Concepts of culture in the sociology of punishment

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Abstract

The author analyses the different ways in which the concept of ‘culture’ is currently deployed in the sociology of punishment. Using a distinction first developed by W.H. Sewell Jr, he distinguishes two usages of the concept—culture as an analytical dimension of social relations (‘the cultural’) and culture as a collective entity (‘a culture’). The theoretical issues and problems entailed in these two usages are discussed and several pragmatic solutions proposed. The author argues that analytical accounts of ‘the cultural’ should be regarded as artificial (though necessary) abstractions. Descriptive ethnography, discourse analysis and textual explication ought to be viewed as components of historical or sociological explanation, not as substitutes for explanatory analysis. The author argues for the integration of cultural analysis into the explanatory project of a multi-dimensional sociology of punishment.

Key Words

cultural • culture • explanation • explication • meaning • punishment • sociology

Introduction

Contemporary work in the sociology of punishment gives a prominent place to the concept of culture and to cultural analysis (Garland, 1991; Savelberg, 1999; Smith et al., 2000; Strange, 2001; Tonry, 2001; Lynch, 2002; Vaughan, 2002a; Smith, 2003b; Crawley, 2004; Penfold, 2004;
Piacentini, 2004, 2005; Valier, 2004; Gray and Salole, 2005). Indeed, it has become conventional wisdom that penal institutions have important cultural dimensions and consequences (Sarat, 1999, 2001; Garland, 2002; Sarat and Boulanger, 2005) and that cultural factors are prominent in the causal determinants that shape penal policies and practices (Melossi, 2001; Simon, 2001; Vaughan, 2002b; Whitman, 2003; Zimring, 2003). A parallel emphasis on ‘the cultural’ is also apparent in contemporary criminology (Ferrell, 1999; Presdee, 2000; Ferrell et al., 2004; Hayward and Young, 2004). In these respects, the sociology of crime and punishment is aligning itself with an intellectual trend that has occurred all across the humanities and social sciences—a cultural turn (Bonnell and Hunt, 1999) that seems altogether appropriate in our mass-mediated, image-saturated, late-modern world.

But this embrace of ‘culture’, however timely and appropriate, threatens to introduce a degree of conceptual confusion into the field, not least because the notion of ‘culture’ is notoriously multivalent, both as a theoretical concept and as an object of analysis. The intensified interest in culture and cultural analysis is also liable to promote analyses that regard culture as an independent analytical domain rather than an integral aspect of social relations and to privilege description and explication as the primary purposes of research, thereby diverting the sociology of punishment away from the more ambitious project of social explanation.1 In this essay, I undertake an analysis of the various ways in which the concept of ‘culture’ is currently deployed in the sociology of punishment, offer a clarification of the theoretical and conceptual issues involved and argue for the integration of cultural analysis into the explanatory project of a multidimensional sociology.

The changing place of ‘culture’ in the sociology of punishment

Until quite recently, sociologists of punishment tended to neglect culture in their efforts to identify the social determinants and functions of penal institutions. In the 1970s and 1980s, the Marx- and Foucault-inspired focus of the field was on class control and disciplinary domination rather than on cultural meanings and sensibilities. In those days, if ‘culture’ showed up at all, it was usually in the guise of power–knowledge discourses embedded in the apparatus of penal power, or else as systems of ideology that mystified economic exploitation and reproduced the dominance of the ruling class. And the point of studying these narrowly conceived cultural forms—for that is what they are—was not to trace their various meanings and cultural connotations but more narrowly to trace their instrumental effects in organizing or legitimating penal control.

The idea that penal institutions were grounded in cultural values and perceptions; that they drew upon specific sensibilities and expressed particular emotions; that they were sites of ritual performance and cultural
production; and that they produced diffuse cultural effects as well as crime control—these were not prominent considerations at that time. Despite the legacy of Emile Durkheim (1983, 1984), and the subsequent analyses of writers such as Mead (1918), Sorokin (1937) and Sutherland (1939), the cultural and expressive characteristics of penal practice were moved out of the limelight to make way for a more single-minded focus on the political and instrumental aspects of the phenomenon. The interpretive search for meaning and the excavation of cultural significance were displaced by more functionalist accounts of penal control.

That time now seems long gone. Today, culturalist analysis is a prominent feature of writing in this field. Writers pay close attention to the role of culture in the shaping of punishment, and to the cultural consequences of penal practices. Not the least reason for this shift was the realization that culture encodes and is encoded by economic and political forces, and that the analysis of culture is not a distraction from the study of penal power’s controlling effects but is, on the contrary, a vital component of such study (Garland, 1990a).

Lest I seem too quick to point out the faults of others, I should note that the trajectory of my own work is no exception to the general pattern I am describing here—indeed, its development illustrates quite well the intellectual shift that the field has undergone over the last few decades. Thus, the theoretical and historical analyses of the early 1980s (Garland and Young, 1983; Garland, 1985) do not explicitly discuss ‘culture’ at all, despite the fact that a close reading of specific ideologies and forms of knowledge—together with their institutional effects—was a central feature of these studies. Punishment and Modern Society, published in 1990 (Garland, 1990a), argued for the importance of a specifically cultural dimension in social theories of punishment and directed attention to penality’s cultural consequences as well as its causes. More recently, The Culture of Control (Garland, 2001) developed a history of the present in which cultural phenomena stand center stage in an argument claiming that recent changes in the social organization of everyday life have given rise to a new collective experience of crime and a new ‘culture of control’ that is expressed and embodied in the conduct of governmental and non-governmental actors.

Perhaps, like Monsieur Jourdain, we had been speaking about culture all along. But it seems to me that the explicit acknowledgement of this cultural dimension—when it was eventually identified and discussed—changed the research agenda of the sociology of punishment in significant respects. A new self-consciousness about cultural issues directed attention to aspects of the phenomenon that had previously been ignored. New sources of theoretical inspiration emerged—above all Elias, Geertz and Bourdieu. New methods of inquiry were developed and new kinds of explanation began to appear. The result is a field that looks rather different from the one that existed 20 years ago.

This pursuit of cultural themes and the use of culture concepts has taken many forms and produced many fine analyses. Some sense of their range

The new prominence of the concept of culture in contemporary studies of punishment makes it opportune to explore the ways in which ‘culture’ is now being understood in the sociology of punishment literature and to point to some of the conceptual and analytical problems that may be involved. In developing its understandings of culture, the sociology of punishment has drawn upon prior work in sociology, anthropology and cultural studies, taking over concepts and lines of inquiry that were first developed elsewhere. Conceptions of culture in the sociology of punishment will therefore tend to reproduce the assumptions, arguments and conceptual patterns that appear in these other disciplines and, in doing so, will introduce some of the tensions and ambiguities that have become apparent there. A discussion of these conceptual patterns and the various problems with which they are associated may therefore be useful for the further development of the field.

