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*Sociologies anglo-saxonnes du virage punitif : Une réponse*  
**Anglo-Saxon Sociologies of the Punitive Turn: A Reply**

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**Abstract:** This paper seeks to respond to Nicolas Carrier's criticisms of Anglo-Saxon sociologies of the 'punitive turn'. It postulates that the concept is based on empirical reality and provides a useful discursive tool for analysing recent penal trends across the Western world. It then goes on to pinpoint the key strengths of these sociologies, namely their Anglo-centric focus, their understanding of the importance that punitive rhetoric can have on political reality, and their focus on the wider socio-political context in which these changes have taken place. Finally, it is argued that the various sociologies are most relevant when understood together in the hegemonic context of neoliberalism.

**Résumé :** L'objectif de ce texte est de répondre aux critiques des sociologies anglo-saxonnes du virage punitif avancées par Nicolas Carrier. Il sera démontré que ce concept est fondé sur une réalité empirique et qu'il sert comme une bonne stratégie discursive pour analyser les tendances pénales à travers l'Occident. Ensuite, les principaux atouts de ces sociologies sont énoncés, notamment leur focalisation sur les pays anglo-saxons, leur capacité de souligner l'influence de la rhétorique sur la réalité politique, et leur analyse du contexte sociopolitique plus large dans lequel ces changements ont eu lieu. Il est postulé que ces sociologies sont plus pertinentes lorsqu'elles sont étudiées ensemble dans le contexte hégémonique du néolibéralisme.

**Key words:** punitive turn – mass imprisonment – populism – neoliberalism

**Mots-clés :** virage punitif – boom carcéral – populisme – néolibéralisme

In an earlier edition of this volume, Nicolas Carrier (2010) expressed doubts over the utility of the concept of the ‘punitive turn’ which has become so widely used in Anglo-Saxon criminological literature over the past decade and more (e.g. Garland, 2001a). He criticised attempts to theorise this major sociological change as being insufficiently critical, reductive and over-generalised. It is true that the concept of a punitive turn or the ‘new punitiveness’ (Pratt *et al.*, 2005; Goldson, 2002) is now so widely used that it is sometimes divorced from penal reality, especially as it has become the focus of all-encompassing theorisations of recent penal trends. However, it is argued here that both the concept and its many theorisations are, despite their defects, nonetheless based on empirical reality which is not specifically Anglo-centric. Furthermore, it would be a mistake to regard these theorisations as being insufficiently critical – whilst many of them do tend to postulate a false dichotomy between the post-disciplinary era of today and the rehabilitative era of the recent past, in pinpointing the possible sources of recent punitive penal trends, they provide the starting point for the development of critical criminologies capable of challenging the status quo.

## **1. Rhetoric and Reality: The ‘punitive turn’ in practice**

Carrier argues that there is a lack of empirical evidence for what are usually presented as being the three principal manifestations of the punitive turn: the explosion in the use of imprisonment (*boom carcéral*); the emergence of the post-disciplinary prison which seeks to warehouse rather than rehabilitate offenders; and the politicisation of penal policy which has been accompanied by the return of more expressive forms of punishment. Whilst it is obviously impossible in an article such as this to analyse these trends in detail, it is possible to address some of the key issues raised by Carrier pertaining to their inconsistencies.

### **1.1. The carceral explosion**

Carrier is correct to point out that the majority of studies of the punitive turn focus particularly on the case of the United States (see for example, Garland, 2001a; Beckett and Sasson, 2004), thus ignoring the extraordinarily high rates of imprisonment of other nations and inter- and intra-national differences in imprisonment rates. Yet, this focus on the American example can partly be justified. Firstly, when studying the change from a welfare model of punishment, which prevailed in most social democracies throughout the post-war period, to one which appears to be characterised by considerable harshness, it is useful to compare like for like. Thus, an analysis of the high imprisonment rates of the entirely

different political regimes of Russia and China is unlikely to help us understand why social democracies turned away from the penal philosophy which had dominated criminological thought for almost a century.

