Bentham on Modern Social Control:
Prescient, Clairvoyant and More

By Gary T. Marx

Students of social ordering and one of its prime components – social control – owe Quinn and his colleagues at the Bentham Project a great debt for publishing the eighty Bentham volumes that will eventually be available. For the non-specialist to offer impressions of even a tiny fraction of Bentham's work goes beyond humility to chutzpa.[1] However, as Henry James said, 'We work in the dark, we do what we can, we give what we have.'

Bentham, writing more than two centuries ago, is prescient bordering on clairvoyant in his anticipation of contemporary social control themes. This speaks to his brilliance, as well as to enduring characteristics of modern society, which are discoverable through systematic empirical observation of systems from a qualified positivist perspective.

The Bentham excerpts here deal largely with policing and rule violation. These need to be seen within the broader context of the initial meaning of policing as the state's means of social control for order and civic improvement, beyond the specifics of a police organization focused on crime control.

Bentham was perhaps the first modern Anglophone theorist to offer an integrated approach to the

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[1] I will respond as if the ideas were Bentham's, although they mingle with those of Patrick Colquhoun and others. What is central is to see the contours, assumptions and origins of many current ideas about social control in the fermenting and fertile time period of Bentham, Colquhoun, Chadwick and Peel. The difficult task of sorting out original ownership of the ideas is best left to the specialists.

intellectual and practical problems of social order as we think of them today. Criminologists rushing from one classroom or crisis to another give insufficient attention to the historical roots of current control regimes. Things have origins and contrary to Santayana's oft quoted observation, even those who can remember the past are too often condemned to repeat it. In the eighteenth century beginnings of contemporary social control, there was the word and the word was Bentham's.

Quinn's grounded and thoughtful excerpt on preventive policing illustrates Bentham's insight, breadth and honesty and his centrality to the intellectual underpinnings of our contemporary taken-for-granted law-and-government policy worlds.

Social control, whether viewed as a mighty fortress or a dungeon, is a structure with many rooms set within a small area or vast acreage. It involves the creation of norms and processes of discovery, adjudication and sanctioning. It also involves efforts Bentham advocated to use socialization, social policy and engineering the physical environment to prevent or inhibit violations and/or limit the harm caused. Given the often ironic and imperfect nature of prevention, he also emphasized strategic efforts to discover violations and apprehend violators when prevention failed.

The enduring conflicts and challenges Bentham saw in how efforts to do good could bring risks of doing harm or at least unwanted costs and tradeoffs, may be universal. But in the face of so many moral and economic entrepreneurs offering us alternative, selective (or no) facts, the potential of good to do harm must be acknowledged. The pie does not get any larger and choices and legitimate and illegitimate power differentials are always present, whether explicit or implicit (and with the latter, there are always the unknown unknowns). No righteous contemporary reformer of criminal justice should be granted a licence (let alone licence), without

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awareness of Bentham's work on public administration and policing. He is a social theorist and an ironist, if not always explicitly so.

In the passages Quinn discusses, Bentham is acutely aware of levels of causation and of the interconnectedness of parts of the social order. He adopted a social systems view before Pareto and Parsons; while the system(s) are loosely joined, they are joined. He is an empiricist, a scientist (at least of the social variety) and a pragmatist. The interweaving of these elements are central to his programmes. Yet, he sees the limits of quantitative measurement for many of the things that ideally should be measured and the risks of ignoring factors not subject to such assessment.

Impinging upon the semi-closed notion of a system are temporal and other dynamics that alter the system's components. Bentham's distinction between 'justice' as applied to the judiciary's response to the discovery of 'mischief from internal adversaries', contrasts with 'prevention' by police before that discovery. Presumably, if successful, such prevention means there will be no need for justice. Yet a reverse linkage not considered in the text is possible.