Two conceptions of ‘culture’

When the idea of ‘culture’ is invoked in sociological or historical analysis it is typically used in one of two rather different senses (Sewell, 1999, 2005: ch. 5). In the first sense, the analysis asserts the importance of distinctly cultural factors as a causal force in shaping penal institutions (*culture* as opposed to *not culture*) while in the second, the analysis points to different cultures (*this* culture as opposed to *that* culture) and seeks to show that contrasting cultures produce different patterns of penality.

In the first usage, the intention is to isolate specifically ‘cultural’ forces (or ideas, or symbols, or values, or meanings, or sentiments—the ontological stuff of which culture is composed has a number of aspects and is understood in a variety of ways); to distinguish them from other kinds of entity (such as social, political, economic or criminological factors); and to show that these cultural isolates have a distinct determinative force of their own. An example of this approach is to be found in Gatrell’s book, *The Hanging Tree* (1994), which describes how the refined sensibilities culti-
vated by 19th-century English elites eventually led many of them to express revulsion at the sight of judicial executions. (Whether they actually felt revulsion, or felt they ought to feel it, and expressed themselves accordingly, is one of the issues Gatrell leaves hanging.) Whether as genuine motivation or as a rhetorical form that glossed over other more material interests, these expressions of refinement and affront played a prominent part in the campaign that led to the abolition of public hanging in 1867. Gatrell argues that this new sensibility (he regards it as ‘squeamishness’ rather than true humanitarianism—it was, after all, public hangings, rather than hangings as such, that were being abolished) exerted its own causative force in bringing about the abolition of the public spectacle. ‘[C]ulture generated its own momentums as well as its own resistances’ (Gatrell, 1994: 25). He is quick to add, however, that this causal force was at its strongest when it corresponded to, or ran in the same direction as, interests of a more material kind. ‘Only rash historians would privilege material or political or cultural causes without interrelating all three’ (Gatrell, 1994: 25).

In the second kind of usage, the analytical distinction being made is not between different aspects of the social whole or different types of social relations, but instead between different social wholes, each of which is understood as a distinctive ‘culture’. Understood in this way, a culture is a more-or-less bounded, more-or-less unified, set of customs, habits, values and beliefs. It is a distinctive universe of meaning, a distinctive form of life, or a distinctive ‘world’ in the sense that Nelson Goodman (1978) gave to the term. Such cultures are usually associated with particular communities, such as an ethnic group, a social class or a nation—so that we might talk of Jewish culture, working-class culture or American culture—and the forms of life that these particular groups embody and enact.

Here the term ‘culture’ operates as a totalizing term, standing for all of the distinctive traditions, folkways, institutions and values associated with a specific social group or society and a particular historical moment. Wiener (1990: ch. 1) invokes it in this sense when he talks about ‘Victorianism’ as the cultural setting out of which 19th-century English penal policy emerged. Analysis typically proceeds by means of empirical comparison—this culture compared to that—and this is the implicit basis upon which arguments about ‘American penal exceptionalism’ or ‘bourgeois penality’ usually rest.

In this usage, ‘culture’ is not so sharply contrasted to ‘politics’ or ‘economics’. Indeed, in the hands of some early anthropologists, the ‘culture’ of a people is assumed to include its social roles, political structures and material artefacts. Thus, for example, the early 20th-century anthropologist Franz Boas defined culture as ‘the totality of the mental and physical reactions and activities that characterize the behaviour of the individuals composing a social group’ (1966: 159). If there is a conceptual opposition that defines ‘culture’ here it is the idea of ‘biology’—culture being the distinctive social world that human beings have actively (and variously) created for themselves, the learned social forms that shape group
life and individual identity and which are transmitted by social rather than biological processes. Most modern writers use the terms ‘culture’ and ‘subculture’ to describe a group’s distinctive values, meanings and dispositions—a collective consciousness or habitus that may correspond to, but is not identical with, the economic position or political orientation of the group in question. In this respect they follow Clifford Geertz who distinguishes sharply between ‘cultural systems’ and ‘social systems’ rather than Boas.

Deployed in this way by sociologists of punishment, the concept of culture may be used to explain differences (or similarities) in the penal practices of different societies by showing that the practices in question are the product of specific cultural traditions or frameworks of values. As Melossi puts it, ‘Punishment is deeply embedded in the national/cultural specificity of the environment which produces it’ (2001: 407). Thus the Dutch ‘culture of tolerance’ may be contrasted to the more punitive penal culture of England and Wales (Downes, 1988) or the national culture of Italy may be opposed to that of the USA (Melossi, 2001) as an explanation for continuing differences at the level of national penal practices. The specificity of particular cultures, together with their tendency to shape the sense of action and events, also has consequences for ‘penal transplants’ (cf. Watson, 1974). Penal institutions, legal terms or criminological conceptions that are transferred from one culture to another will tend to change their character and connotations as they become embedded in the new cultural setting (Melossi, 2001: 404).

Problems in the analysis of ‘culture’ as meaning

Both of these usages have their uses, so to speak, and authors succeed in using them to good effect. And, in fact, one can point to instances where both usages are condensed in a single idea—as with the concept of ‘subculture’, which is used to highlight the cultural characteristics of a specific group (the style, dress, taste, attitude, argot, etc. of group members, as distinct from their economic class position, or political orientation) and to differentiate this specific culture from the culture of ‘the mainstream’ or from other subcultures. But it is also the case that each distinct usage raises certain problems that ought to be borne in mind whenever either one is deployed. It is these problems that I wish to highlight here, without at all implying that these always or necessarily show up in the work of scholars who use these terms.

With regard to the first usage—culture as opposed to not culture—there is an operational (and ultimately a conceptual) difficulty in isolating the distinctively ‘cultural’ components of social relations from the other, presumably ‘non-cultural’, aspects with which they are necessarily bundled. One might suppose, for example, that it would be an easy matter to abstract the cultural aspects of a penal practice from its control aspects but
in practice it is often impossible to draw such a distinction. Penal control can be achieved through the manipulation of meaning. A sentencing judge may choose merely to reprimand an offender and refrain from imposing any restrictive penalty. But this official attribution of negative legal meaning to the person and his conduct—his act is adjudged to be criminal, he is stigmatized as an offender—may produce control effects by shaping the offender’s subsequent conduct and, more importantly, the conduct of others towards him. Correspondingly, direct forms of control—the restriction of liberty, the infliction of pain or the deprivation of resources—often depend for some of their control effects upon the meaning and value that groups and individuals attribute to these measures. The same penalty will be regarded and experienced differently—and will exert greater or lesser control—depending on the cultural context in which it is deployed and the ways in which its meaning is ‘read’ or interpreted by its various audiences. A monetary fine imposed in civil proceedings may be folded into the offender’s routine costs of doing business. The same fine, imposed in a criminal case, may cause the offender to desist from the behaviour in question.

