BOOK REVIEW: McNeill, F. (2019) Pervasive Punishment: Making Sense of Mass Supervision. Bingley, UK: Emerald Publishing.

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This impressive and important book – a critical penological analysis and a linked piece of short fiction called *The Invisible Collar* – will give small comfort to the international network of scholars, policymakers and practitioners concerned with community sanctions and measures, because it convincingly suggests that they have innocently and inattentively been doing much harm. Contrary to the still commonplace liberal view that such measures and sanctions are relatively (and sometimes substantively) benign in comparison to imprisonment, McNeill argues that the scale and reach of "supervision in the community" and the intensities of the oversight and "grip" imposed on supervised individuals in late modernity are both more detrimental to social cohesion (rather than "reintegrative") and more painful to undergo than scholars and practitioners alike have realized. The seemingly defensible supervisory ideal, which international academia still uses to benchmark and critique the demeaning actuarial techniques that now characterize the "non-custodial" side of late modern penalty, was always more humanly problematic than it appeared, and decidedly more punitive in its effects and consequences.

Focusing on the USA and Scotland (his home country), and occasionally drawing evidence from elsewhere, including Europe and especially (in probation terms) the good-guy-gone-bad of England and Wales, McNeill acknowledges significant national, jurisdictional and agency variations in supervisory practices. These are, typically, probation orders, parole licences and suspended sentences, but also, now, a whole host of prohibitory, breachable supervision orders (some offence-specific, with pre-crime overtones) as well as new forms of electronic monitoring. Nonetheless, sufficient common features exist across jurisdictions, he insists, to justify the contention that neither scholars nor social workers anywhere have yet managed to paint an honest, culturally memorable and politically compelling picture of what contemporary supervision actually entails and feels like. This partly explains the prevalence of glib, often unchallenged media judgements that being placed on supervision is somehow akin to "walking free from court"; even the European legal designation "semi-liberty", whilst a descriptive improvement, does not fully evoke the human experience of being supervised.

It is the core project of this book to make supervision not only more intelligible (the "making sense" of the subtitle) but also more culturally and politically visible, more accessible to a range of commentators outside academia, using "visual criminology" projects (Supervisible, Picturing Probation, and Seen and Heard) in which McNeill and a number of his colleagues have latterly been involved (alongside supervised, or formerly supervised, people themselves), as well as a similarly constituted songwriting project, detailed in a separate appendix). The book draws on previously, and sometimes collaboratively, published material but still manages to be effortlessly distinctive and original. And just as it is no ordinary book, so it received no ordinary book launch, at a gig in a Glasgow pub:
https://www.youtube.com/watch?time_continue=3&v=PaMwzRNyo1E

Theorizing mass supervision

"Mass supervision" is big, with populations typically three, four or more times larger than the population of prisons in the same jurisdiction. It is the hitherto neglected (except by penal abolitionists) corollary of mass incarceration, which usually stands in conceptual isolation as an emblem of penal pathology in Western societies. Pervasive Punishment persuasively claims that mass supervision is just as central to understanding the contemporary dynamics of penal change, and just as complicit, in a more dispersed and attenuated way, with the political and economic drivers of material inequality. It is arguably more normalizing of inequality, precisely because it can be, and often is, represented as a civilizing alternative to prison, manifestly more humane (and cheaper). McNeill's book is well positioned in familiar, still liberal, critical penological terrain, but will in fact be grist to the abolitionist mill as well because it concedes their long established message that so-called alternatives to prison and early release schemes all too often extend rather than undermine the reach of imprisonment and are symbiotically entwined with it. Pervasive Punishment, whilst breaking new conceptual ground, has recognizable intellectual debts, notably to David Garland's (2001) *The Culture of Control,* to which it is a kind of counterpart and complement, but arguably (and interestingly) even more so the late Stan Cohen's (1985) *Visions of Social Control.* Conceptually speaking, "pervasive punishment" is "the dispersal of discipline", "net-widening", "blurring" and "mesh-thinning" rudely, defiantly, oppressively come of age, and refusing to leave the scene of the crime, ruefully suggesting that nothing Cohen said back then about his fears for the future stopped them from coming true.

