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circa Guest Blog on Comparative Penology

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Guest Blog on Comparative Penology

Methodologies for Comparing Experiences across Diverse Institutions

Keramet Reiter and Susan Coutin

When scholars hear “comparative penology,” they often think of comparing similarly categorized individuals across different contexts (prisoners in low security prisons with those in medium security prisons with those in high security prisons), or comparing similar institutions across different contexts (deportation regimes in the United States with deportation regimes in the United Kingdom with deportation regimes in Scandinavia, for instance). In a recent article, however, the two of us engage in a different kind of comparison, between differently categorized individuals (prisoners and deportees) across different institutional contexts (solitary confinement in the U.S. and exile in El Salvador). We even approached our empirical data collection from different disciplinary backgrounds: legal anthropology (Susan) and criminological life-course narratives (Keramet).

Our comparative project began informally, in conversations we had with each other about our own, individual research projects, as colleagues who happened to commute to work together frequently. In discussing interviews we had each conducted, and how we made sense of these interviews in our initial analyses, we realized there were surprising similarities in the kinds of stories we had heard from people subject to a variety of forms of state power. The solitarily confined were often shocked and frustrated with the justifications for their isolation, just as the deported were often shocked and frustrated with the justifications for their deportation. Both populations experienced the state punishing them. But in both cases, state sanctions were legally categorized as non-punitive; therefore, basic procedural protections (to a state-sponsored lawyer, to be released on bond) did *not* attach to the process in place for imposing the sanctions.

Intrigued by the similarities we identified in these initial informal conversations, we agreed to exchange (anonymized) interview transcripts so that we could identify more specific areas of convergence in the experiences of our interview subjects. Although unconventional, this multi-faceted comparison proved an especially fruitful way to examine categorical exclusion, state action, and surprising similarities in individual experiences across diverse contexts. We found that both prisoners housed in solitary confinement and individuals deported from the United States to El Salvador experienced the processes of being ensnared, characterized as dangerous or criminal, racialized, stripped of rights, and excluded from society (through isolation or removal). Through these processes, the subjects underwent social and legal disintegration, even as they resisted disintegration by constructing alternative forms of sociality.

In an increasingly global world-system, where individuals experience a dizzying array of forms of both punishment and statelessness, these kinds of comparative projects become especially important mechanisms for looking beyond extremely intense and abusive contexts (like solitary confinement for

years at a time, or sudden deportation for a years-old, non-violent conviction) in order to discern the more fundamental power dynamics at play beneath the surface, across multiple institutional and geographic settings.

To read more about this project, see [our article](#) (<http://onlinelibrary.wiley.com/doi/10.1111/lasr.12281/abstract>) in Vol. 51.3 of *Law & Society Review*, or e-mail us (<mailto:reiterk@uci.edu?subject=LSR%20Article,%20Please>) for a copy.



The Comparative Penology Group is led by Dr Ben Crewe and his research team who, since 2016, have been working on a five-year project titled: 'Penal policymaking and the prisoner experience: a comparative analysis'.

The research is based in England & Wales, and Norway, and involves four inter-related studies of (a) penal policymaking and the penal field (b) the experience of entry into and release from custody (c) the daily experiences of female prisoners and imprisoned sex offenders, and (d) prisoners in the most secure parts of each jurisdiction's prison system.

This project is funded by the European Research Council (ERC).



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Presentation 1 at the [@Compen2020](#) conference in Norway June 13-14th: 'Exceptional transitions? Exploring experiences of entry into & release from prison' - [@AnnaSchliehe](#), [@JulieLaursen](#) & [@KristianMjaland](#). Comments by [@TorstenKolind](#). Details/register here: compen.crim.cam.ac.uk/compen-confere...

Apr 26, 2019

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If you want to hear more from John, he'll be speaking at the [@Compen2020](#) conference in Kristiansand on 13-14 June. Sign up here: compen.crim.cam.ac.uk/compen-confere...

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