Similarly, one might suppose that the cultural aspects of a penal institution can be distinguished from its economic aspects—when one is talking of the institution’s resources, its sources of support, the interests it serves or the effects that it produces. But even ‘purely economic’ phenomena are always also cultural phenomena in so far as they depend on cultural understandings of what is to count as valuable or useful, as well as cultural understandings of what are effective and acceptable means to pursue these values. The exchange of goods, the pursuit of profits, the accumulation of wealth, the marshalling of resources, the interaction of supply and demand—these are the defining features of economic activity and economic interests. But each of these entails cultural commitments of a definite kind: as Max Weber (1904–5) argued a century ago, economic action may be predominantly instrumental and technical in character, but it always embodies cultural, spiritual and moral values.7

Weber’s argument refers to the ends of economic action but it is no less true of the means by which these ends are pursued: cultural forms are embodied in legal rules and manufacturing technologies, in purchase and sale, and in the specific modes of accounting and allocation that we use to organize these activities. When we say that a penal institution serves economic interests, or reproduces economic arrangements, we are not bracketing off culture and talking about something else—we are invoking a familiar and convenient aspect of culture: the economic domain with its distinctive forms and characteristics. Rigidly distinguishing the ‘cultural’ from the ‘economic’ aspects of punishment as if they were entirely different things involves something of a category mistake, in much the same way that distinguishing ‘culture’ and ‘power’ does. Cultural categories, habits and sensibilities are embedded in, and constitutive of, our political and economic institutions. The study of culture does not begin where the study
of power and economics leaves off—it is a constituent part of any political or economic analysis (Geertz, 1981; Haskell and Teichgraeber, 1996).

In studying social relations, we can, and do, make rough demarcations between the domains of the economic, the political, the legal, the scientific and the cultural—and these distinctions serve a useful purpose, up to a point. The cultural domain can, for example, be narrowly construed to refer to leisure-time activities and the products of ‘the culture industry’—fashion, style, film, art, literature, museums, sport, media representations, etc. Cultural criminology has its primary focus here (Ferrell, 1996; Hayward and Young, 2004), as does the sociology of culture (Wolff, 1981). But scholars in both fields frequently slide over into a broader conception of what ‘culture’ entails, going beyond the study of subcultures, styles and artistic works to study the production of social meaning more generally (see Crane, 1994 on the shift from the sociology of culture to a cultural sociology and Ferrell, 1999: 400 on ‘criminological verstehen’). The tension here, once again, is between the two different conceptions of what culture is.

The object of cultural analysis can be a determinate ‘culture’ (e.g. the revenge culture of the Norse sagas; the Dutch ‘culture of tolerance’; an inmate subculture, etc.) by which is meant a more or less integrated system of meaning, learned and sustained through recurring use, grounded in the collective activities and understandings of a specific group. ‘Cultures’ in this sense, are the ‘webs’ of meaning that men have collectively spun. But the object of cultural analysis can also be ‘cultural meaning’, which refers not to a collective entity (‘a culture’) but instead to the specific sense that social actors bring to their actions, or which their actions appear to entail, or which they attribute to the actions of others. Here the concern is not exactly with the webs of culture but instead with the individual threads of ‘meaning’ that are a culture’s raw materials (and out of which cultural webs are spun).

The focus upon subjective meaning, and its semiotic, intentional and emotional aspects, is clearly one aspect of any study of ‘a culture’. But it is also, and more generally, a necessary aspect of any study of social action that seeks to acknowledge the mental (or semiotic) aspect of an actor’s conduct. Weberian interpretive sociology, for example, insists that a concern with such meaning is an essential component of the study of social action and that it is, moreover, a defining feature of the ‘cultural’ as opposed to the ‘natural’ sciences. Given this overlap and intertwining between ‘culture’ as a collective entity and ‘the cultural’ as the dimension of meaning, it is hardly surprising to find that writers who urge us to study culture also urge us to attend to meaning (Geertz, 1973b; Ferrell, 1999; Alexander, 2003; Hayward and Young, 2004). But for all their relatedness, we should notice that the two objects of analysis (‘a culture’ and ‘a meaning’) are not quite the same thing.

If we follow the trajectory of current social theory and refuse to restrict
‘culture’ to the world of leisure, art and entertainment (and, in so doing, resist the still-active assumption that while culture may shape the soft margins of social life, it has little effect upon hard-edged political and economic institutions, where power and interest prevail) it turns out that the generic category of ‘culture’ envelopes all of the other, more specific social categories. If the stuff of culture is meaning, perception, feeling, sentiment, value, belief and the various forms of their expression, then, in the social world, it is not particularly distinctive stuff. Culture (in that broad sense) is suffused through all social relations, institutions and practices, and abstracting it away from these forms necessarily does violence to the true relationship between (cultural) meaning and (social) action.

This point has methodological consequences. It is often assumed that the quintessential cultural materials are texts, images, signs and symbols, and that a cultural analysis of an institution is an analysis of these aspects of its operation. On the basis of this understanding, cultural analyses of penal phenomenon typically focus their attention upon punishment’s discursive texts (government reports, judicial opinions, sentencing laws, hanging day broadsheets, literary and theatrical representations, artistic images, etc.) or else its ceremonial scenes and symbols (the scaffold ritual, the courtroom drama, the prison design). As a matter of practical convenience, this makes good sense—the best clues to the perceptions or beliefs or feelings that support a practice are often found in the elaborated discourses or depictions associated with it. But methodological convenience should not produce a restrictive definition of the phenomenon under study. Culture can be most easily ‘read’ in texts, images and rituals but it is also embedded in non-discursive, non-ceremonial practices—such as technologies, spatial arrangements, bodily postures, habitual behaviour and specific performances. For example, as Megan Comfort (forthcoming) shows in her study of prison visiting at San Quentin, the ‘uncertain waiting periods, punitive architecture, and strict regulation of apparel and belongings that women endure at the gates of the correctional institution’ may represent themselves as security measures but they also function as a means of mortification and abasement that stigmatizes visitors and inducts them into a culture of ‘secondary prisonization’.