To ground the analysis of supervisory infrastructures and practices in the machinery of neoliberal capitalism, a notion of the penal state and the microphysics of power, there are the near-obligatory nods to Durkheim, Marx and Foucault. Even Deleuze's provocative, post-Foucauldian, post-disciplinary "societies of control" get a mention, although on this minor point McNeill fares no better than anyone else in finding sufficient penological relevance in this strange abstraction. In picking up on how computers, just-in-time production techniques and cybernetic thinking were changing society, Deleuze was indubitably prescient, but in that particular theoretical idiom it took until Bernard Harcourt's (2016) *Exposed: Desire and Disobedience in a Digital Age* to grasp what had emerged, and what new penal affordances had come into being.

Exposed is a book with some relevance to McNeill's reflections on the future trajectories of electronic monitoring, on the politics and techniques of making people more visible, and on the technological milieu in which good forms of supervision might or might not be salvaged and taken forward.

Pervasive Punishment succeeds in a kind of analysis that none of the aforementioned grand theorists quite managed. It traces the macro-to-micro inscription of broader structural influences downwards and outwards into the face-to-face interactions of supervisory practice, through the mediating agency influences in between. For this reason, Richard Sennett – who has perfected this kind of analysis – is a surprising absence from the list of intellectual progenitors. In the way it socially situates humanly recognizable supervisees, anonymized here as Teejay and John, whom McNeill met in the "visual criminology" and songwriting projects, *Pervasive Punishment* stands easy comparison with *The Hidden Injuries of Class* (Sennett & Cobb, 1993) and *The Corrosion of Character* (Sennett, 1998), the rare and renowned kind of not-quite-ethnographical works whose pained human subjects and the places they live and work are not lost sight of in the overarching theoretical analysis. Penology has not had such a book as Pervasive Punishment before, and had McNeill subtitled it, as he aptly could have done, The *Hidden Injuries of Mass Supervision* no reader could have accused him of vanity.

The structure of the argument

Having clarified concepts and established a lineage in the first two chapters, Chapter 3 concerns the social distribution of supervision in terms of class, race and gender – who gets supervised most, and who least, and why? This is where "mass" is explained. Chapter 4 examines the ubiquitous, paradigmatic legitimation of supervision in penal reductionist narratives through the particular lens of Scotland – the never (or negligibly) realized promise of using prison less if supervision is used more, no matter how the character of supervision is politically shifted or represents itself over time, whether as mercy, welfare, responsibilization, control or punishment. Chapter 5 adapts Ben Crewe's (2011) work on the variable depth, tightness and weight of *prison regimes,* which make them more or less humanly bearable, to supervisory regimes, exposing the fluctuating pains and burdens they impose on people, teasing out the responses and adaptations of Teejay and John. It shows how the imperatives of governance structures and agency protocols, channelled and mitigated with variable degrees of reflexivity by different supervisors, systematically misrecognize their human subjects as perpetual objects of "categorical suspicion", always in need – by dint of their ascribed risk – of oversight and intervention, never trusted. McNeill coins the redolent concept "malopticon" to characterize the relentlessly negating gaze that supervisory institutions and actors direct towards hapless supervisees, seeing surveillantly and judgementally, but not truthfully, not roundedly.

The last two chapters both point to ways forward. Chapter 6 makes the case for making the penal character and human consequences of supervision more "visible", so that we (academics, policymakers, the public) can become better placed to know what we are dealing with if we wish to reform or abolish it.

The first part of this calls for a larger, sustained (clumsily named!) "counter-visual criminology", building on the projects described earlier in the book to enable a wide range of audiences to engage both cognitively and affectively with new, probably unfamiliar ways of seeing "offenders" and "outcasts", more commensurate with the ways in which they see themselves, more generative of empathy and concern.

There is a connection here with a larger moral, political and sociological project, perhaps most associated with Zygmunt Bauman, to affirm the face and the soul of "the human" in a technocratic environment that increasingly tends towards its erasure. . The politics of visibility has become more complicated, because in an age of ubiquitous CCTV, databases and social media – the technocultural corollaries of electronic monitoring, with which they all share pinpointing capabilities – spaces of anonymity and obscurity become as vital to human flourishing as visibility on the public stage, whose intended and hoped for meaning becomes harder to fix and control as images circulate and recirculate, and get reinterpreted, in digital networks. Bernard Harcourt (2015, p. 282), not so enamoured of visibility as a social goal, presents "fogging up" the tools of transparency as desirable "digital resistance", although he registers the same recurrent human hope as McNeill when he reminds us of the Prison Information Group founded in France by Deleuze, Foucault and others in 1970, whose "idea was to produce a space, an opening, where people, voices and discourses could be heard that were otherwise silenced".

