From Inhabiting to Haunting: New Ways of Social Control

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The past two decades have seen the emergence and implementation, first in the US, and then in Europe, of community based sanctions involving “electronic monitoring or what is called “electronic tagging” or “tagging”.

The use of house arrest electronic monitoring began in the early 80’s and since then different electronic monitoring programs have become an increasing alternative to incarceration for “low-risk” offenders. It has been widely used in the United States for more than a decade, and nowadays many countries in the rest of the world are introducing schemes for the tagging of certain offenders. These programs have been implemented both for releasing from overcrowded jails, what is called “back door model”, and to enforce curfews and avoid the very entrance on prison, the “front door model”. In Spain, and especially in Catalonia there exists for the moment a “back door” model: offenders already in prison (and within a special regime) can be released early if they agree to be bound to this kind of home detention curfew order, but magistrates and judges can not impose a court curfew order as an alternative to sending an offender to prison.

Electronic monitoring is a general term that encompasses a wide range of supervision devices for providing information about the location of an individual. While participating in an Electronic monitoring program the offender must wear an electronic transmitter bracelet, which resembles a watch around an ankle (or a wrist). By virtue of this tag, the person is monitored by computer and is supervised, depending on the country, by a private company or by the criminal justice authority.

The technology used is a simple radio-receiver-transmitter circuit, where a receiver is connected to a specially installed telephone line in the offender’s home, and a transmitter incorporated in the tag attached to the offender’s body. Offenders completing their sentence “on the tag” have to remain indoors at certain times during the day and usually at night. Moving the tag out of range of the receiver (leaving house is the most normal case for the moment) causes the circuit to be broken. The receiver checks to see if is an authorised breach (depending on the hours and the day), and if it is unauthorised, the unit alerts remote monitoring centre by phone.

Electronic monitoring is not at the present based on geographic tracking technology, but it may become like this within few years, according to the trials that have begun in USA using “Global Positioning System” technology, a mobile geographic location determining system, which triangulates signals sent from a network of stationary satellites.
Most of the official evaluation studies agree to view electronic tagging as a cost and time-effective method of close monitoring of individuals which allows them to remain in the community and possibly allowing continued productivity. It is offered as an alternative and more human form of surveillance and of curtailing liberty without an increase in risk to public safety. Despite the initial problems it seems that government and most authorities support it: new target populations are continually proposed and it have significant commercial possibilities for electronic companies. In short, remote electronic monitoring of the offender population is becoming, at least for those who promote it, a “promising” technique of community supervision: “safe, viable, cost-effective”.

The spread of electronic monitoring is taking place within a context in which the converging technologies of computing and communication are increasingly tied to all aspects of social life. All around us we can see how diverse but converging cultural and economical forces are promoting emerging technologies in official devices of control and surveillance, not only electronic tagging and location systems but closed circuit television CCTV which has become common not only in spaces of consumption, like shopping malls, but also in open-street, heat, light, motion and sound sensors, drug testing, genetic and neurobiological risk assessments, pharmacological treatments to manage and to prevent behaviour and violence.

What existed mainly in the dystopic imaginary of the science fiction realm, has become available. In fact, most of the accounts of the emergence of “electronic monitoring” trace its origin to the history of the judge Jack Love (from Albuquerque, New Mexico). This judge was believed to be inspired by a Spiderman comic, where a villain attached a gadget to Spiderman’s wrist to track his whereabouts. (McConnell, 1990; Lyon, 1995: 68).

We insist on using our sociological imaginary. There is great tendency within social sciences to suggest that Foucault’s account of disciplinary power offers a way of understanding the logic not only of this tagging, but also of all these technoscientific innovations which are increasingly forming part of our “surveillance landscape”. The aim to find a model for our contemporary societies in Foucault’s disciplinarian model is especially notorious through the figure of the panopticon. Thus we can find terms as “Electronic Panopticon” (Poster, 1990, “Superpanopticon” (Gordon, 1987), “the supreme Panoptical schema.” Within this kind of models, electronic monitoring is then easy to understand as a spectacular manifestation or a culmination of the panoptic society.

