What is to be Done? A reconsideration of Stan Cohen's Pragmatic Utopianism

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Abstract

Visions of Social Control *(1985) is an important but unconventional work within British criminology. Its academic unconventionality is perhaps most clearly displayed in the final chapter* What is to be Done? *in which Cohen appeals to criminologists to be intellectual adversaries in projects of demystification and institutional reform. While the book's overall aim is explicitly utopian the narrative is one of an underlying pessimism. A question at the heart of Cohen's 'pragmatic utopianism' is whether social science can provide a more effective theoretical understanding of the institutions of social control in relation to their location in the social and physical space of the city? This paper will outline the key arguments of Cohen's* Visions of Social Control, *offer an account of his pragmatic utopianism and consider what a pragmatic utopianism may look like under today's changed historical conditions.*

> *So you can understand that our knowledge*
> *Will be entirely dead, after the point*
> *At which the gate of the future will be shut.*
> Dante, Inferno X

Introduction

Visions of Social Control (1985) is an important but unconventional work within British criminology. Its academic unconventionality is perhaps most clearly displayed in the final chapter *What is to be Done?* in which Cohen appeals to criminologists to be intellectual adversaries in projects of demystification and institutional reform. However the unconventional strangeness of the work is deeper than the unusualness of such a politicised appeal to activism within the structure of what appears on the surface to be an academic work. The incongruity of *Visions of Social Control* lies in an antagonism between the book's aims, its ideal if you like, and its definitive narrative. While its overall aim is

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explicitly utopian – '[m]y preference is to be pragmatic about short-term possibilities but to be genuinely utopian about constructing long-term alternatives' (Cohen, 1985: 252) – the narrative is one of an underlying pessimism. In this it follows Gramsci's (1996) appeal for a pessimism of the intellect combined with an optimism of the will. This antagonism, alongside the work's unconventional structure, is, I would argue, a strength of the book as a whole and not a limitation, as it provides a means of reading what we may regard as being the work's moral vision against the very real social constraints of what is possible.

In Stan Cohen's (1979/2013) earlier work *The Punitive City: Notes on the Dispersal of Social Control,* which in many respects lays the foundation of *Visions of Social Control,* he asks the two questions, one pragmatic, one theoretical, which lie at the heart of his pragmatic utopianism. The first asks whether the new forms of community intervention that emerged in the late 70s and early 80s, can be clearly distinguished from the old institutions that they were intended to replace, or whether they merely reproduced within the community the very same coercive features of the older system. The second question asks whether social science can provide a more effective theoretical understanding of the institutions of social control in relation to their location in the social and physical space of the city. In both *The Punitive City* and *Visions of Social Control* Cohen provides a compelling yet pessimistic answer to the first question. At the end of *The Punitive City* he writes that his argument is tilted towards a rather bleak view of social change and the undesirable consequences of the emerging social control system. The second question Cohen leaves hanging. It is in this question however that an implied utopianism is ambiguously articulated. Cohen's punitive city has much in common with Foucault's (1991) equally pessimistic account of the carceral dystopia yet, unlike Foucault's vision, Cohen's narrative offers a brief utopian light within this heart of darkness. When Cohen writes about 'blurring the boundaries' it is not only the blurring of the once clear spatial boundaries of the prison – the spatial logic of an institution as thing or object – to the unclear and ambiguous limits of community corrections, he writes also about the ambiguity and ingenuity of language, and the blurring of meaning in relation to the processes of social control. This slippage from a real place to that of a semiotic, or signifying space is what makes *The Punitive City* and *Visions of Social Control* unique, in the sense that space and the social use of space is conceptualised as a problem of syntax. This movement between the real and the semiotic outlines the utopian trace both within his own work, but also in relation to a broader theme of the emancipatory aspect of social

