

## POVERTY, CRIME AND PRISON

The issue of the links between economics, delinquency and punishment is usually approached through the poverty-crime relationship. The value of this particular couple is twofold ; the obviousness of its manifest existence, and the fact that attempts to validate it may be grounded in practically any sociological or economic theory.

The controversy on economic conditions as a source of crime dates back to the 19th century, and to very birth of criminology. Since then, a great many empirical studies inspired by varying, and sometimes opposing theoretical frameworks have attempted to test this relationship. The question remains a moot one, since the results were relatively unreliable and above all, contradictory. The causal relationship is established by grounding the link in the outcome of a social process: punishment.

It is a fact that most of the people arrested and sentenced to prison for street-crime (theft, violence, and now drugs) come from backgrounds afflicted with poverty and unemployment ; prisoners differ considerably from the population at large by their socioeconomic status and their place on the labor market (unemployed or with no definite occupation). These findings seem to lead to the logical conclusion that unemployment and poverty are one of the main causes of crime. And just as logically, then, there is nothing surprising in the fact that prisons recruit their "clientele" essentially among these groups.

### LABOR MARKET AND PUNISHMENT

Another approach - one which avoids this recurrent debate -may be applied to the relations between economic conditions and criminal justice. We may investigate a possible link between trends (structural and conjunctural) in the labor market and the forms taken by punishment. We are then no longer in the realm of discourse on the factors determining crime, but in an analysis of variations in means of control and repression of crime, in correlation with economic changes (and irrespective of any link between economics and crime).

It was Rusche's pioneering work (1939) in this domain that introduced this type of question, and opened up a new field for research with, broadly speaking, two main poles of attraction :

- the relations between modes of production and punishment.

- the influence of conjunctural economic change on penal repression.

The former deals with long-term changes : a given system of production is believed to implement a punishment regimen corresponding to the development of its productive forces. This would be the interpretation of the centrality of prison custody in the early 19th century, in the framework of early capitalism (control of the great fluctuations in surplus labor from rural areas), and of the trend, at the end of the 19th century, toward a diversification of non-correctional sanctions (leaving offenders on the labor market, available for the work required by intensive economic expansion).

The second orientatation inspired a great deal of empirical research. Most studies dealt with the relations between fluctuations of the labor market and a single type of punishment: imprisonment. The links between unemployment and imprisonment are generally tested by intra or trans-national cross-sectional studies or by analysis of time-series.

The recession experienced by the western economies from the mid-70's on and the work of English-speaking criminologists stressing punishment as a means of control of "problem populations" yielded an opportunity to reexamine these questions. One example is Box's analysis (1987), which emphasizes the peculiar proneness of public opinion, but also of professionals (and of magistrates in particular) to develop feelings of insecurity during periods of economic crisis, when one portion of the population is reduced to economic insecurity.

One thing stands out clearly from the sum of empirical research conducted essentially in Great Britain, Canada and the USA : the prison population expands during periods of economic recession.

Three salient points must be mentioned :

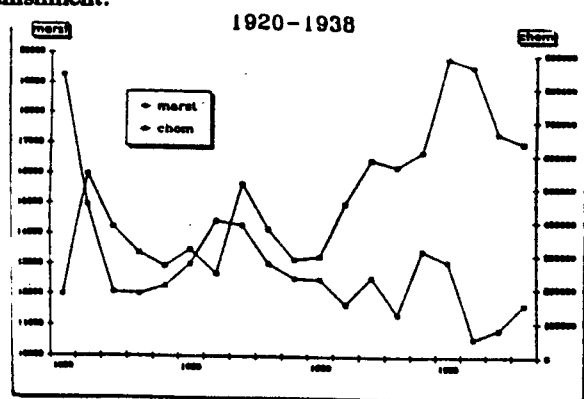
- prison inputs vary with the situation on the labor market;

- the link between unemployment and imprisonment is corroborated independently of the levels of recorded crime;

