



Book Review: *Bastille Nation: French Penal Politics and the Punitive Turn*. Jean Bérard and Gilles Chantraine

Review Author: J M Moore

Source: *Justice, Power and Resistance* Volume 1, Number 1 (April 2017) pp. 148-150

Published by EG Press Limited on behalf of the European Group for the Study of Deviancy and Social Control electronically 16 October 2017

URL: <http://www.egpress.org/papers/book-review-bastille-nation-french-penal-politics-and-punitive-turn-jean-berard-and-gilles>

This work is copyright. It is made available for use for educational purposes and for individuals personal and non-commercial use. Please contact the publisher EG Press Limited regarding any further potential use of this work

Website: www.egpress.org

Email: egpressproduction@outlook.com

EG Press Limited is the publisher of the European Group for the Study of Deviance and Social Control. The principal focus of EG Press's output is the dissemination of European Group related material. This includes publishing the European Group's Journal *Justice, Power and Resistance*.

Bastille Nation: French Penal Politics and the Punitive Turn. Jean Bérard and Gilles Chantraine, Ottawa: Red Quill Books (2013) Translated by Matthew Cunningham. 204pp £20.00 ISBN 978-1-926958-22-4

During the first decade of the twenty-first century an attempt was made to pass legislation to 'reform' France's prison system. Rather than provide the normal criminological account of this process – one that accepts the official discourse at face value – Jean Bérard and Gilles Chantraine provide a much more complex and ultimately troubling account. Central to this book is the authors' determination to include the voices of all the actors, both inside and outside the prison. By ensuring that prisoners' first-hand accounts of the reality of incarceration are central, this book not only provides a valuable account of the contemporary French prison but also exposes the limitations and failures of prison reform at a more universal level.

The book opens with an excellent brief bibliography of its two authors, which this reviewer found really useful in terms of understanding their background and approach. It then provides a concise summary of the history of the debates around prisons in France from the beginning of the nineteenth-century through to the end of the twentieth-century. As the debate moves from the reformation of the convict to the deterrence of the criminal, with little or no evidence of their practical realisation, Bérard and Chantraine highlight that 'these two rationales ultimately serve the same purpose: the legitimization of prison' (p. 30). At various points in this history the reform discourse becomes exhausted, leading to a minimalist penal policy with a diminishing prison population. However, since the 1970s in France a 'dwindling faith in the virtues of incarceration has been accompanied by a steady increase in the prison population' (p. 34). This is a picture that is recognisable to anyone familiar with prisons in the United States and the United Kingdom.

The French prison administrations have had, therefore, to manage institutions that are generally accepted as failing whilst the numbers incarcerated have expanded rapidly. To do so, Bérard and Chantraine argue that two principal discourses are deployed: 'rights' and 'risk' management. On the one hand, France is committed to the implementation of the European Prison Rules. But rights and punishment don't mix well and, as the authors point out, in practice this commitment meant an experimental implementation of 8 out of 108 of the rules in 28 out of 190 establishments. The rhetorical commitment to 'rights' is in fact only valid 'to the extent possible' which in practice is very limited and always conditional. Managing 'risk' is central to French prisons both

through providing a rationale for their increased use and in terms of their management. Assessment of 'risk' determines which prisons people are sent to, the regimes they are subjected to, the 'treatment' provided and ultimately who is released and when. In reality, particularly in penal institutions, it is impossible to assess 'risk' or 'dangerousness' with any accuracy and the book cites the unanswerable questions voiced by Alain Anziani in the French Senate in 2009: 'Who's dangerous? For whom? For what? According to what criteria? This is all quite unclear' (p. 73). For Bérard and Chantraine France's justice system is operating in a fantasy akin to *The Minority Report*.

For the official line of rights and risk to hold any credibility, the voices of those who experience the prison and life after prison must be silenced. Through the inclusion of prisoner petitions, interviews and responses to questionnaires Bérard and Chantraine ensure that this is no administrative account. Drawing on an impressive range of research they ensure that the reader is left in no doubt about how harmful the experience of imprisonment is both during incarceration and subsequently when the prisoner attempts to re-enter society. An amazing survey of prisoners was carried out in 2006. A remarkable 15, 000 responses, just under a quarter of the prison population, were received. These articulations of the experience of incarceration provide a human dimension: indeed, they included repeated calls for prisoners to be treated as human. As one respondent put it, 'even if we're a pile of muscles, we still have tears in the corners of our eyes'. The rationale of risk, with its justification of detention after the sentence is fully served, means that for many prisoners there is no realistic hope of release. The response of prisoners in Clairvaux is documented, including their demand that 'instead of a slow, scheduled death' the French Government, in the name of 'human rights and liberties, ... instantly re-establish the real; death penalty for all'. Importantly, the book focusses not only on the directly inflicted pains of confinement but documents ex-prisoners' experiences of discrimination, exclusion and continued stigma.

Inevitably, as a monolingual English speaker, those publications I can access usually focus on the United States, Australia, Canada and Great Britain. Red Quill are to be applauded for commissioning the translation of this important book and publishing it in English. It shows quite clearly similarities with British and American penal expansion – the same managerial discourses, focus on risk and disproportional targeting of the socially excluded in general and migrants in particular – whilst placing them firmly in a French context. *Bastille Nation* is a good account which I found an enlightening read. Its strong central argument that penal policy responds to broader social forces rather than to any rationale

of its own – and hence can continue and expand as a successful failure – is clear until the rather odd fictionalised epilogue set in a France of 2112. In this fantasy, it is suddenly realised that prison doesn't work and rational steps are taken to radically reduce its use. As the previous 171 pages had eloquently argued, it really is not that simple.

J.M. MOORE

Newman University, Birmingham