science in general. An area that is central to Cohen's question on whether social science can provide a more effective theoretical understanding of the institutions of social control in relation to their location in the social and physical space of the city. Like Virgil who guided Dante through the gates of hell and purgatory in *The Divine Comedy*, Cohen in *The Punitive City* and *Visions of Social Control* uses the metaphor of the city to guide his readers through contemporary visions of hell and the contradictions between the reality and the rhetoric of crime control policies and practices in Western jurisdictions. This paper will outline the key arguments of Cohen's *Visions of Social Control,* offer an account of his pragmatic utopianism and consider whether his pragmatic utopianism can be developed under today's changed historical conditions. In considering this latter question the paper will explore Olin Wright's (2010) model of a 'real utopia', as a contemporary lens within criminological discourse (see Scott, 2013), which as a framework for an emancipatory social science shares Cohen's concern with seeking to demystify dominant narratives by providing a systematic diagnosis of our time, as well as the desire to envision viable alternatives.

The Central Argument

The blurring of meaning and the slipping from a real to that of a signifying space is a constant theme in *Visions of Social Control.* Cohen (1985: 13) writes in his discussion of the master patterns of social control in Western industrial societies that there have been two transformations, 'one transparent, the other opaque, one real, the other eventually illusory'. The first of these transformations or shifts took place between the end of the eighteenth century and the beginning of the nineteenth and laid the foundations of all subsequent systems of social control. The first shift was accompanied by increased rationalisation and bureaucratisation within the penal system. The increased power of the modern nation state meant that punishment was regulated and administered by central government agencies, which in turn lead to the growth in the scale of the penal infrastructure. Modernisation of the penal system also led to increasing professionalism and standardisation within the institutions of punishment. Since the 1790s punishment had become increasingly 'rational', to use the eighteenth century meaning of that term, i.e. based on a normative social contract theory. By the late nineteenth century, however, the rationality of punishment had taken on a different meaning; here it meant that penalties be administered in a rule-governed, routine and impassive fashion (see also

Garland 1991). The rule-governed and scientific administration of punishment was reflected in the development of rule-governed and scientific explanations of crime. The positivist development of classificatory schemes and explanations of criminal behaviour as being determined by individual pathology all lay the foundations for the development of a scientific penology based on therapy where the mind replaced the body as the object of penal repression. The increased differentiation and classification of deviants into separate types and categories, each with its own body of knowledge and accredited experts, was replicated physically by the increased segregation of those deviants into asylums, mental hospitals, penitentiaries, reformatories and prisons, the latter emerging as the dominant institution for normalising problematic behaviour as well as the preferred form of punishment.

The second transformation, which is the subject of Cohen's book, was understood by many people (see Skull 1977; Bottoms, 1983) as representing a questioning, or even a reversal of the first transformation, reducing state involvement in crime control, replacing prison with 'community alternatives', decentralising and diverting deviants away from the criminal justice system, reducing professional dominance, re-establishing classical 'justice' principles, and reintegrating offenders into the community. Cohen (1979/2013: 1985), as did other authors (Mathiesen, 1983; Hudson, 1984) challenged the 'decarceration' thesis that attempted to explain this second transformation and investigated the gap between the reality and the rhetoric of this shift in penal control (see also Cavadino et al 2013). Cohen argues that this master pattern is more illusory than real and is merely the continuation and intensification of the first. Evidence shows that state intervention has been strengthened and extended, and that both old and new forms of social control have expanded. Not only have old and new forms of control increased but the focus of control has become dispersed and diffused, and the boundaries between those under control and those not under control have become blurred.

> The technological paraphernalia previously directed at the individual, will now be invested in cybernetics, management, systems analysis, surveillance, information gathering and opportunity reduction. This might turn out to be the most radical form of behaviourism imaginable – prevention of the act of crime by the direct control of whole populations, categories and spaces. (Cohen, 1985: 147)

Cohen describes how, as control mechanisms are dispersed from the prison into the community, they penetrate more deeply into the social fabric, blurring the boundaries between different types of deviants and between deviants and non-deviants. It is the boundary blurring and the absorption of the community by the control system that, Cohen argues, enables the system to camouflage its activities.

The answer Cohen provides as to whether the new forms of community intervention that emerged in the late 70s and early 80s merely reproduced within the community the very same coercive features of the older system, is pessimistic and offers little means to resist the emerging social control system. Cohen's second question asks whether social science can provide a more effective theoretical understanding of the institutions of social control and the gap between the reality and the rhetoric of those institutions.