What if prevention causes a crime, thus triggering the need for justice? Just how do these relate? Under what conditions does prevention lead to crime rather than inhibiting it? This can lead to injustice for those subjected to categorical suspicion without individual cause and those wrongly caught up in stings gone awry (e.g., as a result of entrapment). There may also be harm to those victimized by an offence that would not have occurred absent efforts at prevention, not to mention wasting resources that could be better used elsewhere. Such unintended consequences are at the core of the social and ethical issues around prevention. I saw this clearly in studying the preventive efforts of undercover policing (Marx 1988). The questions take on increased

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importance in an age of big data sets presumed to offer clues to potential violations (e.g., Brayne 2017) and the rush to apply technological solutions.

Bentham locates much of the motivation for rule-breaking at the level of the presumably rational, calculating individual. Nevertheless, he is also a social determinist in looking at the centrality of the social and physical environment with respect to how communication, opportunity and social control forms condition rule enforcement and violations. These structures critically inform individual decisions, as well as broad crime patterns. For example, Bentham writes, 'the mischiefs that prevail in this department [re coin police] *ought not to be imputed to the individual, who is whatever the law makes or suffers him to be, but to legislation'* [italics added] and we can add the absence of legislation. Once belief in God is eliminated or greatly reduced from a daily role in human affairs, the reform advocate needed to look elsewhere for causes. Crime reflected the environment and, as for Durkheim, was an offence against society, not the King or God. Intervention is not only possible, but morally demanded.

Bentham's writing on prevention connects to social control at three levels. The first, at the level of culture, communication and socialization, involves the broad ordering of society and the values communicated by government. The second involves institutional social structures of government, law and the economy as these are conditioned by policies that are central to life chances. A third level involves the concrete artifacts and social processes at the situational level seen in the interaction between rule breakers and rule enforcers. For Bentham, to have civil peace in the face of the rapid social change then occurring in England, government needed rationality (which can be read as common sense in light of logic and empirical reality). Preventive policies were needed at each of these levels.

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Communication and the Moral Order
Soft Control

As democracy with its tilt toward softer controls dawned, Bentham saw a need to craft a better moral order via 'indirect legislation' in the face of the disruptions associated with the emerging urban industrial society. This need was central to Durkheim and other later nineteenth century theorists. The ruptured moral order needed reparation. For Bentham, communication by the state for moral education was a vital component of this in socializing citizens to lawful behaviour and making them aware of the consequences of acting unlawfully.

In his advocacy of indirect legislation we see the soft social control themes that have gained ascendancy over the last several centuries as the pragmatic and moral limits of coercive control became more evident (Elias 1978, Leo 1992, Marx 1981; 2006; 2016). As an early advocate of democracy, Bentham was morally repelled by the extremes of physical coercion and opposed the death penalty. Living at the same time as Napoleon, he appreciated the duality in Napoleon's reference to control via the iron fist within the velvet glove.[2] Influencing people via manipulation, deception, the creation of uncertainty and rewards were viewed as morally and strategically superior to relying on direct coercion after the fact. Even when those were ineffective, clear communication about risks and penalties might bring conformity out of fear of being caught.

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[2] Bentham viewed punishment as an evil which could be justified only if it served to counter an even greater evil (this is consistent with Tom Paine who about the same time wrote that government was a necessary evil). Thus, Bentham was not opposed to whipping and torture under certain circumstances presumed to involve 'the greater good'. Nor did he confront the ways that 'soft' forms such as solitary confinement and a prohibition on speaking, although 'soft', could be terribly cruel forms of punishment. Whatever the moral or pragmatic calculus, the soft surveillance of deception may backfire if the deception becomes known. There is a bit of a hat trick here in socializing citizens to the idea that the rules are neutral in the service of legitimacy. While the other golden rule (those who have the gold make the rules) alerts us to the fact that rules proffered as fair because they are universal, may, nonetheless, disproportionately serve the interests of elites who Bentham believed to be more enlightened than others.

Thus, within the panopticon inmates could never be sure if they were being watched and overheard, thus conformity is seen to be prudent (at least to the extent that potential violators are rational as seen by Bentham). A related process is the uncertainty created by the watchmen who might come around at any moment. Peel's reforms involving a permanent uniformed police presence, rather than the intermittent watchmen, was a similar effort to enhance self-control through the possibility of apprehension. Yet these efforts have their limits (beyond the corruption of authority), since conformity does not depend on believing that the rules are right (legitimate), but out of fear of being caught. It is far better to convince people of the legitimacy of the rules and self-discipline, thus avoiding the need for an enforcement response after the fact with the expenditure of resources and the potential for unintended consequences.

