

Panel session “Political economy and punishment in times of crises” (2nd Part)

Chair: Máximo Sozzo, National University of the Litoral, Argentina

Discussant: Dario Melossi, University of Bologna, Italy

A number of European jurisdictions, as well as the US, have witnessed a significant prison population decline in recent years. This change has occurred in a period characterised by a profound economic turmoil that has affected different regions of the world since 2008. This economic crisis, in turn, has triggered political tensions in many countries (e.g., in Latin American nations). The recent prison downsizing stands in stark contrast with the rising punitiveness characterising the former period, which led to consistent increases of incarceration rates. Moreover, the prison population decline appears to stand at odds with what has been theorised by political economy of punishment analytical frameworks on the relation between economic crises and penalty. Consequently, this two-panel session debate, which addresses both national cases and general topics, aims to map out and analyse the current prison downsizing, by taking especially into account the theses of neoliberal penalty and the political economy of punishment.

Papers:

The Great Recession and the recent downsizing of the prison system

José A. Brandariz-García, University of A Coruna, Spain

Abstract: In May 2010 an informal meeting of the European Council launched a set of measures that opened up what has been called as the ‘age of austerity’, that is, the second and most concerning phase of the Great Recession affecting EU member states. Also in May 2010, the Spanish correctional population reached its apex since the early 1940s. From mid-2010 on, though, the Spanish prison population has constantly and significantly dwindled. This is not by any means an exceptional case. A general tendency of prison downsizing has swept across Europe in these recent years of economic turmoil.

Drawing on the academic literature on the recent downward turn of the prison system, this paper focuses on the Spanish case to reflect on the forces, economic and non-economic alike, that have driven this penal change. Bypassing the deceitful Rusche and Kirchheimer vs Becker dichotomy, it specifically examines if and how this correctional population decline might be analysed through the lens of the political economy of punishment analytical frameworks.

Prison downsizing in Central and Eastern Europe

Frieder Dünkel, University of Greifswald, Germany

Abstract: The paper will present the results of a larger overview on European developments in prison population rates. A special focus will be given to the spectacular downward trends in Russia (-40% since the early 2000s), the Ukraine (-62%) or Belarus (-49%). There are several tentative explanations such as the decline of (serious) crime, changes in the sentencing policy and practice and the influence of international human rights standards. Nevertheless the average level of prison population rates in Central and Eastern Europe – with the exception of

Slovenia and Croatia – is still higher than in Western Europe. There will be given some evidence on the “Slovenian exceptionalism” (comparable to explanations for the so-called “Scandinavian exceptionalism”).

Criminal policies and prison administration: the Italian ambivalence

Alvise Sbraccia, University of Bologna, Italy

Abstract: The downsizing of prison population is a historical feature of the Italian criminal justice system. During the republican era (since 1945) a series of amnesties (pardon laws) mitigated the general tendency through the growth of the imprisonment rate. Such regular interventions of the parliament were realized even in periods when criminal emergencies were defined as crucial (terrorism, mafia attacks, war on drugs, etc), while a structural expansion of the prison system was always discussed and never realized.

After the last amnesty of 2006, the level of prison overcrowding reached its peak in 2010 (66000 inmates on a formal capability of 45000). At the beginning of the economic crisis, therefore, Italy faced also a “prison crisis”, linked with the political construction of the enemy within and with the impressive phenomenon of immigrants overrepresentation in the CJS statistics.

The related, dramatic worsening of the material conditions of detention led the EU to sentence Italy for the violation of the basic human rights of the detainees. After the so called “Torreggiani sentence”, the national government abandoned the traditional strategies of deflation to focus on new ones, limiting pre-trial custody and facilitating the access to penal measures alternative to detention. At the level of prison management, moreover, a shift through the dynamic surveillance (open cells during the day) has been implemented in the same period, with significant consequences on prisons’ everyday life.

The presentation will consider how such innovative (technocratic) forms of regulation are related to the structural and cultural effects of the crisis. On the one hand, in the field of the rhetoric of legitimization, they appear to be in contradiction with the current “new” wave of penal populism. On the other, they seem to highlight a potential short-circuit with other governmental measures which can be described as anticipations of a repressive (penal and administrative) turn in the management of poverty, social conflicts and social marginality.

From one crisis (1929) to another (2008): discussion of some critical issues in the framework of a long-term political economy of punishment.

Charlotte Vanneste, National Institute of Criminalistics and Criminology/University of Liège, Belgium

The wide angle adopted for our long-term analysis of Belgian data allows us to place in perspective two crucial moments of economic history, the two financial crises of 1929 and 2008. Economists have established several parallels between these two historical periods and our long-term approach provides an opportunity to examine their respective impacts in terms of punishment. Notwithstanding the short hindsight for the second crisis, key issues are emerging from the analysis of both discourses and statistical (national and international) indicators, both in the socioeconomic and political spheres and in the penal field. Could the recent crisis and its consequences predict that we are at a threshold in terms of the use of

punishment? Which 'ingredients' are at stake in the possible future trends? We propose to explore these questions in light of some available data.