Is it an “exaggeration” to fit tagging in those Orwellian nightmares of control? Is tagging only an instrument to enable inmates to live into the community or a new step in the dehumanisation of the punitive realm tightly tied to the actual ubiquity of information and communication technologies? And more over: are this the only interesting questions? How should one study
such a technological innovation? In order to propose other tentative scenarios to study this technology we want to make a previous step: asking for the socio-technical meaning of prisons.

What is a Prison?

Many social scientists would agree when answering this question with expressions like “a total institution”, an “enclosure institution” or a “disciplinary institution”, probably insisting in the last one, according to the influence of Foucault’s disciplinarian model during the last three decades.

And for sure, one of the best ways to understand what a prison is is reading Foucault’s *Discipline and Punish*. Nevertheless, if we agree on this book’s characterization of prisons then it is precisely because we don’t think on this book as a text focused on prisons as such. Maybe it is the misleading subtitle *The Birth of the Prison* that makes one sometimes think of this book as a genealogy of the prison or as a history of prisons.

Foucault was not only offering a historical answer to why imprisonment emerged as the dominant norm of punishment on western countries. Actually we do not think that *Discipline and Punish* is about prisons, but about the extension and spread of certain technologies of power – disciplinary techniques – of which prison is an example.

“‘Discipline’ may be identified neither with an institution nor with an apparatus; it is a type of power, a modality for its exercise, comprising a whole set of instruments, techniques, procedures, levels of application, targets; it is a ‘physics’ or an ‘anatomy’ of power, a technology. (...) it might be said that the disciplines are techniques for assuring the ordering of human multiplicities. (214, A)

When speaking about the advent of the disciplinary society, we don’t talk about a “generalized enclosure” or a “carceral mimesis”, but about the advent of a disciplinary continuum: a homogenous extension of a technology of power, named discipline. Disciplinary society is governed by the image of confinement, extremely clear in the case of prison, but through the normalisation of these disciplines society is transformed into a succession of interiors, interiors which become even interchangeable spaces. And is it this succession of spaces that makes the prison something familiar: “It is surprising that prisons resemble factories, schools, barracks, hospitals, which all resemble prisons?” (Foucault, 1975: 228).

Then, What is a prison? According to *Discipline and Punish*, instead of seeing the prison as something possible because of the generalization of the disciplinary techniques, we have to see the prison itself as “the institution which offers to modern society its authentic image”. (Ewald, 1990:164).
A prison is then a **disciplinary institution** that became a paradigm of modern ways of social ordering, and sketches a way of ordering multiplicities and in so doing offers a good “condensation” of the logic of the disciplinary society.

**Understanding Society through Disciplinary Institutions**

One of the central issues that define institutions such as prisons, hospitals, asylums, schools or factories is the clear and intense subdivision of space they require. In fact, some population geographers have argued that prisons, according to its confining role, must be seen as an “inherently geographical phenomenon” (Ogborn, 1995, 1998, Philo, 2001). This kind of studies underline that prison’s geographies, particularly their internal spatial arrangements “both as set in the stone institutional layouts and as expressed in the daily movements of fleshy bodies within these dispositions, are absolutely central to the overall working of such carceral establishments” (Philo, 2001: 480).

In his description of disciplinary society Foucault points out the many spatial dimensions integral to them, stressing the importance of space in order to produce disciplined individuals or what he called “docile bodies”: “in the first stance, discipline proceeds from the distribution of individuals in space” (Foucault, 141). Investigating the “art of distributions” he describes different techniques: not only enclosure, the confining of target populations behind walls, but also more detailed spatial techniques like that of “elementary location or partitioning” (ibid, 143).

“Each individual has his own place, and each place its individual. Avoid distributions in groups; break up collective dispositions; analyse confused, massive or transient pluralities. Disciplinary space tends to be divided into as many sections as there are bodies or elements to be distributed. One must eliminate the effects of imprecise distributions, the uncontrolled disappearance of individuals, their diffuse circulation, their unstable and dangerous coagulation...Its aim was to establish presences and absences, to know how to locate individuals, and to set up useful communications, to interrupt others...(....). Discipline organises an analytical space” (ibid).