A Pragmatic Utopian Social Science?

Cohen's project of understanding the phenomena of crime and punishment in modern society and linking this understanding to a strategy that can facilitate progressive reform within the penal system is at the heart of both a critical and pragmatic criminology. Cohen's (1985) preference to be pragmatic about short-term possibilities and genuinely utopian about constructing long-term alternatives follows Nils Christie's vision which, in abandoning utilitarian attempts to change the offender or to inflict a just measure of pain, favours a clear moral position that bases its programme within a historical critique of the dominant ideologies of social control. From this perspective, discussions on utopia are by necessity entangled in debates concerning the relationship between history and consciousness, historical understanding and actual social practices. This link between history and utopia was fundamental to the rehabilitation of the concept of utopia within Marxism by authors such as Ernst Bloch. In his writings on utopia, Bloch (1986; 1988) makes a distinction between abstract and concrete utopia. For Bloch, abstract utopia is wishful thinking, or a form of daydreaming, and as such is not accompanied by the desire to bring the dream to realisation; the world in this form of thinking remains as it is. The problem of abstract Utopia, according to Bloch, is one of immaturity and a consequent tendency to become lost in fantasy and memory rather than being oriented to real possibility. Abstract utopia is a form of thinking that is not only compensatory in its aim, but has also, according to Bloch, discredited the concept of utopia, 'both in pragmatic political terms and in all other expressions

of what is desirable'. In abstract utopianising, the utopian function is only immaturely present, and as a consequence it is easily led astray (Bloch, 1986: 145). In this way social science has the responsibility to be realist and to establish what is concrete and possible. Concrete utopia is therefore not compensatory but anticipatory, it is directed towards what Bloch calls a 'Real-Possible' future. Bloch calls concrete utopia 'the power of anticipation' and is a form of *wilful* thinking. He argues that it embodies the essential utopian function of both anticipating and affecting the future simultaneously. While abstract utopia may express a compensatory desire it does not express hope; only concrete utopia can achieve this. The process of extracting concrete utopia from its abstract trappings results in what Bloch describes as the 'unfinished forward dream' – *docta spes,* or educated hope. It is a 'methodical organ for the New, an objective aggregate form of what is coming up' (Bloch, 1986: 157). Concrete utopia can be understood as both latency and tendency. It is historically present and refers forward to an emergent future.

Bloch (1988) makes an important distinction between two forms of concrete utopia: social utopias where representations are constructed in which there are no labouring and burdened people; and natural law, in which there are no humiliated and insulted people. This distinction between social and legal utopias is mirrored in Cohen (1985: 248) when he writes about 'doing good' versus 'doing justice'. Cohen uses this distinction to make a similar appeal to focus utopian practice on the historical and concrete as opposed to the ideological and the abstract as a means of avoiding the 'theoretical crudity of the idealist separation of theory and practice which is so continually striking in the history of crime control'. The consequences of such a separation is an ideological commitment to either one of the dominant modes of 'doing good' (in the form of the rehabilitative models surrounding 'community alternatives'), or 'doing justice' (the return of a 'justice model' of penal reform), while ignoring their historical and political contexts.

> We are told that, instead of giving way to despair, liberals should realise that rehabilitation is the only ideology which can be used to resist conservative policy and the only one which commits the state to care for the offender's needs and welfare. It is not enough for justice-model liberals to talk about the 'right' to decent conditions and treatment, nor to proclaim humanity as an end in itself. This would only open criminal-justice politics to a struggle which the powerless are bound to lose. (Cohen, 1985: 247)

Cohen (1985: 247-48) argues that while being a persuasive programme – and if he were interested in defending traditional liberalism he would have no hesitation in joining this campaign – he also would have had no hesitation in doing the opposite and attacking rehabilitation in the late sixties and upholding the value of justice. He might also have encouraged the Fabian version of rehabilitation in Britain at the end of the fifties, supported the Progressives in the twenties, as well as the child-saving movement at the end of nineteenth century. He may even have joined the ranks of the original asylum and penitentiary founders. Cohen outlines the complexity involved in resolving the contradictions between what we learn from history and the values and principles entrenched in our theories: however, to hold to those values and principles despite the historical and political contexts in which we find ourselves is to court defeat. Cohen (1985: 248) talks about the persistent assumption when faced with such defeat, that theories are always beautiful until the barbarians make them ugly. However, it is not the barbarians that make them ugly but changed historical circumstances.