In addition, despite international variations, what is occurring in the United States is in many ways a microcosm of what is occurring in other Western democracies. Whilst other democratic nations are not experiencing anything like the carceral inflation witnessed in the United States, many of them have nonetheless experienced considerable increases in their prison populations which suggests that they too have been experiencing mass imprisonment. Garland describes this phenomenon as follows: '[...] a rate of imprisonment and a size of prison population that is markedly above the historical and comparative norm for societies of this type. [...] Imprisonment becomes *mass imprisonment* when it ceases to be the incarceration of individual offenders and becomes the systematic incarceration of whole groups of the population' (Garland, 2001b, pp. 5-6). In many social democracies, the current prison population is indeed much higher than the historical norm: nearly all Western nations have experienced considerable rises in imprisonment rates (notably England and Wales, France and New Zealand), whilst countries previously known for their low prison populations (such as those in Scandinavia and Holland) have recently begun to incarcerate more of their citizens (Tham, 2001; Pratt, 2008; Van Swaaningen, 2005). In addition, 'whole groups of the population' are now systematically incarcerated. Although this trend is most marked in America where the majority of inmates are now non-white (Simon, 2007; Wacquant, 2009; Sabol, West and Cooper, 2009), the percentage of prisoners from ethnic minorities has been growing considerably in recent years in other Western nations such as in England and Wales (Counsell, 2003, p. 3). Yet this trend does not just have a racial dimension. Although there are few statistics available specifically relating to the social background of prisoners, it is clear that they are drawn from the ranks of the poorest and most disadvantaged people in society. There is of course nothing new in this – the world's prisons have always been filled with society's rejects – but the considerable rise in incarceration rates would suggest that more of these people are now finding themselves behind bars than was the case throughout much of the twentieth century.

Imprisonment trends in the United States would thus appear to be affecting other Western nations, despite differences in scale. It must be borne in mind that punitiveness is a relative concept. Thus, even though a country has not demonstrated such punitive tendencies as another, this does not necessarily mean that it has not experienced a marked increase in punitive intensity. What may be regarded as punitiveness in one country may be regarded as

leniency in another and vice versa. For example, UK penal trends may not seem to be particularly punitive from an American perspective, particularly from the perspective of a state such as Texas which still applies the death penalty and experiences extremely high rates of imprisonment. However, in a European context, particularly a Western European context, in which the tradition of human rights is strongly anchored, recent trends are indeed likely to appear to be highly punitive.

Carrier is right to doubt whether the prison population explosion is on its own a sufficient indicator of punitiveness. Indeed, it is entirely possible for a country to have a low rate of incarceration but to remain extremely punitive. For example, Timor-Leste, formerly East Timor, has the lowest rate of incarceration in the world but has a deplorable human rights record (ICPS, 2010). In many Western nations today, punitiveness is reflected not just in the number of people sentenced to imprisonment but also in the number of people who remain outside prison but who are nonetheless subject to the surveillance of the penal system. This observation follows in the tradition of discourses on the extension of the penal net, popularised by Foucault (1975), Cohen (2001[1985]) and Garland (1985). The argument runs that the welfarist interventions designed at the turn of the last century to supplant penal interventions merely extended the punitive capacity of the State. Rather than acting as alternatives to punishment, they merely served as additions to the penal arsenal which the State already possessed. They were, to borrow Garland's expression, 'welfare sanctions'. Such arguments could be used to demolish the thesis of the 'punitive turn' since they suggest that punitiveness was actually extended throughout the course of the last century and not just over the last twenty years or so. However, it is possible to argue that the 'welfare sanction' thesis is more pertinent today than ever it was on account of the extension of the State's surveillance capacity, greatly augmented by the appearance of new technologies. It is only recently that welfare has come to represent such a clear extension of the punitive arm of the state. In the UK, for example, New Labour's attempts to tackle the problem of social exclusion were intricately linked to efforts to tackle the causes of crime. Consequently, welfarist projects such as Youth Inclusion Programmes and Family Intervention Programmes have tended to result in the increased surveillance of 'problem populations' and in the criminalisation of those who refuse to accept State help to change their behaviour (Bell, 2011). Perhaps, therefore, rather than writing about a 'carceral boom', it would be more appropriate to use the term 'control boom' or 'criminalisation boom'.