The second, allied part of Chapter 6 enters the debate on "public criminology" on the terms set by Loader and Sparks (2010), which see a properly functioning, expansive, deliberative democracy as the way forward. McNeill's hope is that academics, practitioners, artists and hitherto outcast voices, sometimes melded together, will claim, gain and retain a persistent voice on penal matters. In seeking to build an understanding of what supervision really is, politically and experientially, he calls for an activist "dialogue" that will "be enabled and enhanced by creative practices, processes, representations and responses that help us to see, hear and sense supervision" (p. 155). Whether McNeill is conscious of it or not, the great German artist Joseph Beuys (1921–1986) seems a distant influence on his thoughts, or, more precisely, on the Scottish penal milieu in which he has developed intellectually as a social worker and academic. Beuys lived and breathed the idea that all of us have it in us to be artists, that our best selves appear through creativity, and that art could be a social critique. In one of those instances of random "happenstance" that McNeill acknowledges play a part in penal trajectories and outcomes, in the late 1970s and early 1980s, Beuys's outlook imprinted and vindicated the artistic endeavours of the controversial Special Unit in Glasgow's Barlinnie Prison (Nellis, 2010). It in turn left a stuttering and ambivalent legacy of receptiveness to using creative arts therapeutically and emmpoweringly with offenders in Scotland, which McNeill and his colleagues have been doing much to invigorate.

Chapter 7 draws out two scenarios: a dystopian one of ever-expanding supervision, augmented, even dominated, by emerging forms of technological monitoring, and, alternatively to that, a hopeful, defensible model of good supervision practice, based on parsimony, proportionality and productiveness. The dystopia comes over as an intensified, even more automated malopticon, complete with reporting kiosks, biometric recognition systems, incessant tracking and biochemical and electroshock immobilization techniques, all of which, sadly, exist on this side of feasibility and do indeed have real-world champions. Such

projections, which in dark times can all too easily colonize our imaginations, require active resistance. To fortify us mentally, McNeill reminds us at the end of the book, somewhat bracingly after characterizing so much supervision as Javert-like malevolence relentlessly messing with redeemable Valjeans, that pockets of good supervision do survive, and still matter. Its principles and protocols are easily delineated and are still sometimes applied in practice, especially in Europe. Nonetheless, it is in the nature of mass supervision not to be good-quality supervision: its rationale is not the support, reform and reintegration of troubled and troublesome individuals writ large, but the dispersed regulation of largely disadvantaged populations, cheaply. The solution to its scale, its mass character, lies with an end to systematic disadvantage and inequality – easier said, of course, than done – but pre-figurative forms of dealing better with the troubled and troublesome are indeed needed now, as signals of possibility.

McNeill's short story supplements his policy and practice recommendations with one such possibility, the "Conviction Collective", a self-help-cum-social-movement that helps people to rebuild their lives after punishment. This is certainly a valuable gesture towards something beyond the routinized, individualized nature of state supervision, but it might be argued that more needs to be said about the economic desolation, crime networks and cultural dynamics of the communities in which many supervised people live their lives, adversities on which even supportive collectives can have only a limited impact. What would communities need to be like to make formal supervision less defensible? Richard Sennett's (2012) observations in *Togetherness* on the craft of cooperation, and the kinds of individualism (and tribalism) that produce "the uncooperative self", would be worth considering. Alice Goffman's (2015) ethnography of young, poor African-American men caught in "a web of warrants and surveillance" corroborates McNeill's core point about the bleakness of the state-supervised life in run-down areas from a different perspective, and lends urgency to his proposed solutions.

Pervasive Punishment as a "criminological encounter"

There are several ways in which *Pervasive Punishment* is a "criminological encounter". The first is inter-professional. Part of the story McNeill tells concerns the way in which his own training and experience as "a criminal justice social worker" in Scotland (his pre-academic career) – which emphasised the helpful and constructive aspects of supervision and often disavowed its penal character – was modified over time by intellectual and professional encounters with critical penologists in Europe and the USA. There is some significant politicization here, a dawning that in the new century the penal and welfare promises of liberal reformism were being dashed, and that the purposes and practices of the supervisory agencies in which he had once had confidence were being distorted into something indefensible. Whilst remaining sensitive to the practical and emotional demands of supervision on social workers, and probation and parole officers, he reframes their prevailing professional world views, whether based on need (helping) or risk (protecting the public) or both, as rather egregious "penal imaginaries" that render them oblivious to the harms that they inflict.