Earlier in *Visions of Social Control* Cohen argues that such theoretical models are not just competing abstract explanations or schools of thought to be purchased in the academic supermarket, but that they are connected to a corresponding system of power. Norrie (1991) raises a similar concern when he considers the re-emergence of the 'justice model' in the 1970s and early 80s. Criminology up until that time had taught that 'classical criminology' was part of the pre-history of valid knowledge, yet here it was back on the agenda. How was this intellectually possible? Are ideas recyclable in such a reductive way as to be detached from their original social contexts and applied to new ones? Can thought be dictated through the negation of intellectual enquiry and by social and political circumstance alone? Norrie argues that there were clear political reasons why classicism was making a comeback at that time, but raised serious concerns about the uncritical reductionism of such forms of idea formation and intellectual practices. In terms of Cohen's 'doing good' distinction, Bottoms (1977) also questions the dangers of uncritically adopting discredited models to deal with new situations when he writes on the renaissance of dangerousness in penal policy in the 1970s. Only a few years before his article, the concept of dangerousness would have seemed to him, as to most others concerned with penal policy in Britain, to be very remote from the language of debate typically used in discussion of penal matters. He argued that the renaissance of dangerousness was heavily dependent on the conceptual framework of positivism, a perspective at that time on the retreat within academic

criminology and sociology. In particular, Bottoms highlighted that the positivist endorsement of the scientific was problematic as it returned to a belief that crime is a naturalistic category and that the analysis of social meaning attached to it could therefore be ignored. Again, the political reasons as to why recommendations by a discredited penal philosophy should make a resurgence in the late 70s was clear in a resurgence of conservative anti-rehabilitation which dominated penal policy at that time. As Cohen (1985: 147) notes, the 'renaissance of the concept of dangerousness in contemporary penology depends on the decline of the rehabilitative ideal'. Yet despite this, these ideas continued to influence the so called 'progressive' rehabilitation debates surrounding 'what works' during the 1990s to the present. What links both the 'doing good' and the 'doing justice' models is that the 'notion of progress is always present in the sense that things can obviously be better' (Cohen, 1985: 89). Organisations which try to implement each model start with their own interests and generate stories (based on their respective ideologies) that are in turn 'located in a particular social structure or political economy'. Although not explicitly presented as such, the 'doing good' and the 'doing justice' models contain, respectively, the conservative totalising utopias of social stability and law and order.

Utopian ideas therefore cannot be made through specifying the content of the good society or the just society, as content is dependent on social conditions. The wish images of the justice model or the rehabilitative model can be discussed individually only according to the degree to which present conditions allow for their realisation. What is required therefore is not content, but instead, what Bloch (1988: 7) terms a 'topos of an objective real possibility'. In other words, one must not offer a picture of utopia in a positive manner. Any attempt to describe or portray utopia in a simple way, i.e., it will be like this, should be avoided in order to guard against 'the cheap utopia, the false utopia, the utopia that can be bought' (Bloch, 1988: 11). On the content of the utopian 'there is no *single* category by which utopia allows itself to be named' (Bloch: 1988: 7). At the heart of Cohen's book, as there is in Bloch's, is the imperative 'Thou shalt not make a graven image'. 'Much self-consciously intellectual work is needed if we are to wake up from the dream of beautiful theories untouched by the pragmatics of power' (Cohen, 1985: 248).