Finally, Carrier's suggestion that the decline in the use of incarceration for psychiatric patients represents a major challenge to the idea that there is currently a carceral boom needs

to be qualified. If these people are no longer incarcerated within psychiatric institutions, they continue to be incarcerated in penal establishments: in the UK, for example, it is estimated that 80 per cent of inmates suffer from mental illness (Scott, 2008, p. 116). The mentally ill continue to be subject to the controlling gaze of the State whether they are to be found inside or outside prison. Even mentally ill children in Britain find themselves targeted by the infamous ASBO: they represent 35 per cent of young people under the age of 17 who have been served an ASBO (BIBIC, 2005).

## **1.2. The decline of the rehabilitative ideal**

Carrier correctly questions the idea that we have moved from a disciplinary to a post-disciplinary era. It is true that the so-called rehabilitative ideal has not been abandoned and that the need to rehabilitate offenders continues to be used to justify punishment. It is going too far to speak of the 'warehousing' of offenders in penal institutions with the sole aim of controlling them and separating them from society at large (Feeley and Simon, 1992 and 1994). However, it is hard to argue against the theory that the rehabilitative ideal has been profoundly transformed to the extent that we are now witnessing the ascendancy of the 'neo-rehabilitative ideal' (Morgan, 1994, pp. 135-7). This term was first used by the British criminologist Rod Morgan to refer to the transformation from a system whereby ultimate responsibility for the rehabilitation of offenders lay with the criminal justice authorities (even though the responsibility of the former was never denied) to one whereby responsibility was ultimately to be placed on the shoulders of offenders themselves. Hence, rehabilitation programmes inside and outside prison seek primarily to force offenders to take responsibility for their offending behaviour rather than tackling the social causes of that same behaviour. Probation services no longer seek to 'advise, assist and befriend' offenders with a view to reintegrating them into society, but rather to control the risk that they may represent for the public.

As one commentator has pointed out, rehabilitation is currently receiving a revival in legitimacy, identified as it is with three new penal narratives which are simultaneously utilitarian, managerial and expressive (Robinson, 2008). Whilst utilitarianism has always been a chief aim of rehabilitation, it was once seen as primarily serving the interests of the offender, helping him or her to reintegrate into mainstream society. Now, however, it is utilitarian to the extent that it is primarily seen as being in the best interests of society as a whole: 'it is no longer offenders themselves who are seen as the main beneficiaries of rehabilitative interventions, but rather communities and potential victims' (*ibid.*, p. 432).

Rehabilitation is therefore justified in terms of public protection. Rehabilitation also fits with the narrative of managerialism in that it is presented as the best means of managing the risk posed by offenders (*ibid.*, pp. 433-5). Finally, rehabilitation is now seen as being indissociable from and expressive of punishment on account of the emphasis placed on the responsabilisation of the offender (*ibid.*, pp. 435-9). In this sense, the *transformation* of the rehabilitative ideal can indeed be regarded as another manifestation of the punitive turn.

### **1.3. The politicisation of the crime issue**

According to Carrier, the mediatisation and politicisation of the crime problem, as exemplified by the adoption of ‘populist’ policies such as those of ‘zero tolerance’ across Western nations, exists on a discursive level only. It is true that the symbolism of these policies is as important as their practical effects –it is such rhetoric which enables politicians from all political hues to use crime as a wedge issue capable of appealing to all sectors of the electorate. Yet, it is hard to deny the wide-reaching effects of such discursive techniques on the ground. Even where ‘populist’ policies are not applied directly, they can and have had a powerful influence, hardening the tone of penalty both in policy and in practice.