The second encounter is methodological – the complementary use, alongside critical analysis, of visual research methodologies that equip the subjects of supervision – treated as "knowledgeable informants" –

to use photographs, music and song lyrics to express their view of their experience and engage in dialogue with others about it. Some of the photographs are used in the book, and a postscript on Making Stories and Songs from Supervision, co-written with a music-maker, explains the processes and rationale underpinning the approach, and also the origins of the short story included in the book, and the roots-in-real-life of the characters in it.

The third encounter relates to this fictional narrative. The juxtaposition of an unfolding short story alongside the academic analysis works to substantiate the book's central claim that the subjective experience of supervision, and the milieu in which it occurs, is hard for those unfamiliar with it to imagine and empathize with, unless they are represented in a personalized way. The Invisible Collar engages its own right to tell, at intervals throughout the book, the story of a supervised offender called Joe, his skilful and empathetic social worker Pauline, who is at odds with the heartless managerial culture she has to work in, and Norm, her manager, the self-absorbed embodiment of all things actuarial. The idioms are perfectly complementary. For some, perhaps many, readers of Pervasive Punishment, the short story will be the hook the argument about the character of supervision hangs on, providing the cognitive and sensory insights that make the analysis plausible and compelling; for those of us who already "know" supervision, it is McNeill's Sennett-standard sociological reflections on it, which make us see it anew, that are the noteworthy intellectual achievement here. The story, sharp as it, is just a bonus.

McNeill is not the first criminologist to pen supportive short fiction, though he may well be the first to entwine it within an academic narrative itself. Stan Cohen originally published *The Last Seminar* as a separate journal article in 1979 before including it in his edited collection *Against Criminology* (Cohen, 1988). A sardonic dystopian fable, tonally somewhere between Borges and Ballard, it depicts the breakdown of order in a liberal Western university, and in the mental health of the first-person narrator (a radical criminologist!) as chaos and violence of seemingly unknown provenance invade the campus.

The collapse begins slowly with merely unsettling incidents – "cons" turning up to his classes disputing his expertise on imprisonment – which don't impinge on everyone equally: the theorists and philosophers continue abstruse conversations among themselves (while Rome burns!), oblivious to the panicking sociologists. Why the empiricists, wonders the criminologist? Why those who had at least tried to engage and be relevant to a troubled, unjust world? It does not dawn on him as he flees the subsequent screams and gunfire, as it does to the reader, that angry subaltern voices, not easily boxed into academic categories, were rebelling against everyone who had *merely studied* injustice, even those with good intentions, without actually altering anything. Asking the subjects of oppression for their views, by itself, is a less "engaged" way to be than many academics, even radical academics, like to think. Unlike his fictional alter ego, Cohen always worked out what was going on, called things by their true names, and did involve himself in political and professional struggles outside academia.

Some critical comments

Cohen's depiction of the state of the world in 1979 was allegorical; re-read now, it seems a little more literal in the world in which *Pervasive Punishment* has appeared. Although McNeill is politically and professionally engaged outside academia, what he does not openly reckon with here, in his pursuit of an enlarged public space for democratic deliberation, are the punitive, indeed nihilistic, voices who have always inhabited that space. In many respects – as an ascendant populism shakes liberal foundations – such voices are louder than they have been for decades. It does not matter, for present purposes, why they are there, or what social forces they represent; just acknowledging that they mobilize every time a progressive penal strategy is pursued is part of what praxis always requires. They can be circumvented, sometimes, but not vanquished. One reason, historically, why so many forms of penal-welfare supervision have been contestable and contradictory, and prone to punitive intensification (especially in Britain), is that they are almost always the product of legislative and policy compromise with hostile interests. They are a mix of "not prison" to those who see the harms prison does, and want alternatives, but are also required to be "prison-like" by those who want some aspects of imprisonment replicated.