Speaking of enclosure institutions is in this sense equivalent to give a geographical definition of events to “create an emptiable and impersonal spatial surface to contain, classify and organize human actions” (Sack, 1986: 181). Discipline then, requires a spatio-temporal site, maybe not because of space itself, but because of the individualising consequences found in space management and time control.
As Foucault says, discipline is an “anti-nomadic” technique. “One of the primary objects of discipline is to fix; it is an anti-nomadic technique”. Anti-nomadic doesn’t refer strictly to immobilise, but to avoid nomadic movement. In short, defining a disciplinary institution such as a prison means to define a space to move in.

Enclosure institutions have immobile walls, places to rest, to sleep, to eat, to take a break, corridors to walk along. They define a geometric stable disposition, an pre-figured space, which makes the movements of those who are inside something one can foresee. This geometric layout translates movement into repetition, into stability. Taken as a simple collective mass, people are unpredictable and dangerous, but within a geometrized surface, within institution, become possible to view rising populations as predicable objects. In this sense institutionalising means creating a spatio-temporal layout that can purify and order heterogeneity, multiplicities.

Maybe one of the ways of understanding the operation that brings about this disposition is to think about this repetition, this stable layout as an inhabiting. As Serres says, we inhabit geometry (Serres, 1995). An institution produces the conditions to inhabit. Movement becomes an habitat within a geometric distribution.

An enclosure institution not only refers to a geometrization of space and time, and to a way of relating to space and of conceiving it, but to a way of working on matters, on materials. Moreover, disciplinary institutions involve a way of conceiving raw materials. Enclosure institutions, because of their geometric definition, evoke the logic of solids: buildings, walls, the outside/inside distinction, the aim to concentrate, to separate, to mark, the aim to inscribe discipline in individuals in order to translate them into “docile bodies” are all part of the language of solids and “stocks”.

Prisons, like classic institutions are paradigmatic of concentrations, of gathering. Devices which divide and collect flows of things and persons which pass through them, create routes and stable habits and situations. Having “stock” is within this model a priority to create order, and so is the need to distinguish between stock and flux, between support and transport, between what is in and what is to come in or to come out.

What is Electronic Monitoring?

Most of the controversy raised around tagging oscillates between two opposite poles. For its promoters tagging is a device that allows for a safe imprisonment alternative and could only pose risks when misused (it is neutral and consequently the impact and effects of electronic monitoring depends wholly upon the use to which we put it) (Grabosky, 1998). That’s more or less the logic of most of the arguments in favour (prison overcrowding, cost effectiveness, public safety, community integration). On the opposite, critic commentators view electronic
tagging as a new weapon of social control, stressing concerns of the possibilities of “net widening”. That’s the logic of some of the arguments in contra (lack of privacy, invasion of body, abuse of an individual’s human rights...).

This kind of binary formula is repeated in such ways: “Tagging offenders: Cynical resignation or pragmatic acceptance?” (Collett, 1998); “Threat or Boon to Civil Liberties?” (Alexander, 1985), or “infringement of civil liberties or the assurances of the civil liberties of a worried (and over taxed) public” (Walker, 1990).

The meaning of electronic monitoring thus seems to incorporate two opposite “truths”: it is without doubt a political device, destined to reproduce and perfect the panoptic society, even to reinforce the unequal relationships of the broader society. It could also be seen as a neutral mechanism, a means to address the problem of an institution, or a social will, in which case it has to be evaluated in terms of instrumentality or efficiency with respect to these ends. Depending on the perspective we’re faced with an alternative to imprisonment or with an “alternative prison”.

In a sense electronic monitoring could be seen as a prolongation of the prison. Although from within the penitentiary system we’re witnessing continuous attempts to find penalties of substitution, at least and for the moment for “soft” crimes, and of the increasing use of these electronic bracelets (tagging) to monitor offenders, prisons are not disappearing. Almost in all countries the prison population is continuously increasing, and incarceration is still the dominant way of punishment. Maybe they’re in crisis, but this is not new: they’re in crisis since the very beginning. So, if prisons are not dying, electronic tagging could fit into prisons’ logic. More of the same, but much “better”: a complement or even a sophisticated extreme form of prison.