Carrier is not the only commentator to have pointed to the difference between the rhetoric and the reality of punishment. Indeed, Matthews (2005) has argued that many apparently punitive, much mediatised penalties have not been widely applied on the ground. He cites the example of the ‘three-strikes’ penalties for convicted drug traffickers, domestic burglars and sex offenders, introduced under the first Labour government in the UK, which were little used in practice. Jones and Newburn also highlight this point (2006). Matthews adds that the media hype over sex offenders did not translate into the creation of a form of ‘Sarah’s Law’ in the UK which would have allowed the public to access personal details concerning convicted sex offenders, proving that many punitive policies were as much symbolic as anything else. However, as time went on, these same policies did lead to punitiveness in practice. Whilst the ‘three-strikes’ legislation was little used at first, it is now used quite extensively with regard to domestic burglars (Ministry of Justice, 2010, p. 31). Furthermore, the new Indeterminate Sentence for Public Protection which replaced the ‘two-strikes’ sentencing for serious violent or sexual offenders is now used so extensively that it is considered to be a primary driver of increases in the prison population in England and Wales (Ministry of Justice, 2008, p. 5). Perhaps most significantly, the last New Labour government ignored professional advice and introduced a diluted form of ‘Sarah’s Law’ the application of which is to be overseen by the new Conservative/Liberal-Democrat coalition government.

Perhaps, like the ‘three strikes’ legislation, it will be little used at first but, as time passes and previously unthinkable policies take hold in the police and judicial mind, punitive rhetoric will once again become a reality.

Contrary to what Carrier suggests, these three symptoms of the punitive turn are grounded in empirical reality. Whilst it is true that there are significant differences in how these policies manifest themselves across and within different countries, it is hard to refute the fact that there has been an increase in punitive intensity in almost all Western nations. This is not to deny that there are some exceptions to the rule. Carrier cites the case of Canada which would appear to have deliberately attempted to steer a different, more socially inclusive, reintegrative direction in penal policy at the very time that the United States was embarked on its ‘punitive turn’ (Meyer and O’Malley, 2005). Within the UK, a country which is often cited as a key example of the punitive turn, Scotland has succeeded in resisting some of the worst punitive trends witnessed south of the border, even if its penal distinctiveness is under threat (McAra, 2006, 2008). It is important to recognise that punitive trends are mediated by the particular cultural and political environment in which they take root (Lacey, 2008). Indeed, the peculiar historical and institutional environment in the United States goes a long way to explaining why the punitive turn is particularly marked there (Whitman, 2003; Tonry, 2004; Gottschalk, 2007). The concept of the punitive turn nonetheless remains useful in forcing us to analyse punitive trends and thus helping us to link penal trends to wider social, political and economic trends which cross national boundaries. Perhaps the concept is too dichotomous, implying as it does a stark contrast between punitive and non-punitive. It would be more useful to invoke the idea of the ‘intensification of punishment’ (Sim, 2009) which acknowledges the point made by Carrier that all punishment is intrinsically ‘punitive’ and avoids over-idealising the past. But I would argue against abandoning the notion of the punitive turn altogether since it forces us to confront the stark contradiction between liberalism and authoritarianism which characterises all liberal democracies today.

## **2. The strengths of Anglo-Saxon sociologies of punishment**

Rather than pinpointing the weaknesses of Anglo-Saxon sociologies of punishment in helping us to understand the increase in punitive intensity which has characterised the majority of Western nations over the past two to three decades, I will attempt here to identify their key strengths.