The Printing Press, Moral Suasion and Propaganda

The rise of the printing press and the spread of mass literacy provide a valuable, new, soft tool to shape hearts and minds, as does the internet today. The propagation of messages of moral and political instruction, which previously were left to the clergy and rulers using scribes, stained glass windows and proclamations with limited reach, can now be more efficiently delivered and directed by those controlling the printing press. This leads to strategic efforts to propagate a view of the world favouring the status quo and restricting those opposing it. Given inequality, such an effort is contestable, even as it claims to benefit the society as a whole ('the greater good') and some potential equalization that the technology may bring.

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Bentham's veiled 'Indirect Legislation' involving the state's early use of the printing press for propaganda purposes is important for the history of mass communications.[3] In such proposals we see seeds of twentieth century (and current) authoritarian states' messaging via control of the mass media – a control later seen in the fiction of Huxley and Orwell, modern consumer advertising and public relations.

The hope was that the *Police Gazette* would gradually come to be seen as '… an interesting but objective source of information [that] would make possible the undetected transmission of preferences and of will, by exploiting a cognitive gap – an asymmetry in knowledge about the functions of the *Police Gazette* – between government and its readers' (Quinn XXXX, XX).

His next sentence is rich grist for the social critics mill:

> And when, for purposes not exposed to repugnance or suspicion, this sort of channel of communication [the *Police Gazette*] has once been established in the several assemblies and the minds of the members have become familiarized with the use of it, it will be easy, if on any occasion it should become desirable, *to make use of it for the purpose of conveying any impressions which it may be wished to produce with a view to the execution of justice or the preservation of the public peace*. (2018, p. 322 UC cl. 575 emphasis added)

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[3] This is central to whether and when police can or should, be viewed as neutral public servants or as the protectors of an unequal social order. In any complex social system rules are likely to disproportionately favour the more privileged who will have a disproportionate say in what the rules are and in their enforcement. However, that does not negate the fact that many rules (e.g., regarding safety and health) can be said to serve a broad public interest. Neutrality can also be seen in the presence or absence of due process.

Certainly there is much to be said on behalf of citizens trained as a result of government publications to value self-reliance, hard work, frugality, sobriety, family responsibility and to guard against sloth (although I have some doubts about seeing no value in 'lounging in ale houses', at least after a hard day's labor). Who could be against 'Indirect Legislation' that offers the public literature that features, 'virtue represented as amiable, vice in odious, colors: the former rewarded; the latter punished'? (No date. UC lxxxvii.18). But to welcome that, we need a means of agreeing (or at least reaching conclusions) on what is virtue and what is vice.

All democratic governments advance the 'culture of moral sanction', holding apart the issue of whose morals. But with this, particularly if its purpose is hidden, as Bentham seems to advise, there are obvious risks of propaganda posing as truth and the door is opened to censoring ideas not seen to be supportive of the current government's brand of moral uplift.

There are of course limits to moral suasion via the mass media. Yet the message need not be believed to have an impact. Those able to detect manipulation and deception or who are otherwise not convinced (taken in?) by moral indoctrination (i.e., socialization) might still be scared into calculating, 'it's not worth it' in learning what fate awaits violators. The ritual reminder and affirmation provided by publicizing punishment for those who stray might strengthen rule abidance.

Whatever its challengeable role as a force for establishment morality, the *Police Gazette* would also offer information about potentially disloyal minorities. Quinn observes that the *Police Gazette* 'would serendipitously, beyond its' publicly stated goal of conveying information about and to the poor, would offer information on various groups of non-conformists, permitting '… an exact and constant with the numbers and situations of them will be obtained *without the appearance of being sought* and *the attention of the local Surveyors of the Board will be pointed*

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to the numbers and deportment of the individuals of whom these congregations are respectively composed' ([2018], pp. 321–322 {UC cl. 574}, emphasis added). This must be understood against the background of perceived threats from those sympathetic to the French revolution.