Where social action and institutions are concerned, the study of culture (in the broader sense of cultural meaning) cannot easily be cabined or confined. The analytical separation of meaning from action, symbol from substance, form from function, cultural from non-cultural, is only ever a pragmatic effort to tame real-world complexity by a wilful act of artificial abstraction. Such distinctions are altogether necessary for the purpose of analysis—and we should notice that every major tradition of cultural sociology offers some version of this elemental division, whether it is the separation of ideological relations from material ones, knowledge from power, social categories from forms of life, cultural sensibilities from figurational relations or cultural capital from position in the social field. But however necessary these abstractions may be, they are never quite
satisfactory. Culture/not-culture distinctions—at least in the study of social action and institutions—can rarely withstand close scrutiny precisely because they *are* artificial, separating out aspects of human action and social practice that are, in fact, inseparably intermeshed and integrated. This is why theorists so often invent seemingly paradoxical terms designed to suggest the fusion rather than the separation of elements of action—think of Louis Althusser’s insistence that ‘ideology has a material existence’ (1971: 155); or Weber’s representation of religious beliefs as ‘ideal interests’ (1904–5); or Foucault’s concept of ‘power–knowledge’ (1980).

The point to draw from this is not that a focus on ‘the cultural’ or on ‘meaning’ in the sociology of punishment is misplaced or mistaken. The point is that we need to bear in mind that such a focus does not deal with a distinct, *sui generis* object in the world but rather with a specific aspect of social practices. That ‘aspect’ is only ever isolated by the act of analytical abstraction and, if its significance is to be properly understood, it must always be re-integrated into the practice in which it is operative. It follows that, in the sociology of punishment, the study of ‘the cultural’ and of ‘meaning’ should not, and ultimately cannot, be separated from the hard-edged, ‘material’, aspects of penal practice, such as penal technologies, penal economics, penal politics and penal violence. Paying attention to culture, using the tools of cultural analysis (close reading, discourse analysis, hermeneutics, iconography, ritual analysis, etc.), focusing on meaning and sensibility, thinking about audience and interpretation—these should enhance our understanding of penal power, penal violence, penal techniques and penal resources, not inhibit or displace it.

The creation and communication of meaning in penal practice is an ongoing and inevitable aspect of the activity. Scholars of culture are typically drawn to the ritualized aspects of punishment (the hanging day ceremony, the pronouncement of sentence, the prison induction process) since these practices are explicitly concerned to craft and communicate meaning in a serious, deliberate manner. Scholars are also drawn to moments of penal change and penal drama—instances of penal excess (Garland, 2005a), or enactments of penal reform (Wiener, 1990)—where the messages communicated by punishment appear to take on new meanings or to become more emphatic precisely because they break with established patterns and conventional expectations. It is equally important, however, to analyse penal routines and standardized arrangements, since these also enact meaning, value and sensibility, even if their audience is a more restricted one and their communications less vivid. Indeed, the cultural meanings of routine practices are often more revealing for being ‘offstage’ and understated. The modern American execution protocol, with its behind-the-scenes staging, blank imagery, bureaucratic process and low-key public announcements, embodies a symbolism and sensibility of a very definite kind, however much its staggers seek to suppress communication and downplay the event’s ritual character (Lofland, 1977; Johnson, 1998; Garland, forthcoming).
Problems with the analysis of ‘culture’ as collective entity

If the first usage of the culture concept is problematic because ‘the cultural’ (and its meanings) cannot easily be separated from the other aspects of social relations, the second usage is troublesome for rather different reasons. The notion of a cohesive, shared culture that is unified and bounded, totalizing in its comprehensiveness, deeply imbedded in group members, and distinctive of a particular people or a particular place is problematic today not because it is conceptually incoherent—it is not—but because it tends to overstate the force and unity of dominant value systems, misrepresents the relationship of individuals to cultural norms (Abu-Lughod, 1991) and is increasingly at odds with the reality of modern social life (Geertz, 2006).

In anthropology, where ‘culture’ (variously conceived) has always been the central object of study, the theoretical debates of the last few decades have ceased to argue over how to conceptualize culture (culture as structure of binary oppositions; culture as system of symbols and meanings; culture as practice; culture as performance) and have, instead, argued about the worth of the concept itself. Robert Brightman sums up a wide-ranging and complex debate (inspired by feminist, post-colonial, post-structuralist, post-modern and historical scholarship, largely in reaction to the dominance of the Geertzian paradigm in the 1970s and 1980s) by pointing to a series of intellectual problems associated with the concept of culture. These ‘defects of culture’ include ‘holism, localism, totalization, coherence, homogeneity, primordialism, idealism, ahistoricism, objectivism, foundationalism, discreteness, and divisive effects’ (Brightman, 1995: 512)—characteristics that downplay the importance of individual action and events, the extent of intracultural variability and fragmentation and the inevitability of disorder, contradiction and contestation. Critics of the concept (notably James Clifford, Lila Abu-Lughod and Pierre Bourdieu) emphasize instead more agonistic concepts such as habitus, hegemony and discourse, and stress the importance of particularity, contestation and historicity.

These debates are not much referenced in the sociology of crime and punishment but their underlying themes are relevant and familiar. More than 40 years ago, David Matza (1964) mounted a critique of the dominant conception of ‘the delinquent subculture’, observing that this conception overstated the subculture’s autonomy, its difference from the mainstream, its unity and above all its place in the beliefs and behaviour of gang members. More recently, there has been much debate about the extent to which generalized cultural claims about ‘popular punitiveness’ or a ‘culture of control’ accurately capture the specificity of thought and action about crime control in particular social settings (Girling et al., 2000; Savelberg, 2002; Hutton, 2005). To highlight these problems is not to argue against the importance of generalizing analyses—whether of ‘culture’ or of any other social form—but rather to stress the importance of an ongoing dialectic of
argument between studies of general and particular, abstract and concrete, system and practice, script and performance (Garland, 2001: vii).

Part of the current problem with ‘culture’ is, as Brightman points out, that older conceptions ‘can no longer engage a world in which social identities, practices and ideologies are increasingly incongruent and volatile’ (1995: 509). As a consequence of colonization, global trade, ethnic intermarriage, cultural exchange and commercial interdependence, there are very few social groups whose culture is altogether distinctive and un mixed with that of others. This is true even of the relatively isolated and underdeveloped peoples that formed the traditional focus of anthropological study—cultural anthropologists have long since given up on the quest for the untouched aboriginal culture. Something approaching pure indigenous cultures may have once existed, but international exchange and local diversification have put an end to that.