Utopia and the City

As mentioned earlier, when Cohen writes about 'blurring the boundaries' it is not only the blurring of the once clear spatial boundaries that separated a prison from a community or the classificatory boundaries that separate deviants from non-deviants; he writes also about the ambiguities and cunning of language in this process. Boundary blurring is a result of how we talk about control systems and their mechanisms and it is how we talk about them that enables the system to camouflage its activities. The role of language in the blurring of boundaries is mirrored in Stan Cohen's own work when he blurs the social and physical space of the city into representational space and imaginary space. The slippage from real space to that of a semiotic or signifying space is carried out in chapter six in his discussion of Utopia:

> Cities, then, have never been just places, almost as soon as they were invented, they spawned a phantom version of themselves; an imaginative doppelganger that lived an independent life in the imagination of the human species at large. In other words, they stood for something. In the ancient world and then again with the re-emergence of city life in the later middle ages, the city tended to be conceived as a metaphor of order. The patterning of the city, its spatial arrangements, hierarchies, functional specifics, served as a mirror image of what the wider social reality could and should be like. (Cohen, 1985: 206)

Cohen is writing not only about the influence of language and syntax in how we structure the world but how there is a functional unity between a system of signs and human experience situated on an empirical and historical terrain. In other words, spaces of representation are mental inventions (codes, signs, 'spatial discourses', utopian plans, imaginary landscapes, and even material constructs such as symbolic spaces, particular built environments, paintings, museums) that imagine new meanings or possibilities for spatial practices (see also Harvey, 1990). Cohen argues that the semiotic effects, the meaning-constructions of imaginary representations of the city, are anchored in the coercive realities of a concrete historical society itself.

Earlier in the chapter Cohen writes that the beginning and end of the nineteenth century marked two utopian moments in the history of crime control. At the beginning of the first transformation of the master patterns the founders of the American and European penitentiary system were confident

that they had not only found a solution to the crime problem, but one that would also lead to a better society. An explicit utopian thinking not only informed their design but also was reflected in the faith in scientific progress in the new 'science' of criminology which also emerged at that time. Although such optimistic views on the abilities of science and technology to solve social problems and create a new social order came under assault from more pessimistic narratives within the social sciences, an optimistic, utopian element in crime control thinking has always been a constant trope,

> the countervision of order, regulation and security which will replace the imminent threat of breakdown and chaos. This vision appeared in the early penitentiary movement, in the idealistic excesses of scientific positivism, in the Continental social-defence school and today, in the bland technicist criminology peddled by international agencies to the Third World. (Cohen, 1985: 202)

The metaphor for the utopia of community corrections, of social stability, the fulfilment of private life, law and order, was the city. Hall et al (1978: 145) make a similar point with regards to the imaginary power of the city as a metaphor of social hygiene when they write that 'the state of the city' is 'in a sense, the tide-mark of civilisation; it embodies our level of civilisation and the degree to which we are successful in maintaining that level of achievement'. The patterning of the city, its spatial arrangements and hierarchies not only served as a mirror image of what society could and should be like, but reinforced the idea that social problems can be solved merely by reordering physical space. The ordered city was a system for holding chaos at bay, an idealised form of the actual city where an imaginary order was embodied in every ritual and practice. The impending problem of social control was brought alive through this imaginary order by the work of planners and visionaries in the form of the closed institution. Here then was constructed a working model of what society should look like. Cohen draws on Foucault (2001) to show how leprosy and the plague provided the models and technologies of control for this imaginary. Leprosy through the rituals of exile, banishment and exclusion and the plague through the technologies of examination, classification and discipline. The control of both diseases left behind the models for the Great Incarcerations. The prison was a space of exclusion, but it was also a space within which people were observed, partitioned, subject to timetables and disciplines. Here also was a form of 'moral architecture' – buildings designed not as ostentatious signs of wealth and power, nor as fortresses for defence, but for the fabrication of

virtue. Power and order in its pure utopian form. Foucault fantasized the 'punitive city' as the utopia of the early judicial reformers 'at the crossroads, in the gardens, at the side of roads being repaired or bridges built, in workshops open to all, in the depths of the mines that may be visited, will be hundreds of tiny theatres of punishment' (Cohen, 1985: 209). However, this utopian fantasy was never realised and in its place emerged the disciplinary society where Foucault 'visualised "panopticicm" as a generalised principle, extended and dispersed throughout the social network' (Cohen, 1985: 209). For Foucault, the city was not a place for other metaphors but a powerful spatial metaphor itself, a metaphor of 'geopolitics' (city, archipelago, maps, streets, topology, vectors, landscapes) that he used to describe the dispersal of discipline.