This is an early example of systematizing government intelligence for the control of dissident populations, beyond garden variety street and highway crimes. The expansive net that comes with the bureaucratization of surveillance organizations, and identifies suspected individuals *before* any violations have occurred, is a key element in authoritarian control. The efforts of the Stasi are an extreme illustration.

Transparency Also Can Control the Governors

His preference for soft, rather than coercive, control can be seen in his favouring transparency as a way to inform the public and hold those with authority accountable. Such visibility contains the seeds of our expectations regarding freedom of information and openness in government. Government had to be closely watched and calibrated to see that things worked according to plan and to guard against abuses of power. Appeal to reason and propagation of the idea of openness could also support the state's legitimacy in the absence of the divine right and wisdom of kings. Bentham sought to subject claims about society to empirical inquiry. He is a parent of the fields of evaluation research and policy studies.

As a not always explicit proponent of democracy (at least before 1809), he saw transparency/visibility as central to limiting the crimes of authority. He sought justice for those who, in Howard Becker's (1963) words after Shakespeare were, 'more sinned against than sinning'. For example, in his plan for the panopticon, the two-way street aspect of vision served to control the prisoners, but also those who ran the prison. His concept of 'sinister interest' in which the vested interests of elites conspire against those of the public fits well with views from

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the sociology of knowledge and stratification and the rise of critical social science. From these perspectives   the imperial, hegemonic, asymmetric and manipulative potential role of culture and communication tie to power.

Social Organization and Crime

The effort to engineer a mass media-led improved moral sense in citizens fits seamlessly into the calculative model of utilitarian conformity. But beyond stirring cries to do right via 'indirect legislation' and to view law enforcement as emanating from the community, not something imposed upon it by the King or the state, Bentham advocates tinkering with the social order via legislation and policy in order to effect the potential rule-breaker's incentives, disincentives and capabilities as these connect to their calculations and motivations. Humanism and pragmatism intertwine on behalf of prevention in the call to create social conditions which permit individuals to meet their basic needs.

Merton (1957) in writing about anomie as a cause of crime embodies this view. He suggests that the type of rule-breaking involving the 'innovator' reflects the lack of fit between shared goals and the means to reach them. In Bentham's time a central goal was basic sustenance. Provision for the wellbeing of the less fortunate was seen as a crime inhibitor. A fair social order that provided for people's basic economic needs and gave them hope for legitimately meeting future needs lessened the incentive to steal, particularly if the penalties for violations were understood, clear, proportional and swiftly applied.

With respect to rational calculation the emphasis is on self-control and the 'economic person'. The risks, gains and punishments for violation must be clearly communicated and specified according to a scale where the more severe the violation, the more severe the penalty. The need

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for punishment reflects the failure of prevention, although violations may be thwarted during imprisonment and the punished may calculate differently next time. Punishment rituals are also intended to reaffirm conformity for the broader community. Of course, all cultures likely have some version of deterrence and justice via a 'let the punishment fit the crime' ethos, however varied the specifics. However, Bentham is distinctive with respect to how explicit and calculating punishment was to be.

Bentham's view of prevention reflects a social systems perspective involving networks and temporal social processes. For example, the proposal to licence various occupations touching property theft, rules for operation (e.g., receipts and record-keeping), consent to inspections, along with the creation of new offences such as receiving stolen goods extends the law to those within the system who had previously been immune as enablers or facilitators. This is intended to make it harder to dispose of stolen goods. Here, as elsewhere, we see the roots of a neo-liberal, self-control approach in creating incentives for the licenced to control themselves for fear of losing their licence or worse.

The rule expansion involving markets for stolen goods is a small strand of the astounding proliferation of rules associated with the rise of modern society. We see the greedy, expansive nature of social control as suggested in 'net widening' (Cohen 1979) and the appearance of 'secondary deviance' (Lemert 1951). With this comes the potential for the unintended consequences that nestle within interconnected social orders. The new violations and punishments resulting from the new rules of course heighten the risks, but can also create new black and regular markets via displacement.

