

Book Review

Kury, H. & Shea, E. (eds) (2011) **Punitivity International Developments**, Vol. 1: Punitiveness – a global phenomenon? (Crime and Crime Policy Vol. 8-1), Universitätsverlag Dr. N. Brockmeyer, 442pp, ISBN: 978-3-8196-0777-6

How can punitiveness be measured? What accounts for the different penal trends in Germany, Australia, Finland and the Netherlands? How are juveniles treated within the Criminal Justice System in Italy? These are some of the questions that are posed in this stimulating collection of articles focusing on the concept of punitiveness. The first of three volumes, ‘Punitiveness – a global phenomenon’, concentrates on different aspects of punitiveness in Western industrialised countries. This volume, is separated into three distinct sections focusing on: ‘Theoretical background and methodological questions’; ‘Different Trends in Punitiveness’ and; ‘Juvenile Delinquents: A Category Apart’.

At first glance this book appears dense and uninviting with a heavy quantitative focus and pages of impenetrable tables. However, on further exploration, the editors have collated articles that are both inspiring and rewarding. As Kury and Shea note in the introduction, there are theoretical problems when it comes to discussing a concept that has no clear cut definition and this can lead to incomparable global findings. Much of the focus, particularly in the earlier stages of the book, concentrates on this very issue which sets the scene for the subsequent contributions.

Following on from Kury and Shea’s introduction, part one comprises of five articles drawing on research findings from Austria, UK, USA, Germany, Ireland, Scotland and New Zealand, which highlight the theoretical and methodological problems that arise in researching a concept that has no unified meaning globally. Indeed, Simonson argues that if the discussion on punitiveness is not based on the same definition, then inevitably, authors talk at cross purposes. To highlight this, Hirtenlehner acknowledges that the term punitiveness is used on three different levels. At the micro level punitiveness refers to an individual’s attitudes to punishment. At the meso level it refers to the sentencing practice of the criminal courts and at the macro level, punitiveness serves as a notion to capture a society’s political and media discourse on crime and punishment. Taking this further, Almond’s contribution on the ‘crippled epistemology’ of punitiveness emphasises how public punitiveness reflects the ways in which methodology and lack of information can obscure the more reasoned views that are held on this subject. Whilst such an acknowledgement of methodological and indeed definitional flaws can leave the reader feeling somewhat deflated, (if the methodology is fundamentally flawed, what is the point in reading about it?) it is also useful to have had the flaws clearly highlighted so that the following contributions can be read with these in mind.

‘Different Trends in Punitiveness’ is the title of the second section within this volume. As the heading suggests, this set of six articles, comprising of research findings and historical reviews, concentrate on the different punitive trends in the USA, Australia, Netherlands, Slovenia, Finland and Germany. As well as continuing to acknowledge the difficulties in measuring punitiveness, another key theme arising from this section is that punitive trends vary country to country depending on historical events, for example, in Finland, the 1918 civil war and the two subsequent wars against the Soviet Union between 1939 and 1944 led to a massive increase in prison numbers. As social conditions began to normalise, the Courts began to give more lenient sentences and the prison rate fell. Interestingly, in the 1990’s this trend changed once again, following new law reforms, and the prison rate increased, only for it to reduce again in 2005. The author states that this reduction is linked to a decrease in drug and property offences.

That historical events impact on punitive trends is not something that will come as a surprise to most readers; however the chapter also highlights regional differences in penal policy and punitivity and seeks to explain some of the intricacies of these regional variations.

Taking Australia, which is a federation of six states and two territories each maintaining their own laws, prisons and police forces, Indermaur and Roberts highlight that the existence of so many Criminal Justice Systems in a country with a population of only 20 million has led to the politics of crime and justice being played out on a local level, where individual cases have a more marked effect on the decisions of politicians. Indermaur and Roberts go as far as highlighting how such regional differences can be combated through the establishment of a Crime Control Administrative Authority (CCAA), in order for crime and justice policy to not fall prey to populism and emotion over rationality. This focus on solutions as well as highlighting differences makes this a worthwhile chapter. As a whole this collection of articles are less reader-friendly than those collated in the previous section. This is largely because of the need to provide lengthy historical backgrounds in order to highlight the differing trends. Despite this, for those readers interested in the comparative approach this sub-section is valuable and offers an excellent overview of the trends in punitiveness within the countries indicated.

Part three ‘Juvenile Delinquents: A Category Apart?’, concentrates on punitive developments in the juvenile Criminal Justice System. By and large, punishments for juveniles have traditionally been based on the purpose of rehabilitation. This collection of four articles considers the differing trends in punitivity for juveniles in Italy and Germany. Parlermo Fabris’s article focusing on juvenile deviance in Italy particularly stands out. She argues that Italian policy makers need to be clear on the underlying reasons for their Criminal Justice System and urges that they pay close attention to the contributions made by academics in the criminal sciences. She highlights that the indiscriminate use of detention for young people fails to incite a positive change of attitude in those juvenile’s who have broken the law. Linked to this is the equally valuable article by Özsöz, who addresses the effects of imprisonment on the developmental processes of young men who have been engaged in right-wing extremist groups. She concludes that whilst imprisonment in Germany as it stands, may act as a deterrent for these juveniles to commit future violent acts, the lack of a rehabilitative focus means that such a punishment does not change the deep rooted views of these people. The overall conclusion from this set of articles is that rather than punitive measures, rehabilitation and education should be the focus for young people. This is an area that is under acknowledged in the wider literature and Kury and Shea, through this collection, have provided an engaging overview of this problem.

Overall this is an interesting and easily accessible collection of articles brought together neatly by Kury and Shea's introduction. There are some glaring translation errors which proved to be distracting although not to the extent that the focus of the book was lost. The collection would have benefitted from a concluding chapter by the editors, by way of drawing together the themes that emerged; nevertheless for a student new to criminology, penal policy or comparative studies, this is a useful and inviting book. If the contributions in this text are to translate into a change in policy and a reduction in punitiveness, then this book must be read by policy makers, otherwise, one cannot help feeling that it has all been for nothing.
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