While the utopian ideal of order and control had never passed out of existence, its imaginary representations have. Cohen asks what are the utopian after images of the emerging control system? Here he draws on Mumford's vision where today's good city in the form of a collective human machine is haunted by its dehumanised dark shadow, *the invisible machine* of the modern technocratic state. The power of this new imaginary, or imaginaries, does not draw from its visible parts but from 'the minute, intangible assembly of science, knowledge and administration' (Cohen, 1985: 210). *The invisible machine* has two contrasting modes of control which fitted its particular imaginaries. The first was *inclusion*: its utopia was of the invisibly controlling city with its metaphors of penetration, integration and absorption, and its apparatus of bleepers, screens and trackers. The second was *exclusion*: its utopia was of the visibly purified city with its metaphors of banishment, isolation and separation, its apparatus of walls, reservations and barriers. *The invisible machine* is no longer an agent for creating the ideal city, but itself becomes the utopia which is worshipped and perpetually expanded. Cohen argues that it was in response to the horror of *the invisible machine* that produced the romantic, anti-industrial impulses and visions of the 1960s including, paradoxically, the radical destructuring movements themselves. However, 'so invisible was the machine that its most benign parts (therapy, social work, humanitarianism) hid its most repressive operations' (Cohen, 1985: 210).

The anxiety that sustains this imaginary is the fear of what lies 'outside' of its representations, 'in the chaos of urban life, in the desolate city streets abandoned to the predators, lies the ultimate horror – chaos, disorder, entropy' (Cohen, 1985: 210). The city of the present in the streets of which lie the clearest mirrors of dystopian imagery (the iconography of crime, violence, pollution) is the society of the future. In 1985 Cohen speculated as to whether *the invisible*

machine was breaking down by itself and was being replaced by a new imaginary influenced by the fear of what lay 'outside'. Since then much criminological debate has focused on the fear of crime as a metaphor for other types of urban unease or a displacement of other fears (Young 1999). The increasing public fear of what Cohen termed the predator is also informed by what Garland (2001) has called the criminology of the dangerous other. This criminology typically depicts crime in dramatic and moralising terms and frames its analysis in the language of war and 'zero tolerance'. The relationship of this criminology of the 'other' to *the invisible machine* is that while it still draws from the apparatus of science, knowledge and administration and the bifurcation between the categories of inclusion and exclusion, these categories are now more refined and are focussed more minutely on those groups of offender who are politically and governmentally demonised and excluded. The utopia for this new imaginary can be found in the actuarial language of risk and the probabilistic calculations of the risk society.

What is to be done?

In chapter 7 of *Visions of Social Control: What is to be Done?* Cohen appeals to criminologists to be intellectual adversaries in projects of demystification and institutional reform and it is here also that he makes explicit the utopian aim of his book. That such a dark and pessimistic book drew on the trope of utopia might seem to some paradoxical only if we understand utopia in its more discredited forms. It is also paradoxical that a work which claims to be 'genuinely utopian about constructing long-term alternatives' (Cohen, 1985: 252) should consist largely of a sustained critique of utopia. However, it is often in the examination of our darker constraints that the trace of utopia appears to guide our orientation as a society towards not only the present conjuncture but also our future. The quotation by Dante at the start of this article outlines the important relationship between knowledge and the future, not in the sense of how knowledge may allow us to predict the future (the abstract utopia of positivism) but how it allows us to be conscious of and understand our present as a society within history and oriented towards an emergent future. This it would seem to me to be at the heart of the pragmatic utopianism outlined in the book and is similar to what Bloch (1986) called educated hope. It was this historically-based and future-oriented hope that linked his question as to whether social science can provide a more effective theoretical understanding

of the institutions of social control with his pragmatism about the possibilities of reform.