Using Data to Set Policy

The Police Gazette and the *Calendar of Delinquency* had multiple goals. They would offer intelligence for prevention and discovery of violations and new classes of violation, for warning potential victims 'to be on their guard' and for citizens to report suspicious activities and identify fugitives for police. It would be more difficult for criminals to operate in the same location or in the same manner. It would also serve as moral education and a warning even 'to the innocent and well disposed'. However, we are not told how being innocent relates to being well disposed.

Of particular importance was his arguing for the use of observation and measurement for setting policy and law and the effort to approach governing in the most rational manner. Of course, with several centuries of hindsight, it is easy to raise issues about his foresight. Thus, for Parliament to unreflectively use crime statistics to formulate and evaluate policy and for Bentham to assume that with legal improvements reductions in the number of offences of any given type would occur without any addition made to other types of offence is doubtful given what we now know about displacement – whether regarding means chosen, offences, locations or victims.

Regarding crime victims, he is prescient in discussing 'alarm' and the 'subjective apprehension of danger'. He notes that this can lead to withdrawal and actions not taken. Here he acknowledges 'the imperfections of moral calculation' and the difficulty of measuring the 'imponderable' issue of intensity. He would have appreciated the advances in assessing fear of crime, various tools and scales for determining the strength of feelings and various indirect and unobtrusive measures from which inferences can be drawn.

While he shows a humility too often lacking in those in the world of politics, he does the best he can with what he has. He implicitly argues for the realism required for public policy choices –

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favouring the least bad alternative involving 'direct object measurement': As Quinn observes, 'Utilitarian calculation might be less exact than one would wish, but it remained the only defensible approach for those seeking a rational criterion for the evaluation of rules or institutions'. The effort to bring a *measured* (whether meaning quantification or balance) degree of sanity to the emotionally explosive and politically manipulated issues of crime and control must be welcomed by all persons of good will and rational mind. Sometimes the choices are between the good and the good (or the better) or at least between the bad and the worst (or in Machiavelli's words viewing 'the least bad as good').

Local Contexts: The Situational Level

In his consideration of several kinds of prevention, Bentham connects to the two main social control traditions noted by Janowitz (1975). One is the broad social ordering of society and the other, the interactions of rule enforcers and violators at the situational level. The former – culture and communication and the creation of a fair social order with broad opportunities and an emphasis on the welfare of citizens – was discussed above. We next turn to locations directly involving rule enforcement and violation where we see Bentham's emphasis on using science and technology to condition choices and influence outcomes.

In his focus on the material, physical elements of the immediate situation, he was an early social engineer. He applied the engineer's logic to both physical and social factors. The assembly line relies on the speed of the conveyor belt rather than on the will of the worker. In the same fashion, engineering the physical environment for conformity limits or takes away opportunities for violation, bypassing the will of the potential violator.

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With the physical engineering of social control we see a very different kind of prevention beyond calculation or sentiment. Here Bentham's focus is less with the subjectivity of the potential violator and the effort to induce self-control via belief in the legitimacy of the rules or via rational choice and calculation. The will of the subject hardly matters if the offence is made impossible or very difficult to carry out via environmental alterations or if such alterations facilitate the identification of and inhibitions upon potential violators (ala Lombroso half-a-century later).

Illustrative of this is the architecture of the circular panopticon with its visibility for the centrally placed, unseen watcher, restrictions on the interaction and communication of inmates who are isolated from each other and the outside world. His design of three other panopticons (for paupers, students and leaders) was different given other organizational goals. For the latter the constitutional-panopticon was to be a thirteen-sided polygon with the office of prime minister in the center and communication to be carried out through inspectable communication tubes (Galic *et al. 2017*). Beyond architectural design he identified twenty-five 'crime-preventing expedients' such as street lighting, traveler registers and identification marks for all subjects of the state'.