## **2.1. Focus on the United States**

As mentioned above, Carrier criticises the fact that the majority of sociologies of punishment base their arguments on the case of the United States. It would of course be a mistake to overlook the factors which may have contributed to punitive policies in different cultural and political contexts. It is true that ‘the West’ does not equate with the United States. Nonetheless, it is hard to dispute the fact that the US is not just a microcosm of punitive trends, as argued above, but also a breeding ground for the political ideologies which have come to dominate Western politics. It is via American think tanks that neoliberalism came to take a hold in Europe (Dixon, 1998; Wacquant, 1999; Halimi, 2004). Whilst it must be recognised that there is a difference between neoliberal theory and ‘actually existing neoliberalism’ (Brenner and Theodore, 2002), it is indisputable that neoliberalism is now the dominant political philosophy throughout the West. To a greater or lesser extent, Western democratic states have slowly muted from being guarantors of social security to facilitators of market solutions even if they have not entirely divested themselves of this former role. This has meant that issues such as crime and immigration have become increasingly important as ‘wedge issues’ as governments seek to appeal to the electorate across class lines and guarantee physical security as a way of compensating for their inability to provide social security (Garland, 2001a). This is not to suggest that punitive penal policies are intrinsic to neoliberalism as Wacquant (2009) suggests: indeed, key neoliberal economists such as Joseph Stigler, would have opposed the disproportionality which has come to dominate contemporary punishment on the grounds that ‘the marginal deterrence of heavy punishments could be very small or even negative’ (1970, p. 527). Yet, in particular social, cultural and political contexts, neoliberalism may create the conditions which are more likely to lead to punitive penal policies. For example, in the UK Thatcherite neoliberalism did not initially lead to punitiveness, despite the tough authoritarian rhetoric adopted. It was only as successive governments began to recognise the need to manage the socially deleterious effects of neoliberalism by inaugurating a new, less destructive ‘roll out’ phase in opposition to the ‘roll back’ neoliberalism of the Thatcher era that neoliberalism came to encourage punitive policies (Peck and Tickell, 2002). It did so by promoting a renewed focus on personal responsibility over state responsibility for the social problems of which crime is but one manifestation. Whilst welfarist interventions were intended to serve as an antidote to the social chaos wreaked by Thatcherism, this focus on responsibility meant that they were inherently coercive and did little more than encourage punishment through welfare. New

Labour's adoption of tough penal policies needs to be understood as failed attempt to secure political legitimation by both divesting itself of its unjustly-earned image as being 'soft on crime' whilst providing it with an issue with wide appeal that could enable the party to move into the political mainstream.

So, whilst the specific national context of punitive trends should not be overlooked, a focus on the United States as the exemplar of a neoliberal state may help us to better understand the political and ideological framework in which States across the West are now operating. Indeed, it is becoming increasingly difficult for these States to resist the neoliberal order. Should they independently seek to diverge from its key tenets, they will quickly find themselves sanctioned by 'disciplinary neoliberalism' enforced by international organisations such as the IMF (Gamble, 2009). Like it or not, the American model *is* the dominant model. It is therefore appropriate that it figure prominently in any sociology of punishment which seeks to situate punitive practice in its socio-political context.

## **2.2. Rhetoric is reality**

Carrier criticises these Anglo-Saxon sociologies of punishment for giving insufficient attention to the way in which penal policy is translated into practice, thus ignoring the gap which often exists between the rhetoric and the reality of punishment. Indeed, many of them tend to limit their analysis to the realm of political decision-making. These studies would indeed benefit from more detailed analysis of police and judicial practice. Yet, this does not mean that the penal policies they discuss are mere discursive tools, the symbolic effect of which is more important than the practical. Whilst their symbolic effect is indeed important, this does not mean that they do not have a significant impact on the ground. As discussed above, some of the most highly mediatised policies in the UK were eventually translated into practice, leading to a significant increase in criminalisation. Whilst Carrier is right to point out that the legal system is not entirely passive, responding blindly to political directives from on high, he tends to overestimate the degree of discretion accorded to actors within the system. Although this may vary considerably from one country to the next – indeed, it may help to explain differing degree of punitiveness in different penal systems – most countries have in recent years witnessed a considerable decline in judicial and police discretion.

