

Punishment in Europe: A Critical Anatomy of Penal Systems

V. Ruggiero and M. Ryan (eds.,) (2013)

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There are nowadays increasing numbers of edited collections comparing and contrasting aspects of European criminal justice, and as the editors of this particular collection say specifically to their UK readers, there is now much less excuse to measure our penal progress against the USA, as we tended to in the past. Their earlier volume *Western European Penal Systems* (1995, co-edited with Joe Sim), helped to kick-start the Europeanisation of British penology and Ryan and Ruggiero openly portray this new text as an update and a sequel, now including studies of Eastern European systems that they were unable to include in the first one. The bulk of this “critical anatomy” consists of separate chapters on The Netherlands, Sweden, England and Wales, Ireland, France, Germany, Russia, Poland, Bulgaria, Italy, Spain and Greece. Contributors were invited to subvert common sense thinking about penal practice in their respective countries and the editors present the volume as a contribution to a “critical discourse [on penal matters] that is rooted European culture” (p7). This ambition is largely fulfilled, although the contributors do not all anatomise their penal systems, or define “relevant context” for analysis in the same way, or write in the same idiom. The fact that “critical penal analysis” can be done in such multifaceted ways is an additional strength of the book.

In his introduction Mick Ryan defends the single chapter/single country approach against the more overtly comparative approach of Cavadino and Dignan (2006), which interpreted penal policy and practice as an expression of – Ryan even says “determined by” – particular forms of political economy – neoliberal, corporatist and social democratic. While not fundamentally disputing this, he thinks it is insufficiently nuanced to explain the precise structures and dynamics of national penal systems. Other ideological, historical and administrative factors as well as purely economic ones shape their concrete particularities and it is within the interplay of such factors in any given country that spaces for reform initiatives can open or close. Thus, different countries may not be able to pursue progressive penal reforms in exactly the same way, or at the same pace; even if they draw on wider European narratives professionals and activists have only local opportunities to seize. Ryan plays down the importance of “policy transfer” as a means of improving policy and practice – he is arguably too Anglo-centric in his understanding of how this might, or might not, happen - and he tends to sideline the significance of some transnational European penal initiatives to set practice standards and promote human

rights, although other chapters do acknowledge them, notably Laura Piacentini's on the immense difficulties of humanising punishment in Russia.

Space precludes a detailed commentary on all the chapters, but all are worth the price of admission. Certain themes recur – the mix of local factors which wrought “the punitive turn” (or, as documented here, their absence in Germany); whether or not “punitiveness” might still be considered to have increased even if prison use has declined somewhat (as in the Netherlands); the rise of the risk paradigm – though this is far from universal; the advent of electronic monitoring as a punitive feature of community sanctions, although it is claimed here that in Poland it is a “positive experiment” (p201), worth mainstreaming; the over-representation of ethnic minorities in Europe's prisons and the growth of separate carceral arrangements for migrants and asylum seekers. The article on Spain documents the failure to build a better post-Francoist penalty, the one on Italy the place of amnesties in a perennially overcrowded, under planned system and the one on Bulgaria the stultifying effects of corruption within the state on penal policy. “The loss of a *gemeinschaft*-type of society” is used to explain penal expansion in Greece, and may actually be relevant to other countries, although the left have traditionally had difficulty with this line of argument.

Many articles contain singular, provocative propositions which stimulate further argument. Consider Monika Platek in her chapter on Poland: “It is often stressed that countries with a well-established democracy have better instruments to repress the tendency of increasing the role the penal system as a main tool of social control. I would, however, argue that states with well-developed penal systems.... have less incentive to strengthen democratic instruments” (p201). Emma Bell's depiction of abject penal regression in England and Wales might usefully be considered in this light. It entirely bears out the pessimism with which Ryan and Sim wrote about England and Wales in 1995 but begs the question – fuzzy, in fact, in the book as a whole – as to why, despite being forewarned and forearmed with piercing penological knowledge, even then, the worst has still come to the worst. Why can't we mobilise to stop this?

I expected a clearer assessment of progressive penal possibilities in “the slipstream if neoliberalism” (p6) from Vincent Ruggiero's conclusion than he actually delivers. He introduces some characteristically intriguing observations, indisputably fascinating to academics, but of a kind that would take years to distil into politically viable critiques and strategies for penal reformers. For some contributors here, maintaining a social democratic penal ethos in the face of neoliberalism would clearly be victory enough, hard enough as it is to accomplish. Although not primarily concerned with practice, Ryan and Ruggiero seem to suggest that being “progressive” should demand something more, but the fact that they don't actually say “how” does not invalidate the policy relevance of the issues with which their very readable book is preoccupied.

REFERENCES

Cavadino, M. and Dignan, J. (2006). *Penal Systems: a comparative analysis*, London: Sage.

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