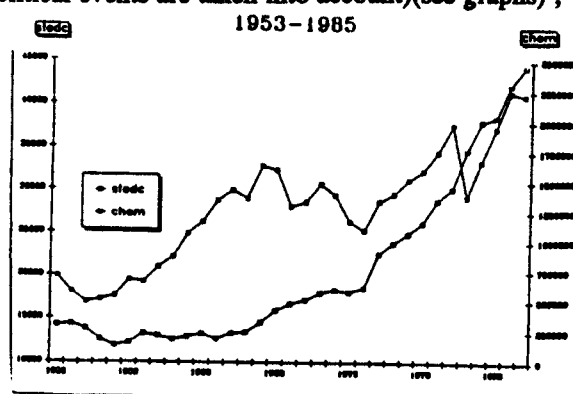
- variations in demographic structures play a major role.

In France as well, two points are clear :

- the examination of prison series and of economic data over a century shows a relatively great simultaneity between periods of inflated prison populations and periods of recession (provided demographic changes and political events are taken into account)(see graphs) ;



MARST = number of prisoners  
CHOM = number of unemployed

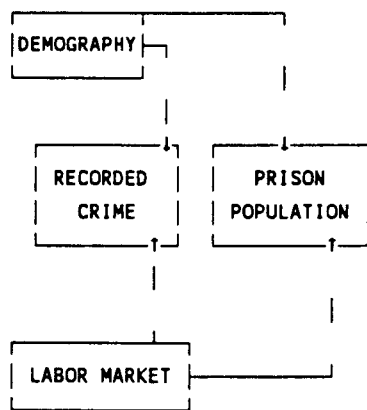


MARST = number of unemployed  
STODC = number of prisoners

analysis of sex, age and social status of prison inmates shows a definite pattern. Scrutiny of the functioning of criminal justice shows that irrespective of the long-term trend, there is no change in the hard core of repression. It is characterized both by the types of offences - "street crime" -, the sentenced pronounced - unsuspended prison sentences - and the profile of those convicted - working class and unemployed. These features have been amply demonstrated by research analysing criminal justice procedures and prison demography (Aubusson 1987, Lévy 1987 and Tournier 1987).

## MODEL

To corroborate the postulate that prison populations vary with unemployment, an econometric model based on time-series was constructed. These empirical tests do not investigate the functioning of the criminal justice process but simply determine the existence of a connection between labor market and prison population, all else - and particularly the trend in recorded crime - being equal. Two periods were studied : 1920-1938 and 1953-1985 (these cut-offs avoided the disturbances in statistics caused by two world wars). The multiple regression method, frequently used in analysing time-series, was used for data analysis. The model tested evaluates the influence of dependent variables (prison populations in terms of flows and stocks), all other factors being controlled. This required the introduction of an indicator of recorded crime, to test the link between unemployment and imprisonment independently of the number of cases and of individuals handled by the criminal justice system. The model is as follows :



This model tests the relations between variables, and in particular is designed to corroborate or disprove the influence of the labor market on recorded crime or on the prison population.

Four variables are described by the following statistical series :

- ▶ prison population : numbers, admissions and number of pretrial prisoners;
- ▶ labor market : estimated or recorded number of unemployed. For the 1953-1985 period, one indicator shows forms of frictional unemployment (adjustment of supply and demand) ;
- ▶ recorded crime : police statistics. reported incidents and suspects. Although biased and difficult to interpret,

these are the only series available through which this variable may be approached, and even then, only for the 1953-1985 period; for the earlier period, statistics for police reports and complaints lodged with the public prosecutor were used;

▶ demography : the population (active, broken down for age and gender).

The effect of amnesties granted after each presidential election was taken into account for the second period.

## FINDINGS

The results of the econometric tests were as follows :

▶ The link (1) (between unemployment and crime) is not proved for either of the periods studied. The test results show the variable "unemployment" to be nonsignificant;

▶ The link (2) (between unemployment and imprisonment) corresponding to the postulate underlying the present research - that of a direct effect of fluctuations in the labor market - is corroborated for the two periods investigated. Prison populations vary significantly with changes in unemployment levels, independently of the rates of recorded crime.

