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Armstrong, S. (2009) *Nicola Lacey, The Prisoners' Dilemma: Political Economy and Punishment in Contemporary Democracies Nicola Lacey*, Cambridge: Cambridge University Press, 2008. xx + 234 pp. ISBN 9780521728294. Edinburgh Law Review, 13 . pp. 550-551. ISSN 1364-9809

<http://eprints.gla.ac.uk/60875/>

Deposited on: 19th March 2012

Donnelly's contribution. *Municipal Policing in Scotland* is a book that informs one about, and chimes closely with, important, long overdue, and very welcome public conversations about the nature and future of policing in Scotland.

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EdinLR Vol 13 pp 550-551
DOI: 10.3366/E1364980909000821

Nicola Lacey, THE PRISONERS' DILEMMA: POLITICAL ECONOMY AND PUNISHMENT IN CONTEMPORARY DEMOCRACIES

Cambridge: Cambridge University Press (www.cambridge.org), 2008. xx + 234 pp. ISBN 9780521728294. £12.99.

America imprisons a larger portion of its population than any other country on earth, a fact that has been, paradoxically, a source of both reassurance and worry on this side of the Atlantic. It is reassuring because the extraordinary US imprisonment rate is so much higher than in Scotland or England and Wales (or indeed anywhere else) that large increases in prison populations in the UK seem acceptable by comparison. There is the lurking worry, however, that we are moving along the same trajectory as America and will eventually end up in the same place. Nicola Lacey confronts both complacency and alarm about imprisonment in this thorough and insightful book, urging more, and more nuanced, attention to the distinctive political and economic structures that form the context of penal practices.

The book is the published version of the Hamlyn Lectures Lacey delivered in late 2007, with each of the four lectures forming chapters in the book, updated with extensive footnotes, figures and tables. It comprises two parts, with the first setting out a comparative analysis of penal systems in a number of democracies and the second considering whether other democracies are likely to become as punitive as America, and what might be done to avoid this.

Lacey argues that in order to take reform of criminal justice seriously, the analysis "needs to move to a higher level generality, beyond criminal justice systems themselves" (14). In other words, how humane our penal system is or can be depends on larger questions about the organisation and sustainability of our democracy and capitalism. This insight restores some balance to the debate within penal studies, which had been drifting in the wake of recent influential work toward the idea that it is criminal justice which is coming to shape our political institutions and culture, rather than the other way around. Lacey accepts that punishment and politics exist in a dynamic relationship, but policymakers and academics alike are too often guilty of addressing reform of criminal justice in isolation, and her arguments are an important corrective to this.

The comparative perspective that Lacey adopts allows her to figure out how some capitalist democracies are highly punitive while others are not. M Cavadino and J Dignan's *Comparative Penal Systems* (2006) supplies the basic framework for categorising countries into different families based on political and economic systems. The key economic dividing line runs between those countries where there is minimal regulation of capitalism and priority is placed on short-term gains (liberal market economies), and those where market regulation is seen as necessary to the operation of capitalism and expectations of gains tend to be long-term (co-ordinated market economies). Hence, it is the neo-liberal family of countries (USA, South Africa, New Zealand, Australia, England and Wales) where imprisonment rates are higher, and the social

democracy family with their co-ordinated market economies where they are lower (Sweden, Denmark, Finland, Norway).

Rates of imprisonment (prisoners per 100,000 population) are rising everywhere, however, suggesting that even the most lenient social democracies have not entirely resisted the punitivism that has infected America. These rising rates, it should be noted, are happening against the backdrop of a general trend of declining or stable crime rates. Non-criminological readers might be surprised to learn, and Lacey provides a good review of the research on this point, that crime is generally not the main driver nor a good predictor of prison population sizes. Here Lacey offers both hope and caution. On the one hand, the entangled relationship of punishment and race in the United States (where she cites research noting that young black men in America are now more likely to go to prison than university) underlines the exceptionalism of the American case. On the other hand, the rising rate of foreign prisoners in European jails supports the argument that migrants are becoming the “blacks’ of Europe” (152, quoting Loïc Wacquant).

This is too small a space to do justice to Lacey’s discerning consideration of these issues and her impressive (and creditable) incorporation of research in political philosophy, criminology, welfare economics, and social theory to make her points. She manages both to convey in an accessible manner the complexities in how politics and economics interact to produce national styles of punishment, and at the same time to offer a nuanced critique of some of the conclusions that research on this topic has produced. All of this effort is in aid of her genuine desire to contribute constructive ideas to the debate: how might we achieve criminal justice institutions that are humane and moderate both in design and effect? She concludes that in the UK the critical actions are to de-politicise criminal justice policy and attempt a “re-constitution of some respect for expertise” (191).

Scotland’s recent criminal justice reform efforts fit well within Lacey’s vision of change. The recent report, *Scotland’s Choice: Report of the Scottish Prisons Commission* (2008), explicitly connects the humaneness of the prison system to the success of the nation and attempts to re-shape the way in which government engages the public, having confidence in its ability to participate in rational rather than emotive debate of the issues. However, the significant increases in the prison population in Scotland over the past decade have been accompanied by increased use of community-based penalties. This and other practices suggest, in contrast to Lacey’s primary argument, that higher imprisonment rates are not driven solely by greater punitivism (a complicated concept in any case), but also by ameliorative impulses – such as using alternatives to prison – as well. The interesting but neglected developments in Scotland also remind us how much of the work in this field takes place in the shadow of America’s penal dystopia. Perhaps we should rather seek out utopias to guide the quest for change.

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EdinLR Vol 13 pp 551-553

DOI: 10.3366/E1364980909000833

**Louise Mallinder, AMNESTY, HUMAN RIGHTS AND POLITICAL TRANSITIONS:
BRIDGING THE PEACE AND JUSTICE DIVIDE**

Oxford: Hart Publishing (www.hartpub.co.uk), Studies in International Law vol 21, 2008. xlv + 586 pp. ISBN 9781841137711. £60.

Dr Mallinder has produced an excellent and long-awaited contribution to the study of national amnesty laws and practices. The book provides a comprehensive examination of state practice,