This is all the more true of modern western societies, which are the product of centuries of commercial and communicative interaction—a state of affairs that is reflected in recent scholarly concern with the phenomena of cultural ‘crossings’ and ‘hybridity’ (Pieterse, 1995; Young, 1996; Anthias, 2001). Cultures overlap and intermingle, just as social and ethnic groups do, and individual lives are lived out in complex relations to multiple groups and mixed identities. ‘Movement between ways of being in the world defines our times as much as do contrast and tension between them. The confusion of forms of life is, increasingly, the common state of things’ (Geertz, 2006). Modern commerce and communication give rise to a constant exchange of ideas and technologies, the commingling of customs and the convergence of tastes and habits despite the effort of social groups to maintain distinctions and conserve traditions. Modernizing social forces such as capitalist markets, mass production, consumerism, democratization and technology may not have produced ‘Americanization’ on a global scale, as some sociologists have claimed, but they have contributed to the emergence of ways of life (automobiles, suburbs, shopping malls, ‘flexible working’) and forms of politics (neo-liberalism, deregulation, ‘welfare reform’) that have become established to some degree in most advanced societies. The result is that contrasts between national cultures (or between local cultures within a nation) are now mostly a matter of degree and emphasis rather than mutually exclusive difference. Particular cultural traits—values, perceptions, sensibilities, traditions, representational forms—exist in different mixes in different places, and thus give each group and each place some degree of specificity and distinctiveness. But increasingly it is a difference of mix rather than a difference of type.

Cultural differences can thus be legitimately invoked as factors in the explanation of penal variation, but these differences must be carefully explicated and substantiated. Comparative scholarship cannot rely upon totalizing national contrasts as an unproblematic explanatory resource. Nor can it be assumed that the specification of a culture’s dominant themes and general figures will unproblematically explain specific practices in that
Thus when Whitman (2003) invokes American culture in contr-distinction to European culture, pointing to long-standing contrasts in attitudes towards matters of status and individual dignity as an explanation for contemporary contrasts in the intensity of punishment, he runs up against the problems of cultural pluralism, intracultural contestation and historical change. Similarly, when Melossi talks of ‘cultural traditions of punishment’ (2001: 407) the phrasing is helpful only if one bears in mind that national traditions are various and internally contested and that the historical trajectories of national penal systems exhibit major changes and discontinuities. There is no single ‘American’ culture for these purposes any more than there is a separate and singular ‘European’ one with which it can be contrasted. For most explanatory purposes, the analyst is obliged to deal with cultural differences at a level of specificity that is much more fine-grained than that of the nation. Which is, in fact, what most sensitive scholars proceed to do: Melossi (2001), for instance, conceives of national cultural traditions not as fixed frameworks of a singular character but as more flexible ‘vocabularies of motive’ that provide a distinctive repertoire of values and meanings within which penal policies are forged.\footnote{Whitman (2003) qualifies his most sweeping America–Europe comparisons by emphasizing the cultural and historical specificities of France and Germany, his primary points of reference.}

The ‘cultural toolboxes’ of specific groups and societies—embedded in social institutions and embroiled in political conflicts—are distinctive in the same way that national languages are distinctive: they may encode the same reality, and enable similar forms of action, but they impart a distinctive inflection and idiom, invoke a different ethos, entail different emphases and connotations. In that sense, they exert a force that helps to shape policy and practice and to sustain differences across time and place. But this ‘force’ becomes operative only when it is enacted, which is to say, folded into the practices of individuals, groups and organizations—practices that are always overdetermined and whose relationship to the dominant cultural forms are rarely simple or straightforward.

Finally, if the problem of internal complexity and historical change takes the edge off sharp cultural contrasts, and limits the explanatory power of cultural commitments, the growing importance of policy transfer and penal transplants dulls them even further (Wacquant, 1999; Newburn, 2002). The international exchange of penological ideas and technologies has been a fact of life since the late 19th century, a fact that has led to a growing convergence of professional cultures and the rapid transfer of policy prescriptions and institutional ideologies.

The aims and objects of cultural analysis

Cultural analysis is not a singular kind of thing. Culture is studied in different ways and for different purposes. One major source of this
variation is the nature of the questions that motivate the research. A scholar may study ‘culture’ as an independent variable in an attempt to explain a dependent variable, such as a rate of imprisonment or the retention of the death penalty. Attempts to explain penal variation across places or penal change across time may turn to ‘culture’ as a possible cause. In this kind of study, ‘culture’ is being distinguished from other candidates for causal efficacy, such as ‘economic factors’, ‘political regimes’ or ‘crime rates’. As Douglas notes, rather wearily, ‘In social theory the word “culture” becomes an extra resource to be wheeled in after other explanations are defeated’ (1992: 167). Such analyses are typically reductive in their conceptions of culture, and necessarily rely on rather thin descriptions of what that culture is.

A study that sets out to inquire about the meanings of a penal practice, or about the ways a penal ritual engages in symbolic communication with its various audiences will put more emphasis on the detailed explication of meaning and the close analysis of the symbolic conventions and interpretive practices involved (Hay, 1975; McGowen, 1987; Meranze, 1996; Garland, 2005a). Similarly, inquiries that seek to understand the affective aspects of penal practice (Miller, 2000), or the ways in which expressive punishments convey emotional energy (Pratt, 2000), or the specific sensibilities that tolerate some forms of penal violence but are repelled or embarrassed by others (Gatrell, 1994), will tend to focus upon affective rather than cognitive aspects of culture, narrowing in on the structures of feeling that shape penal practice and the range of emotions that certain punishments typically evoke.

When writers in the sociology of punishment choose to study culture, they often have different understandings of what it is that they are studying and how they should organize their study. Some scholars study culture as it is expressed in images and pictorial representations, examining artistic artefacts in order to reveal the cultural understandings and sensibilities that shaped the experience of punishment in specific places and periods (Edgerton, 1985; Merback, 1999). Others train their attention on the ideas and conceptions that shape understandings of punishment—focusing on what one might term the formalized aspects of penal culture, as manifested in programmatic documents, scientific reports and official classification systems (see Foucault, 1977; Cohen, 1985; Garland, 1985). The study of ideas and conceptions has also been pursued in a broader manner, to include the study of cosmological ideas—as in McGowen’s (1987) study of the changing metaphor of ‘the body’ in early modern English penality—and also literary and fictional forms, as in Wiener’s study of ‘the intellective dimensions [that] have given meaning to the social activity of dealing with crime’ (Wiener, 1990: 3).