Bentham followed and helped inspire an ever-evolving protective tradition from the inventors and builders of the first locks, safes, moats, walled castles, armour and biological identification systems to the present environmental design (Newman 1972), situational crime prevention (Clarke 1997) and related efforts (Byrne and Marx 2011). Bentham's various examples fit well with a classification framework offered for technology-based engineering of social control efforts (Marx 1995; 2015) Such prevention efforts involve target or facility removal, target devaluation, target insulation, offender weakening, incapacitation or exclusion, victim warning and, when those fail, offence/offender target identification.

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In helping stuff and unpack the Pandora's box of technology, Bentham introduces a cornucopia of social and ethical issues. Of particular interest are the surprises that appear when poorly understood tools are too unreflectively and hastily introduced into complex, poorly understood systems. Marx and Guzik (2017) note a number of uncertainties involving technical crime control efforts. Of course a lot can go wrong and, given the fluid nature of social dynamics, while these efforts close off some opportunities, they may open up others as well, such as new markets and material techniques of neutralization. Marx and Guzik identify five sources of *the uncertainty principle* with respect to the not infrequent failure of technical solutions to work as planned, Five prominent factors here are uncertainties of functioning (e.g., does the tool operate technically as designed?), goals (e.g., will it be used for purposes other than those for which it was designed?), consequences (e.g., will it result in unintended consequences?), context (e.g., how do social contexts shape how the tool is used) use body-worn cameras?) and environment (e.g., will it function in adverse weather or cultural conditions?). Since Bentham's panopticon was never built, its failures cannot be analyzed. However, PhD theses regarding the reasons and types of nineteenth century failed (or partially failed) prevention efforts inspired by Bentham are waiting to be written.

Technical artifacts may fail to work, break or require costly unanticipated inputs and revisions; as they say, 'stuff happens'. There are uncertainties of intended function – most technical artifacts are not limited to their specified function. Thus Ihde (2008) identifies the 'designer fallacy' and the 'ambiguous multistable possibilities' of artifacts. An airplane can get you to a desired destination, but may also be a weapon to destroy buildings. There are uncertainties of consequence – technologies may bite back. (Aspirin can be ameliorative, but taking too many

can kill.) Policy and practitioners need to be particularly alert to gradient effects and short and longer time periods and diverse settings and groups.

Additionally, there are uncertainties of context – social actors (individual or organizational) use technological/ behavioural extensions in ways which are unpredictable and often 'irrational'. Contexts with varied goals and interests may collide and react differently to the same tool. There are uncertainties of environment – physical environments can also be unpredictable and overwhelm the tool, as with the case of a meteorite hitting earth or a monumental earthquake. Surprise outcomes are more likely when the assumptions buried within the celebratory rhetoric of uncritical technology enthusiasts are not examined.[4]

Beyond the empirical failings of social control technologies that can sometimes be seen, for isntance, as when a security robot took an unprogramed and unexpected dip into the pool in front of the building it was guarding (see https://www.theverge.com/tldr/2017/7/17/15986042/dc-security-robot-k5-falls-into-water), there are the unseen ethical consequences. While to his credit Bentham wanted some visibility as a check on efficiency and accountability, he apparently did not consider the ways in which tools could bootleg in (or better) simply ignore ethical implications. If these are to be considered they must be acknowledged both when decisions about whether or not to apply a technique are present and when evaluating its impact.

A great problem with technology and social control, whether in the eighteenth century or today, is the numbing or hiding of the possibility of awareness. When one is cognizant of what is

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[4] Marx (2016) identifies five basic categories for organizing techno-fallacies. These include: fallacies of technological determinism and neutrality; of scientific and technical perfection; of questionable legitimation; of logical or empirical analysis, and those involving subjects or targets. Examples of the first category include: (1) The fallacy of autonomous technology and emanative development and use. (2) The fallacy of neutrality.

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occurring and data about impacts are available a reaction may be possible, even if only to negate or withdraw, let alone to try to change a situation. Bauman's concept of adiaphorization in which ethical implications are divorced from an action is helpful here (Bauman and Lyon 2013). This generates a specious sense of neutrality and an unreflective deferral to instrumentality as the preeminent value divorced from other values.