Nevertheless we think tagging is not another “extremity” of prison. Moreover, we think that tagging shows another way of dealing with a multiplicity of individuals. What is used when deploying electronic monitoring, is not the disciplinary schema.

Instead of addressing electronic tagging as something (a means) that is simply implemented and used for a “good” end (more freedom for ex inmates) or a hidden “bad” end (widening the net of the panoptic society and reproducing prison at home) we understand that it has no sense to site tagging exclusively in the “realm of means”, and also that probably we change the end in changing the means (Latour, 2002).

The implementation and use of electronic tagging translates, modifies, changes the disciplinary institution forms and functions and objectives. The point is not (or not only) to decide if tags are or not intrusive devices, to find the “correct” use of them, or to decide if it is “better” or “worse” than prison, or a “prison on the cheap” (BBC Online News, 2000). We
suggest that we need a reconfiguration of our conceptual landscape: a change in concepts and perspectives needed in institutional and spatial thinking in order to grasp the kind of relationships that define this kind of dispositives.

**Topology and Haunting**

As we have said, defining a disciplinary institution such as a prison means to define a metric space to inhabit. Electronic tagging doesn’t define a surface capable of geometrization. Of course, curfews impose spatial and temporal controls on those people which are tagged: they have to be at home at certain hours. But the activity of mapping differs.

It has no sense to look for the inside or the outside of such an entity. There is no main-unique space-time to be in. It is possible to be a prisoner and live at home, and even going to the workplace, to a bar or to visit our friends. In a sense, there is “no need to go to centers”: they come to you (Serres, 1994: 70). It is right that tagging doesn’t imply prison confinement. But it is also true, in a sense, that it’s no longer possible for a tagged person to leave sites of confinement because they’re everywhere. It is difficult to recognise if we have to talk about home converted into a quasi-prison, or prison converted in a “walking prison” (Winkler, 1993) or a “virtual prison” (BBC Online, 2000). These dispositives strongly redefine the sense of the old inside/outside institutional distinction and re-drawn boundaries between the private and the public.

We are then, faced with entities which are here and there at the same time; inside and outside at the same time. How to map a space that contradicts laws of place assignment? Can such a space be mapped or represented? Where does electronic tagging take place? Maybe someone would answer: in community. But within community we cannot talk about a surface capable of geometrisation, as within institutions. Electronic monitoring refers to a knot of tendencies we cannot map as we could with prisons. Electronic tagging requires to be thought not in a geometrical way, but in topology cal one.

Then we’re talking of a radical different way of inhabiting: in fact it is not possible to inhabit within such an entity. In short, we can’t identify electronic monitoring, with an institution, with a building, neither with different buildings. We have to think of it not as something closed, but as something open; not as something to inhabit but as something to haunt (Tirado, 1997; Domènecch et al.,1999; Tirado/Domènecch,1998, 2001).

We face a different logic. Whereas in enclosure institution “storages”, stock (prisoners, inmates) are a requisite to order, and as we said, so is the need to distinguish between stock and flux. Within electronic tagging, there is no difference between stock and flux. Thanks to the tag, to the attachment, there is no need to distinguish between stock and flux. In fact, stock is flux.
A tag is in a sense the site for storage, what enables to gather, not persons, but information about those persons. But the tag is at the same time what enables movement, the condition of movement. Thus the tag translating everything into information, makes stock and flux the same thing.

In this schema, nomadic movement is not something to avoid through a geography of fixed walls, but something to manage, precisely because movement is no more a problem. There is no need to translate multiplicities into stable habits, into routinization through space geometrization, because a device like a tag translates nomadic movement into information. Instead of engraving a routine, we talk about monitoring information.

In short, to keep in order is not to keep in place. Power needs no more to occupy places, to fill them with stocks, “power is no longer bound, not even slowed down, by the resistance of space” (Bauman, 2000:11). “Space no more sets limits to action and its effects, and counts little, or does not count at all. It has lost its ‘strategic value’, the military experts would say” (ibid, 117).