Some writers study the representation of punishment in literature, examining the tropes and metaphors that depict the penal experience and integrate it into the cultural imagination. In this mode, Duncan (1996) explores literary images, cultural archetypes and unconscious fantasies of
the prison and the outlaw, arguing that our cultural relationship to crime and punishment is more complex and ambivalent than is usually assumed and that an ‘unconscious mythological universe’ influences the acts of offenders and those who punish them. Bender (1987) develops the literary analysis of penal forms into an historical argument about cultural causation when he argues that the 18th-century realist novel ‘enabled’ the emergence of reformed penitentiaries because these novels created in their readers a certain ‘texture of attitudes’ and a ‘structure of feeling’ that had an elective affinity with the ‘penitentiary idea’. He argues that each of these ‘social texts’—the realist novel and the reformed penitentiary—is ‘structured by a kind of narrative form that treats the material world, character, consciousness, personality, authority and causation itself in a distinctive [realist] manner’ (Bender, 1987: 4–5). The causal claim is that the prior existence of the realist novel was one of the historical conditions that made possible the subsequent popularity of the penitentiary.

Other writers investigate the characteristic emotional responses elicited by punishment by studying the evidence of broadsheets, eye-witness accounts and reformers’ discourse, focusing especially upon the ways in which these have changed over time, or varied between social classes. Writers such as Spiersenburg (1984), Sharpe (1985) and Gatrell (1994) have sought to uncover changing structures of feeling and sensibility in so far as these can be inferred from historical evidence. In a rather different vein, contemporary students of public opinion analyse opinion poll data in order to trace shifting public attitudes and understandings of penal phenomena (Beckett, 1997; Gross and Ellsworth, 2003).

An alternative approach is to address culture not in its intellectual or aesthetic dimensions but instead in its behavioural aspects. Culture, in this perspective, becomes a matter of habits and routines, of everyday patterns of activity and interaction, of taken-for-granted orientations and recipes for action. This aspect of culture refers to the embedded and embodied habits of social actors who have been ‘acculturated’ to the norms of life in specific settings. It refers to the common-sense understandings that these actors have acquired, and to the perceptions, judgements and evaluations that they habitually make as a consequence of this acculturation. Culture, in this sense, is a matter of ‘habitus’, a concept that focuses on the point of convergence between the behavioural orientations of individual actors and the norms, constraints and power relations of the social field in which they act (Bourdieu, 1990). It is this dimension of culture that is examined in Garland (2001) when it refers to the new routines of everyday life and the new dispositions of penal actors that have recently emerged in certain late modern societies. Similarly, Carlen’s (1983) classic study of women’s imprisonment reveals the cultural assumptions that are embedded in sentencing decisions, the organization of prison space and the patterns of inmate–guard interaction, and demonstrates how these practices embody, enact and reproduce specific understandings of gender.
The scope and purpose of cultural study also vary. Sometimes the aim is to study culture ‘in its own terms’—explicating signs and symbols, identifying recurring tropes and cultural connotations and tracing the ways in which a penal institution is conventionally interpreted and understood (Duncan, 1996). Such studies are typically synchronic, examining penal culture at one point in time, linking cultural understandings of punishment to the broader cultural universe of which they form a part. Other scholars take a historical approach, showing the ways in which punishment has been encoded by different cultural frameworks at different historical periods. These cultural frameworks may be examined as distinct and contrasting contexts, separated in time (Foucault, 1977; Wiener, 1990), or the scholar may trace the processes of historical transformation that led from one to the other (McGowan, 1987). Sometimes the aim of the study is more fully sociological, aiming not just to identify patterns of penal culture but also to locate these patterns within the larger social formation of which they form a part. Thus developments in penal culture (such as the emergence of reform ideas, the refinement of sensibilities, movements in philosophy, changes in penal symbolism, shifts in public opinion, etc.) are linked to changes in other social relations and shown to be interacting elements in a complex social structure (Durkheim, 1902/1983; Spierenburg, 1984; Bender, 1987; Garland, 1985, 2001).

The cultural phenomena discussed in these studies also vary in their ontological character—their substance, depth, temporality and durability. The cultural elements analysed may be transient social currents such as public opinion (Beckett, 1997; Gross and Ellsworth, 2003), semi-institutionalized cultural formations of a relatively short-term nature, such as ‘the crime complex’ of the 1980s and 1990s (Garland, 2001); institutionalized modes of thought and action, such as ‘liberalism’ or ‘penal-welfarism’ (Garland, 1985); or else embedded cultural values—such as individualism, Catholicism, egalitarianism or localism—that have a long-standing character and are grounded in confessional practices, regional traditions or national identities (King and Savelsberg, 2003; Whitman, 2003; Zimring, 2003). Distinguishing between these rather different kinds of phenomena—between constitutive cultural bedrock and transient cultural currents—is important here, not least because their rather different temporalities and durations are often indicative of their role in social organization.11 And in the historical study of cultural symbols or practices, one needs to attend to shifts in the connotations or behavioural consequences of the phenomenon in question. Cultural elements are often transformed over time, so that the same symbols come to be interpreted differently and get associated with new interests (think of the changing resonance of ‘the victim’) and old values come to lose their grip over individual attitude and social action (think of the decline of ‘rehabilitation’ as a mobilizing idea in the 1970s).

The longevity and depth of these phenomena are only two of the dimensions on which they vary. Penal ethnographies (e.g. Girling et al.,
2000) have shown that cultural forms that are sometimes assumed to be more or less universal and undifferentiated—such as the contemporary control culture, the fear of crime, public attitudes towards delinquent youth—are, in fact, quite variegated in their local meanings and specific uses, depending for their sense on subjective orientations and the effects of time, place and circumstance. Thus Girling et al. (2000) suggest that generic crime-control cultures and abstract symbols are the stuff of mass media discourse and academic generalization: in actual use, these cultural attitudes and perceptions become much more inflected and differentiated in their meaning.

Most importantly, we need to bear in mind that there is no such thing as ‘the’ cultural meaning of a symbol, or practice, or institution—cultural meanings always exists in the plural, particularly where the symbol or practice in question has a high degree of social importance or visibility. The social meaning of any significant symbol, practice or institution will typically be layered and contested, subject to heteroglossic variation rather than tightly contained singularity of reference (Laqueur, 1989; Smith, 2003a). The immediate connotations of a particular practice may be widely shared and self-evident to most people, but this broad significance is not the same as the meanings it has for those most closely affected, or for experts, or for those who sense in the practice the echoes of previous practices and politics. Different audiences will read the phenomenon differently, often in competing ways. To many conservatives, today’s American death penalty is an example of super-due process, wasteful expenditure and unnecessary delay, a system that too often hesitates to deliver the legal punishment that murderers richly deserve (Kosinski and Gallacher, 1995). To many liberals and African Americans, the same system communicates a very different message—conveying unacceptable echoes of racial violence and lynching (Jackson et al., 2001). The meanings that officials use to characterize a practice (the prison as correctional; the death penalty as a deterrent; visiting arrangements as merely practical) may be hotly resisted by those opposed to the practice, and by those upon whom it is imposed.