McNeill is wise to open up new options in civil society for supporting reintegration that don't entail protracted periods of state supervision, to imagine "the impossible", but baneful influences exist in civil society too. The latter-day successors of G K Chesterton (1907), who reviled the "detestable determinism" of early English release-on-licence schemes, and the undignified "perpetuation of punishment" that they seemingly entailed, are probably not the kind of allies that McNeill would want on his side. The 24% decline in the use of community supervision in England and Wales since austerity began in 2010, and the increase in fines, is no harbinger of the future he has in mind (Centre for Justice Innovation, 2018). Mass supervision has more than one kind of opponent. A recent near-future dystopia, for example, depicts a commercialized criminal justice system in Britain transformed beyond recognition by neoliberal assumptions: every crime is penalized with a fee according to the agreed financial worth of the harm done or the life taken, with long periods of indentured labour in harsh corporate worksites for those (most people) who can't afford to pay their debt (North, 2018).

And then there's the crime victims, whose pain, fear and anger are easily manipulated to serve penally regressive ends, but whose needs, rights and interests matter no less than those of designated offenders, who may well have experienced victimization themselves. Apart from Richard Sennett's work, the other book that *Pervasive Punishment* made me think of, partly by default, party in its cool determination to make a difference, was John Braithwaite's (1989) *Crime, Shame and Reintegration*. In terms of practical policy prescription, Braithwaite understood that questions of censure, constraint and redress (as well as reintegration) can never ultimately be evaded if vulnerable people are to be protected from harm and violence, and if progressive penal measures (or moving away from penal measures) are to seem like a plausible political option. McNeill does not directly address these questions, but in any debate about the rolling back of mass supervision, whatever the social justice strategy that might underpin it, they will arise. His hope, though, that through creative arts the humanity of "offenders" will become more apparent, and thereby open up a range of engagement strategies less severe, and less risk-oriented, than penal

supervision – emotionally painful perhaps, but not inimical to their citizenship – is consistent with Braithwaite's approach.

Pervasive Punishment is right that the pains of supervision have not become embedded in popular consciousness as readily as those of imprisonment. They are therefore easily minimized and misrepresented as something lenient, which mystifies both their political function and their personal impact. Would it make a political difference if such pains were durably inscribed in cultural memory, via novels, biographies, films, poems, concerts, podcasts, reports, documentaries and research, constantly available as an authoritative resource with which to counter repeated misrepresentations? Possibly, but many a prison movie over the last hundred years has casually turned brutality into cliché and perverse entertainment: vicarious awareness of "the pain of others" does not always translate into compassion (Sontag, 2003). It matters less, I think, whether honest representations of supervision become enduring, institutionalized common sense, so long as the supply of new, invigorating representations is constant, each one commanding attention anew.

Few "offender autobiographies" or "prison novels" have a *lasting impact down the years on culture:* public interest, even in the good ones, tends to be transient, and they seem not to have an aggregated, cumulative effect. But while they do not collectively deepen or solidify progressive sentiment over time, any

one of them may have an enlightening and galvanizing effect on particular readers, influencing career choices or professional and political alignments. There are far fewer parole and probation autobiographies or novels than their prison equivalents, but they too can work in the same stimulating – if limited – way. McNeill mentions one such parole novel, Edward Bunker's (1933–2005) excellent, semi-autobiographical *No Beast So Fierce* (Bunker, 1973), which was much talked about in its day, aided somewhat by Dustin Hoffman's film of it (*Straight Time (*1978) – see numerous clips on YouTube), and achieved cult if not classic status. More novels of this calibre, in different jurisdictions, might help to illuminate and even delegitimate "bad" supervision, especially if publishers, academics and penal reform groups acknowledge their authenticity and fan the flames of public interest in them. But none will last forever, and while Bunker's work (four novels and a memoir) brilliantly captured an earlier era of American imprisonment and supervision, it is not – and cannot be – the touchstone it once was.

Sociology is perhaps no different: some exceptionally perspicacious works do nail the moment, but whether they have lasting impact cannot usually be predicted in advance. Pervasive Punishment certainly deserves to set the terms of an overdue debate on mass supervision, its unwarranted scale and its attendant human pains. The sophistication and lucidity of its analysis, its grounding in visual criminology projects, the stylishness of its encounter with fiction and McNeill's already golden reputation as an academic and activist will guarantee initial attention. It will be for others to engage with it, take up its challenges and reinforce its significance, a process I hope I have begun here. I will hazard that *Pervasive Punishment* will last, that it will be looked back upon as a critical moment in the understanding of supervision, and that others will agree with me that, while its focus and ambitions are intentionally more modest, it really does belong in the illustrious company of Cohen, Garland, Braithwaite and Sennett.

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