Judicial discretion has been severely limited by the trend towards statutory minimum sentencing tariffs. Even though minimum sentences remain the exception rather than the rule, judges are not immune to political pressure to be seen to be responding to demands for tougher punishment. This is particularly the case in the United States where many judges are

directly elected by the people (Gottschalk, 2007). Where judges are not elected, such as in the UK, they still feel the need to echo public sentiment (Ashworth, 1997). Indeed, former Lord Chief Justice, Lord Woolf, has claimed that the generally punitive climate of opinion which has prevailed in England and Wales in recent years is responsible for the increase in the 'going rate' for sentence lengths (Woolf, 2003). Even though many high-ranking judges condemn populist policy-making, they still believe that the judiciary should attempt to reflect public opinion. Consequently, it is extremely difficult for judges to resist punitive trends when they believe that these are supported by the public at large. In the UK, judicial criticism of punitive trends has generally been confined to the higher echelons of the judiciary.

As Carrier points out, punitive practices may still be resisted if they are found not to conform to legal or constitutional norms. There are a number of examples which may be brought to mind: British and European courts have continued to oppose the use of 'control orders' which place terrorist suspects under house arrest for indefinite periods of time; European Commissioners for Human Rights have condemned punitive practices such as the 'naming and shaming' of those subject to Anti-Social Behaviour Orders in the UK and the British refusal to increase the age of criminal responsibility (Gil-Robles, 2005; Hammarberg, 2008). Yet, in practice the UK government has failed to back down, rendering these challenges ineffective.

As for the police, they have found themselves increasingly subject to managerialist targets set by central government. In order to meet targets concerning arrest rates, for instance, they have in many cases become complicit actors in punitive trends. Just like the judiciary, they are also subject to public pressure to be seen to be doing something about crime. In the UK, such pressure is likely to become ever-more acute as the new coalition government follows the American example and implements plans to enable the direct election of police commissioners (Home Office, 2010). It is true that the police necessarily continue to exercise discretion when it comes to applying policies such as zero tolerance. Indeed, in the UK, zero tolerance policing has not been applied in anything quite like the way it was practiced in New York, despite outspoken support for such policies on the part of politicians and certain police chiefs. Yet it is undeniable that the logic of zero tolerance has come to permeate police practice as officers have been encouraged to target anti-social behaviour via civil measures such as ASBOs and dispersal orders, the use of which has increased exponentially in recent years (Burney, 2008; Strickland, 2008). All this would suggest that there is a smaller gap between the rhetoric and the reality of punishment than Carrier suggests.

### 2.3. A broad focus

Another major strong point of Anglo-Saxon sociologies of punishment is that they attempt to situate punitive trends outside the penal sphere alone, linking them to the social insecurities of late modernity (Garland, 2001a; Young, 1999...) or to labour market trends (Box 1987; Downes, 2001; Beckett and Western, 2001...), for instance. Whilst these sociologies of punishment can be too reductive if analysed alone, taken together they can provide an invaluable multi-layered analytic tool for determining the origins of punitive trends. No government policy can possibly be understood in isolation but must instead be linked to the particular ideological environment in which it is developed. For example, it is the specific context of neoliberalism which can help us to understand the increased emphasis on individual responsibility in both the penal and social spheres as the State has sought to offload its own responsibility for social problems.

A further advantage of the broad focus taken by Anglo-Saxon sociologies of punishment is that, by looking beyond the penal sphere itself, they can focus not just on the role played by politicians, the police and the judiciary but also on that played by other actors in the penal field. For example, they highlight the role played by private business which has become increasingly important in recent years. Indeed, throughout the Western world, private companies now provide a wide range of criminal justice services from prisons to rehabilitation services. They have become key partners in the policy-making process whilst managerialist principles borrowed from the private sector have permeated penal logic. It is hard to ignore the impact of these changes on penal trends: managerialist logic undermined welfarist ideology and placed risk management at the forefront of professional concerns; offenders incarcerated in privately-run prisons often experience harsher conditions and be more at risk of self-harm and violence than those held in publicly-run prisons; the private sector has also been instrumental in extending punitiveness outside the four walls of the prison and into wider society as it has gained control over city centres and sought to exclude all those 'undesirables' who are seen to threaten commercial success (Bell, 2011). Finally, states have tended to further deregulate business, thus enabling harmful white-collar crime to flourish whilst attention is refocused on the crimes of the powerless (*ibid.*).