Some penal institutions become the stuff of myths and legend—the guillotine is an example (Arasse, 1989; Gerould, 1992; Smith, 2003a)—or of standard depictions in popular culture and entertainment—think of images of the prison in film, literature, blues songs and rap lyrics (Duncan, 1996). Others are known only to the cognoscenti and mean little to the general public. Even with respect to high-profile penal practices—the death penalty, supermax prisons, victim impact statements, ASBOs—the public is often surprisingly ill-informed. At any given time, a majority of the population may have only a superficial engagement with penal institutions, deriving their information and understandings from news stories or folk prejudices. An issue may have profundity and symbolic depth for some, while being regarded by the majority of people as a matter of indifference or little practical importance.
Integrating cultural meaning and social action, explication and explanation

By way of conclusion I want to argue against an over-reliance upon cultural analysis as a framework for understanding punishment and penal change and to emphasize the importance of multi-dimensional analysis and explanatory ambition. In particular, I want to argue that we should isolate and analyse the 'cultural' elements of punishment only as a preliminary to more integrated analyses that fold cultural elements into multi-dimensional accounts of the causes and consequences of penal practices.12

Since my work is often seen as being sympathetic to a 'culturalist' approach, I ought perhaps to explain why I think it necessary to draw back from theoretical tendencies that are beginning to emerge in this field.13 A concern of my past work—developed in the wake of Foucault and the power-and-control analyses he inspired—has certainly been to bring culture back in (see Garland, 1990a, 1990b, 1991). But my intention has always been to study culture (or, more precisely, specific cultural forms) in the context of a multi-dimensional social theory and to use the explication of punishment's cultural meanings to assist in the development of explanatory accounts of specific practices of punishment and specific processes of penal change. In this approach, the interpretation of cultural meaning is viewed not as an alternative to the development of sociological or historical explanation but as a necessary component of it. This, essentially Weberian, approach has definite ramifications for our conceptualization of culture and its role in the development of explanatory accounts.

In a multi-dimensional social analysis (see Garland, 1990a) 'culture' is no more a self-standing and self-contained area of social life than is 'power' or 'law' or 'economics'. To talk of 'culture' is to talk of those aspects of social action or social artefacts that are ideational, affective or aesthetic—categories and classifications, styles of thought and ways of seeing, structures of feeling and psychological dispositions, values and sensibilities, bodily comportment and spatial arrangements—and which can be studied by attending to the signs, symbols and performances through which these otherwise nebulous phenomena are publicly represented (Geertz, 1973b). But, as I have argued here, the cultural aspects of action are only ever that—aspects. They are one dimension among others—one of the several elements that necessarily converge to motivate and instantiate social practices.

In this conception, every individual action, every collective practice, every social institution, has its cultural elements. Sometimes these cultural elements are foregrounded, as they are in art, or leisure, or fashion, or entertainment—the discourse and display involved in penal rituals foreground symbolic meaning in this way (Smith, 2003a) as does the stylized deviance studied by cultural criminologists such as Ferrell (1996). Sometimes they are further back in the mix—as in the ideas and values that are embedded in classification practices, legal procedures or penal technologies. But cultural elements are always present, and are always admixed with
other aspects of action that are more commonly understood as economic or political. As Mary Douglas notes somewhere, the symbols and aesthetics and attitudes of culture are not separable from the hard-headed world of material interest: they are the vehicles through which these interests are pursued. For example, the phenomenon of racism in contemporary western societies is often understood as a cultural one—a matter of cultural stereotypes and mental prejudices. But racism flourishes and is reproduced in institutional practices and social divisions where it meshes with the economic and political interests of particular social groups to the detriment of others. In its real social life it is an aspect of power structures, economic stratifications, social and spatial segregation and sometimes of legal doctrine (Frederickson, 2002). To study racism as culture without also seeing it as a set of social, political and economic interests would be as partial and misleading as it would be to study racism as a matter of social division without reference to the cultural meanings and legitimations that keep these conflicts in place. It is precisely this idea that Bourdieu seeks to capture when he defines race as ‘a social principle of vision and division’ (Wacquant, 2001: 113).

The cultural analyses I have developed in my work are not self-standing or an end in themselves. The analysis of The Culture of Control (Garland, 2001), for example, aims to show that the ways of thinking and feeling that have grown up around crime and insecurity—what I call the ‘crime complex’ or the ‘culture of high crime societies’—are cultural adaptations to predicaments that are, in turn, conditioned by the field of social forces in which the relevant actors are operating. Economic interests, political projects, intra-group dynamics, dominant ideologies, professional claims, experienced insecurities, psycho-dynamic processes—all of these are implicated in the emergence of that cultural formation. And it is these motivations and interests, with their different structural sources and political resources, and their various forms of cultural representation and resonance—not just some disembodied, self-generating ‘culture’—that converge to produce the popular and political discourses, habitual practices, legislative enactments, judicial decision making, penal practices and social institutions that make up the distinct ‘cultures of control’ exhibited by the USA and the UK at the end of the 20th century.

The term ‘culture’ marks an analytical abstraction, artificially separated from the other motivations and constraints that shape social action. The point of abstracting in this way—its heuristic function—is to isolate the languages and symbols through which attitudes are cultivated, aims formulated and practices legitimated and to attend to the structures of meaning that they invoke and sustain. These symbols—the meanings of which are structured by their relation to other symbols and grounded in specific practices and ways of life—have a logic and a rhetorical force of their own which may be explicated, thus revealing a specific dynamic through which motivations are formed and actions are prompted. The interpretive analysis
of culture’s texts and symbols is an important step towards social explanation, as Weber, Geertz and Bourdieu have shown. But in order for it to contribute to that end the analyst must show more than just a correlation, or even an elective affinity, between culture and conduct—he or she must show how the meanings in question come to relate to action. In order to move from the analysis of culture to an explanation of action we have to show how culture relates to conduct, how specific symbols, values or ideas come to be a motivational force or operational basis for action. Between culture understood as a symbol system and action understood as an embodiment of culture in the shape of conduct and practices, there are specific processes of enactment (Geertz) and embodiment (Bourdieu) that need to be identified and understood.