Institutional reform, however pragmatic, is not possible without the project of demystification promised by the social sciences. Given the importance of historical context in the construction of a pragmatic utopianism, it is striking that Cohen's question as to whether the social sciences can provide a more effective theoretical understanding of the institutions of social control was focussed very specifically on those institutions' relationship to their location in the social and physical space of the city. Soja (1989: 15) points out that an overdeveloped historical contextualisation of social life within social theory often 'actively submerges and peripheralizes the geographical or spatial imagination'. However it is the persistent movement from a real historical space to that of a signifying or imaginary space throughout *Visions of Social Control* that not only gives the book its analytical strength in distinguishing the real from the illusory, the transparent from the opaque, but allows Cohen to avoid the 'theoretical crudity of the idealist separation of theory and practice which is so continually striking in the history of crime control' (Cohen, 1985: 248). As we have seen, one of the consequences of such a crude separation of theory and practice is an ideological commitment to what Cohen (1985: 248) called 'beautiful theories', theories which in themselves often contain traces of conservative utopias. Cohen's utopia lies not in the dreams of the future but in the waking up from such dreams. He argues that the semiotic effects of such dreams mask the coercive realities of a concrete historical society.

Cohen's ability to link the spatial with the historical in order to separate the concrete from the imaginary is close to Michel Foucault's (1986) notion of heterotopias. Like Cohen, Foucault's utopias do not have a content and cannot be developed into programmes of change. Heterotopias, according to Foucault, are the spaces in which we live and in which the erosion of our lives, our history, occurs. Unlike the totalising Utopias of social stability and law and order, heterotopias are heterogeneous spaces; in other words, spaces which are irreducible to one another and not fully superimposable on to one another. Unlike the law and order Utopia these spaces are messy, ill-constructed, disorganised and chaotic yet also provide the context where the dominant fantasies can be resisted and remodelled according to different patterns of action and forms of construction. Like Cohen's pragmatic utopianism, it is not to be found in the beautiful theories of justice or rehabilitation, but in the resistance to the dominant fantasies of the system. The task for criminologists is still to be intellectual adversaries in projects of demystification and

institutional reform but under the new historical conditions of today. Today there is an incoherent and contradictory range of developments occurring in penal policy and practice. O'Malley (1999) argues that this 'volatility' which, for many, reflects a crisis in the institutions of punishment, has been explained by criminologists in different ways: as evidence of the limits of the sovereign state (Garland, 1996); as the result of the emergence of neo-liberalism and 'new right' politics (O'Malley, 1999, 2004); and as a sign of a postmodern disintegration of penal modernity and the rehabilitative ideal (Pratt, 2000). Many of these themes were captured by Cohen as they first emerged in the late 1970s, early 80s but now, due to hindsight, can be more clearly seen as influenced by neo-liberal ideas relating to individual responsibility and discourses on risk (Garland, 2001). These so called 'new penologies' reflect a reconfiguration of the relationship between the individual and the State. More specifically, a shift from the modernist/welfare project distinguished by commitment to rehabilitation towards one characterised by a focus on managerial efficiency (Feely and Simon, 2003).

The continuity of the new penology with what Cohen called *the invisible machine* is its close association with criminological positivism, that is, it has a reliance on expert knowledge and 'knowledge professionals'. Its divergences from *the invisible machine* lies in the technologies of classification, a shift from individual to aggregate categories of offenders, a greater focus on preventive measures and an emphasis on social segregation (Feeley and Simon, 2003). It could perhaps be argued, however, that these new penologies, like the second great transformation outlined by Cohen, are merely the continuation and intensification of that first transformation that took place between the end of the eighteenth century and the beginning of the nineteenth and laid the foundations of all subsequent systems of social control. State intervention again has been strengthened and extended, social control has expanded and increasingly dispersed and diffused, and the boundaries between those under control and those not become increasingly blurred. What has happened is that the mask has finally slipped from the illusory destructuring rhetoric.