It is in adopting a wide-ranging approach, capable of incorporating all the possible actors of the recent punitive turn that Anglo-Saxon sociologies of punishment can pave the way for a truly critical approach to penal trends. Whilst Carrier is right to note that some criminologists tend to pose a false dichotomy between present and past penal trends, he is

wrong to imply that these sociologies of punishment are uncritical. Indeed, by fixing their gaze on those who drive current punitive trends and who cause considerable social harm whilst themselves escaping penal regulation, they help to delegitimise penal sanctions as they are currently constructed.

## **Conclusion**

Many of Carrier's criticisms of Anglo-Saxon sociologies of the punitive turn deserve to be heeded. It is particularly important to avoid idealising the past. This is why, following Sim, it would be best to speak of the 'intensification' of punitive trends rather than of a 'punitive turn'. Yet, all five 'sociologies of punishment' dealt with by Carrier have considerable value in helping to explain those trends. Their value is of most relevance when they are understood together rather than individually and when placed in the context of a neoliberal political economy which has entailed the transformation of the state from provider of social and economic security to facilitator of market solutions. It is in the context of neoliberalism, otherwise known as 'late modernity', that the 'decivilisation process' described by Pratt makes most sense, helping to explain the development of a culture of 'egotistical individualism' (Reiner, 2007) which has facilitated the desire to exclude rather than to reintegrate the 'losers' in the new economic order. The penal process is just one means of exclusion amongst many. In addition, whilst it is true that penal populism would surely have emerged as a result of the decline of deference towards political decision-makers, it can best be understood in the context of neoliberalism which has rendered government relatively powerless to tackle the social and economic insecurities that may undermine state legitimacy, instead making it more likely to rely on 'wedge issues' such as crime and immigration which may appeal to the electorate across class lines. Furthermore, the theory which advances that incarceration has become a way of soaking up the 'reserve army of labour' certainly has its flaws. Indeed, even those who support the theory, such as David Downes who has shown that the imprisonment of large numbers of unemployed people conveniently enabled the United States to reduce its official unemployment rate by between 30 and 40 per cent since the beginning of the 1990s, does not suggest that this link is capable of explaining precisely why mass imprisonment occurred in the first place – political and social factors must also be factored in (Downes, 2001, p. 72). Nonetheless, in the neoliberal context whereby the State has abandoned the Holy Grail of low employment in favour of that of low inflation and the promotion of a short-term, 'flexible' 'competitive' labour market, whilst simultaneously adopting exclusive policies towards those who refuse to adapt to the neoliberal marketplace, it

is more likely that the penal process will become an additional means of controlling excluded populations. It is also in the context of neoliberalism that the theories advancing the existence of a carceral-industrial complex have most relevance. Neoliberalism led to the displacement of the civil service policy-making elites in favour of representatives from the private sector as government increasingly came to share a 'correspondence of interests' (Hall and Scraton, 1981) in applying market solutions wherever possible and in accepting the dominance of managerialist logic. The impact of these trends on punitiveness was briefly outlined above.

When taken together and analysed in their specific ideological context, these sociologies of punishment may provide a useful framework for understanding the Western trend towards increased authoritarianism. Identifying common penal trends does not mean that we should ignore intra- and international differences in punitive intensity, nor does it mean that other possible socio-political explanations for these trends should be excluded. Nonetheless, this process does enable us to link these trends to other transnational ones, notably the spread of neoliberalism as a hegemonic form of governance across the Western world.

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