If the analysis of culture is to inform the explanation of conduct we need an account of the processes and mechanisms that translate (or enact, perform, inflect, express and rework) culture into action (Archer, 1996; Swidler, 2001). If a ‘cultural tradition’ is to be accorded causal efficacy in explaining present-day penal action, we need an account of the mechanisms that transmit this cultural attitude through time, and reproduce it in the present. Thus Zimring’s claim that a ‘culture of vigilantism’ can explain the empirical correlation between the distribution of lynching events in the 1890s and the distribution of executions in the 1990s remains a speculative one because he is unable to identify the mechanisms by which that ‘tradition’ has been transmitted over time and is translated into the decision making of legal actors in the present (Zimring, 2003; Garland, 2005a). As King and Savelberg (2003) show in their comparative study of cultural trauma and punishment, what matters most for present purposes is not that a historical event or past experience has occurred but rather that it has been institutionalized (in law, in law enforcement, in socialization practices, in rituals of commemoration, etc.) in a manner that creates and sustains a collective memory capable of shaping action in the present.

In any concrete social analysis, we should see ‘cultural’ elements operating together with interests and actions that obey a (psychological, or economic, or political, or legal, or criminological) logic of a somewhat different kind. A multi-dimensional analysis strives to depict a process in which all of these things are operating at once, in the complex motivations and overdetermined forms of action that make up any institutional practice. Cultural forms—languages, symbols, texts, architectures, the ideational and aesthetic and emotional aspects of social life—can be isolated for the purposes of study, and the ‘thick description’ of these forms and their meanings is an important task for research. But while the task of explicating meaning, tracing symbolic reference or mapping out mythologies is an important and necessary one, it ought not to mark the limits of our ambition. The same might be said of the now popular project of identifying emerging trends in penal and social control. Such analyses are important and valuable in their own right, but the task of sociology is explanatory as
well as descriptive. One wants to know how to explain penal transformations, not just how to document and classify them.

For the discipline, if not necessarily for the individual researcher, cultural explication ought to be a preliminary to the social explanation of the phenomenon in question. Cultural forms never exist outside their social context of use and the practices of interpretation that are brought to bear upon them. And it is to these uses, contexts and practices that social explanation ought finally to return. The classic works of cultural sociology—Weber’s *Protestant Ethic and the Spirit of Capitalism* (1904–5/2002), Durkheim’s *Elementary Forms of the Religious Life* (1976), Thompson’s *Making of the English Working Class* (1963), Elias’s *Civilizing Process* (1994) and *Court Society* (1983), Bourdieu’s *Distinction* (1986) and Geertz’s ‘Deep Play: Notes on the Balinese Cockfight’ (1973a) prominent among them—are classic precisely because they pursue this ambition and succeed in developing compelling analyses, both at the level of cultural meaning and at the level of social causation. The collective ambition of the sociology of punishment should be to aim for nothing less.

Notes

This article began as a presentation to a conference on ‘Discourses and Practices of Crime and Punishment: The Question of Cultural Embeddedness and Travels’, organized by Dario Melossi, Maximo Sozzo and Richard Sparks in Onati, Spain, in 2003. The author is grateful to the conference organizers and participants and also to Lynn Chancer and two anonymous referees for their comments and criticisms.

1. This tendency is exacerbated where the impetus for research grows out of ‘cultural studies’ rather than ‘cultural sociology’. Work in the sociology of punishment that situates itself within the traditions of Durkheim, Elias or Douglas tends to integrate the cultural and the social and to combine explication and explanation.

2. The tradition of prison ethnography which studied the cultural worlds that inmates created for themselves—exemplified by works such as Clemmer (1940), Sykes (1958) and Goffman (1961)—tended to dry up in this period. Jacobs’ book *Stateville* (1977) was the last major work in this tradition for some 20 years, and already it was moving away from the study of culture to scrutinize the relation of prison dynamics to the regulatory controls of mass society.

3. A ‘culturalist’ framework might suggest that what Marxists term ‘ideology’ is nothing other than ‘culture’ viewed in terms of its political and economic effects. Indeed, from Gramsci (1971) onwards, neo-Marxists such as Stuart Hall and Ernesto Laclau have been quite explicitly applying the methods and concepts of cultural analysis to the problem of ideology. Similarly, the
‘knowledges’ addressed by Foucauldian studies are formalized systems of cultural meaning and a product of scientific culture.

4. For a different analysis of the influence of religion on punishment, see Savelsberg (2004).

5. My discussion of the concepts of culture and the problems of cultural analysis draws particularly upon the following discussions: Ortner (1984); Brightman (1995); Kuper (1999); Sewell (1999); and Swidler (2001).

6. One sees a similar conceptual move in some Marxist analyses, where ideological practices form a distinct ‘level’ of the social formation, and are accorded a degree of independent effectiveness (or ‘relative autonomy’) in a context where the fundamental causal force is exerted by the ‘economic’ level, to which ideological practices ultimately refer.

7. E.P. Thompson made the same point in the language of Marxism:

   I am calling in question . . . the notion that it is possible to describe a mode of production in ‘economic’ terms; leaving aside secondary (less ‘real’) the norms, the culture, the critical concepts around which this mode of production is organized.

   (1978: 264)

8. Strictly speaking, the modifier ‘culture’ is redundant here—all meaning, however subjective and individual, derives its sense and communicative possibility from its relation to a culture and to the language and shared understandings that culture makes available.


10. See, more generally, Rogers Smith (1993) on ‘multiple traditions’ in American culture.

11. Two characteristics of the ‘cultural dimension’ of social practice that testify to its (relative) autonomy are its differential temporality and generality. Values, ideas, beliefs and sentiments may endure for more or less time than the practices to which they are initially attached—thus a practice may endure even though the beliefs that initially supported it have disappeared (e.g. benefit of clergy in the 18th century; the swearing of an oath in court today) and a belief system may persist long after its material basis has disappeared (e.g. the persistence of a crime complex a decade after crime rates have substantially declined (Garland, 2001)). And specific cultural elements that are present in one institution or practice may simultaneously appear in several others (e.g. the managerialist ideas that came to shape prison administration in the 1980s were also present in many other organizations). These differential aspects are what make cultural analysis feasible. For further arguments for the autonomy of the cultural, see Sewell (1999: 48–52).

12. Philip Smith makes a related point when he says:
What is needed is a two stage approach to analysis and writing. We first need a thick description of what the punishment, law or policy at hand actually means . . . We can then go on to see how this intersects with institutional and political realities.

(2003b: 3)

13. For critical discussions of recent books that offer ‘culturalist’ interpretations of penal institutions, see Garland (2002), (2005b) and (2005c).

References


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