts the ordered separation between cold and warm becomes a disorganized – mixed-up – collection of warmer atoms. This conception often appears to be at odds with commonsense usage of the notions of order and disorder.
3. Once again, we must stress the 'complexity' is measured in terms different from that of commonsense language. A system may look ordered in commonsense terms but be disordered in terms of exhibiting maximum entropy. The converse is also true. This is one reason why the vernacular 'Chaos Theory' is a less than helpful term, in that frequently such systems are not 'chaotic' in the vernacular sense.
4. The term 'butterfly effect' stems from the work of Lorenz (1963) about which it was said that if the theory were true, one flap of a seagull's wings could change the course of weather forever. Lorenz, in his 1972 attributes its title, '*Does the flap of a butterfly's wings in Brazil set off a tornado in Texas?*' to Philip Merilees.
5. Actually we might say that the system itself loses its memory, it loses the information concerning its history.
6. In complex systems, an attractor is a state towards which a system approaches asymptotically over a period of time or around which it may oscillate. For a state to be considered an attractor, system trajectories must remain close even though they may be constantly disturbed. When described mathematically they can be points, curves, or more complex sets such as manifolds (abstract mathematical spaces which are locally Euclidian but globally non-Euclidian) and fractals.

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