The observations of Erich Fromm (1955) apply today and to the early advocates of science and technology in the service of social order such as Bentham and Lombroso. 'The danger of the past was that men became slaves. The danger of the future is that men may become robots…. Men are increasingly automatons, who make machines which act like men and produce men who act like machines; their reason deteriorates while their intelligence rises, thus creating the dangerous situation of equipping man with the greatest material power without the wisdom to use it.'

I began my recent book *Windows Into the Soul: Surveillance and Society in an Age of High Technology* with a quote from Kafka's 1919 cautionary story 'In the Penal Colony'. The story is about a new technology described as 'a remarkable piece of apparatus' – a highly acclaimed, state-of-the art machine invented by a corrections officer for punishing inmates. The story ends when the machine malfunctions and kills its operator – an enthusiastic advocate of the benefits and infallibility of the machine. The sky is not now falling, even if that offers only modest grounds for rejoicing, yet there are after all holes in the ozone layer.

References

Becker, Howard. 1967. 'Whose Side Are We On?' *Social Problems* 14:239-247.

In S. T. Jacques and M. Quinn, *Bentham on Police,* forthcoming.

Brayne, Sarah. 2017. 'Big Data Surveillance: The Case of Policing'. *American Sociological Review* 82*:*977-1008.

Byrne, James, and Gary Marx. 2011. 'Technological Innovations in Crime Prevention and Policing: A Review of the Research on Implementation and Impact'. *Journal of Police Studies* 20:17-40.

Clarke, Ronald V. 1997. *Situational Crime Prevention: Successful Case Studies.* Harrow and Heston. New York.

Cohen, Stan. 1979. 'The Primitive City: Notes on the Dispersal of Social Control'. *Contemporary Crises* 3:339-63.

Elias, Norbert. 1978. *The History of Manners: The Civilizing Process.* Vol. I. Oxford: Basil Blackwell.

Galic, Masa, Tjerk Timan, and Bert-Jaap Koops. 2017. 'Bentham, Deleuze and Beyond: An Overview of Surveillance Theories from the Panopticon to Participation'. *Philosophy and Technology* 30:9-37.

Fromm, Erich. 1955. *Escape From Freedom*. London: Rinehart and Winston.

Ihde, D. 2008 *Ironic Technics.* Automatic Press.

Janowitz, Morris. 1975. 'Sociological Theory and Social Control'. *American Journal of Sociology* 81:82-108.

Lemert, Edwin M. 1951 *Social Pathology*. New York: McGraw-Hill.

In S. T. Jacques and M. Quinn, *Bentham on Police,* forthcoming.

Leo, Richard A. 1992. 'From Coercion to Deception: The Changing Nature of Police Interrogation in America'. *Crime, Law and Social Change* 18:35-59.

Marx, Gary T. 2015. 'Technology and Social Control: The Search for the Illusive Silver Bullet Continues'. *International Encyclopedia of the Social and Behavioural Sciences*, 2nd edition. New York: Elsevier.

Marx, Gary T. 2006. 'Soft Surveillance: The Growth of Mandatory Volunteerism in Collecting Personal Information – "Hey Buddy Can You Spare a DNA?"' In *Surveillance and Security*, edited by Torin Monahan. New York: Routledge.

Marx, Gary T. 1981. 'Ironies of Social Control: Authorities as Contributors to Deviance Through Escalation, Nonenforcement and Covert Facilitation'. *Social Problems* 28:221–46.

Marx, Gary T. and Guzik, K. 2017 'The Uncertainty Principle: Qualification, Contingency and Fluidity in Technology and Social Control'. In *The Routledge Handbook of Technology, Crime and Justice*, edited by M. R. McQuire and Thomas Holt. New York: Routledge.

Merton, Robert. 1957. *Social Theory and Social Structure*. Glencoe: Free Press.

Newman, Oscar. 1972. *Defensible Space.* New York: Macmillan.

In S. T. Jacques and M. Quinn, *Bentham on Police,* forthcoming.