So what does this mean for Cohen's utopianism with his preference for pragmatic short-term possibilities and genuine utopian thinking about constructing the long-term alternatives? As mentioned earlier, while the utopian ideal of order and control has never changed, its imaginary representations have. The new fantasies of the system still require to be demystified and resisted and a clear moral position that bases its analysis within a historical critique of the dominant ideologies of social control still requires to

be developed. However, such a critical project that aims to contribute to and influence significant change within the penal system has recently been in retreat. As most critical scholars are all-too-painfully aware, although the range and scope of writing within critical criminology has expanded, the present conjuncture within modern capitalist society has erected major economic, political and social constraints on such broad political aims, both in relation to intellectual critique and activist involvement. Any commitment to a 'reflexive' praxis between knowledge and a strategy for radical social change is today seen as wildly utopian in the negative sense of that term.

It is perhaps because of this that there has been a renewed interest in the concept of Utopia, not only as a political perspective within recent social science discourses, but one that opposes abstract wishful thinking with an empirical or realist utopian commitment. Olin Wright (2006, 2010), for example, develops the theme of a realist utopia to present a framework for an emancipatory social science which seeks both to generate the knowledge necessary for opposing human oppression and for enabling the conditions in which human beings can live fulfilling lives. From a perspective similar to Cohen's pragmatic utopianism, Olin Wright (2006, 2010) argues that social science still has a role to play in demystifying dominant institutional narratives and outlines three fundamental tasks for social science: to elaborate a systematic diagnosis and critique of the world as it exists; to envision viable alternatives; and to understand the obstacles, possibilities and dilemmas of transformation. Both Cohen and Olin Wright's insights into pragmatic/real utopias also inform Scott's (2013: 92) 'abolitionist real Utopias'. For Scott, the 'abolitionist real Utopia' must diagnose and critique the power to punish, 'identifying the hurt, suffering and injuries inherent within, and generated through, criminal processes and critically reflecting upon the legitimacy of the deliberate infliction of pain'. It must advocate for the provision of radical alternatives that engage with the possibilities for action within a specific historical conjuncture. Lastly, it must have a 'clear strategy of emancipatory change to reduce social inequalities and current penal excess'. Following Cohen's unstated imperative 'Thou shalt not make a graven image', Scott (2013: 110) argues against the notion of a 'blueprint' for change but advocates 'explorations of potentialities that sensitise the imagination to what is possible'.

The utopian focus on the uses of the imagination in rethinking penal practices is also explored in different ways in the work of Carlen (2008) were the imagination was contrasted with the concept of the imaginary to show how various political and populist ideologies on punishment and justice structure a

representation, or image, of penal policy and practice (see also Sim (2008); Barton, et Al (2007) and Hudson (2008)). The utopian contrast between the imagination and the imaginary is a means of thinking through the impasse brought about by the closing off of alternative, more imaginative discourses on justice and penal practice within contemporary neo-liberal penality. In a period in which alternative ways of being and means of transformation are so opaque, positions that in the past were perhaps viewed as moderate and achievable are now considered utopian. This is a paradox that Jameson (2005: xii) eloquently expressed when he said, 'there is no alternative to Utopia'. The renewed interest in the concept of utopia therefore has less perhaps to do with a greater clarity of vision or the existence of an identified agent for social change, and more to do with grasping those obstacles and explaining the resilience of the present constraints to change. Therefore today, the proscription against any actual Utopian effort to create a new society is also a proscription against any effort to *imagine* doing so. To attempt to imagine social change, or in some cases even limited reform, outside the trope of utopia is therefore to risk losing not only our orientation as a society towards the future but also our present. In other words, in not addressing the utopian, we risk becoming a society without historical consciousness, a society without history (Jameson, 1994).

When it comes, the resistance to this de-historicised society and its forms will come from those outside the dominant imaginary and who inhabit those disorganised and chaotic spaces where the system can be resisted and transformed according not only to different patterns, maps and forms of construction but also in a different language. As Cohen (1985) reminds us, much self-consciously intellectual work is still needed if we are to wake up from the dreams of the law and order utopias.

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