▶ Demographic variations weigh heavily on modifications in prison populations. This effect is evident for both periods, although they experienced opposite trends. Variations in population volume seem to play a more decisive role than differences in age structure. A more discriminating analysis of the second period (1953-1985) did not clearly identify the stage of the process at which these demographic variables are active : on the number of persons liable to pursuit (police suspects) or on those imprisoned. Be that as it may, there is a direct, statistically significant correlation between demographic factors and prison population.

## LABOR MARKET AND CRIMINAL JUSTICE PROCESS : AN INTERPRETATION

The idea that criminal justice functions homogeneously is untenable. Processes differ with the type of offence and with the procedure followed. Within the criminal justice system, the repression of street crime follows a separate channel. This is characterized by the procedures applied and the sentences ultimately meted out. This circuit is the main supplier of prison populations and, within it, a whole selection process prior to judgment, mediated by decisions to restrict personal freedom (police custody, referral to court, immediate hearing, pretrial custody) weighs on the ultimate sentencing. When prosecuted, socially marginal individuals offer few guarantees of appearing in court and the chances are greater that personal restraint will be ordered in their case. The expression "target population" for the most repressive criminal justice circuit may be applied here, to the subproletariat and the most fragile group on the labor market (young people and foreigners).

Periods of recession entail the deterioration of conditions on the labor market, with the consequent exclusion of the least able through lasting unemployment and insecure jobs, particularly for people just entering the market.

This double effect - exclusion and occupational precariousness - widens the range of what may be called the "recruitment reservoir" for criminal justice : the "target groups".

The workings of the penal circuit, in which decisions involving personal restraint are made at each step, lead to an increased number of persons in detention. The repression of crime rests increasingly on prison sentences. Length of pretrial custody and of sentences tends to be longer. Fewer releases on parole are granted, owing to the lack of jobs. The number of prisoners rises under the combined effects of more incarcerations, longer stays and fewer releases. This is a self-sustaining process, and may accelerate during prolonged periods of recession.

Some modulating elements do either reinforce or attenuate the almost mechanical effects of this process, however. Some remain external, while others are a part of the criminal justice system. They include :

► Demographic variations. The number of young adults affects the size of the "target groups", one specific feature of which is their age.

► Feelings of insecurity. Studies on the development of feelings of insecurity emphasize their link with economic insecurity and the disintegration of the social fabric. In periods of economic hardship, increased intolerance, more frequent appeals to criminal justice and demands for more severe punishment of offences, however slight, may be assumed to occur. Criminal justice also becomes a stake in political debates which feed into this anxiety.

► Professionals in the criminal justice sphere, both judges and the police, reflect this sentiment, and may respond to these demands by more severely repressive action, more decisions to incarcerate, and heavier sentences meted out by magistrates. The role of the police should be stressed. Its members are often close to those social categories in which these forms of intolerance

develop, and it is they who are in charge of first sorting out the people entering the penal process, and who make the first, often decisive acts in orienting individuals toward detention.

► Policies:

**social** : when unemployment compensation programs are developed and social subsidies distributed, they may prevent the underprivileged from sliding further into marginalization;

**economic** : these too may combat the segmentation of the labor market and prevent much permanent job insecurity;

**penal** : these may either attempt to check the process, or follow the movement and actually amplify it for political reasons. In the former case, the effects should no doubt not be overestimated ; they cannot too clearly oppose a social demand for repression, and their implementation may encounter reticences among agents of the criminal justice system. In the second case, they are thwarted by an overcrowded penal, and especially correctional, system. There is then a risk that the state will incur a loss of legitimacy, owing to the gap between announcements of a more punitive policy and the perception of its actual inefficacy.

These analyses do not yield the ultimate response to the question of the relations between unemployment and imprisonment. The present research does not deal with the mediations between this socioeconomic variable and the criminal justice processes.

However, it does bring out some of the main features of the functioning of criminal justice : along with demographic variations, trends on the labor market play a non-negligible role in determining the forms of punishment, the role of imprisonment and the inflation of prison populations.

This issue is of special current interest in a period characterized by both a persistently high unemployment rate and a tendency toward increasing precariousness in a vast sector of the labor market.

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