We don’t think that this exactly points to “the new irrelevance of space”. Space does count, but not the Euclidian geometric space: electronic monitoring modifies the meaning and the nature of space. We have to do with a space that moves and changes, a space which is translated into something not fixed: space is not a “mould” and doesn’t grow by augmenting in size or extension, but by connection.

Ordering through Control

The model of the prison, viewed as an ideal image of the disciplinarian society, is a model of the power defined by stability through the geometrization of space:

“The logic of power and the logic of control were both grounded in the strict separation of the ‘inside’ from the ‘outside’ and a vigilant defence of the boundary between the two. Both logic, blended in one, were embodied in the logic of size, organised around one precept: bigger means more efficient. In the heavy version of modernity, progress meant growing size and spatial expansion” (Bauman, 2000: 113-115).

Using the concepts solid and liquid, heavy and light, in relation to the changes that take place in our societies, Bauman argues that in the age of “liquid modernity” has eschewed the solidity of the past and now seeks to be utterly free of stability.

It is possible to understand this tagging, this “back” to the community through an attachment, as well as other de-institutionalisation and de-carceration programs, as the passage from a solid logic of power to a liquid logic of power. Probably, this liquid logic tends to replace the one of
solids. Not only because new technologies allow it, but also because discipline, as a solid and antinomadic technology of power, is an expansive strategy to maintain because

“conquering space and holding it as well as keeping its residents in the surveillaned place spawned a wide range of costly and cumbersome administrative tasks. There are buildings to erect and maintain in good shape, professional surveillants to hire and pay, the survival and working capacity of the inmates to be attended to and provided for” (Bauman, 2000: 10).

It is probably premature to talk about the end of disciplinary societies, because discipline is still operational in our times. Nevertheless, as Foucault says:

“While, on the one hand, the disciplinary establishments increase, their mechanisms have a certain tendency to become ‘de-institutionalised’, to emerge from the closed fortresses in which they once functioned and to circulate in a ‘free’ state; the massive, compact disciplines are broken down into flexible methods of control, which may be transferred and adapted (214).

It seems reasonable to propose that we can find, in our present age, a mixture of these logics, some of them resembling enclosure institutions and evoking the logic of solids, and some others nearer to the model of ordering posed by practices as electronic monitoring.

When paying attention to some of the characteristics described above for this device and to this mobile and almost “liquid” form of power, it fits very well into the scenario drawn by Deleuze (1995), when he suggests the name “societies of control” to refer our present. In such societies control replaces discipline. This control is exercised “in the open air”. It does not need an enclosure base, it is not localized but dispersed, and whereas discipline produced individuals, control modulates them. Control doesn’t see subjects as unique and with a personality which expresses some inner fixed quality: control deals with elements, capacities, potentialities, risks, probabilities, tendencies (Rose 2000: 325). Modulation is a changing and fluctuating activity: modulation adjusts or adapts to many patterns or forms. Control is a matter of accommodating to heterogeneity, translating populations as both singular and multiple, not to avoid heterogeneity as with discipline. Finally, whereas discipline is long lasting, infinite and discontinuous, control is short-term, rapidly shifting, and continuous (Deleuze, 1995).

If the prison was the institution which offered to modern society its authentic image, electronic tagging offers to present society another image, and taken as a whole, we can contemplate entities and practices as the ones defined by electronic monitoring as closer to societies of control than to a disciplinary society.
Electronic tagging seems a good focus for examining and confronting deeply-held preconceptions about human and social nature: the emergence and implementation of a technological innovation can become the focus of discussion about potential changes to the established order of social relationships. In fact, not only may this technological device transform the way our societies understand and manage surveillance and our sense of exclusion and inclusion but, at the same time, social relations and official and non-official discourses may reconfigure and shape the nature of this technology itself. As Deleuze says:

“There is no need to ask which is the toughest regime, for it’s within each of them that liberating and enslaving forces confront one another (...). There is no need to fear or hope, but only to look for new weapons” (Deleuze, 1995).

References


