

This book constitutes the most comprehensive and authoritative single work on crime and punishment in contemporary Greece. Bringing together empirical and theoretical work, it sheds light on a wide array of themes, from trends in the quantity and nature of crime, to attitudes towards crime and criminal justice, to criminal justice policies and practices. Primary chapters are followed by discussion pieces from specialists of jurisdictions elsewhere in Europe and North America, a format designed to highlight the mutual relevance of criminological research on Greece and that addressing other contexts internationally.

'Crime and Punishment in Contemporary Greece is a tour de force, an ingenious, useful, and important book on crime, criminal justice, and thinking about both in Greece, as seen from inside by Greek scholars and from outside by subject matter specialists from other Western countries. [...] I hope its bifocaled approach is emulated by others willing to undertake the daunting effort this book represents.'
—MICHAEL TONRY, University of Minnesota Law School
(from the Foreword)

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CRIME AND PUNISHMENT IN CONTEMPORARY GREECE

Edited by
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Crime and Punishment in Contemporary Greece

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PERSPECTIVES

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Crime, Fear of Crime and Punitiveness

Over the last three decades, punitiveness on the part of the state in Greece in the field of law and order has been on the ascent. The most obvious indicator of this has been the steeply rising use of imprisonment. A striking accompaniment of state punitiveness has been punitive public opinion. As soon as one broaches the question of why this is the case, however, one is confronted with at least two puzzling findings. First, the prevalence of crime has only risen modestly, in sharp disproportion to the high recorded levels of fear of criminal victimisation, of distrust in the police and judicial authorities, and of public punitiveness. And second, fear of criminal victimisation itself does not axiomatically bear a positive correlation with expressed public support for state punitiveness, though it does predict lack of confidence in criminal justice authorities. This chapter sets out to review these contradictions and the limits of available explanations, placing them within the context of the country's legacy of authoritarianism. To the extent that space allows, the chapter goes on to argue for the development of a richer substantive and epistemological framework.

We begin by outlining the different ways in which Greece's authoritarian past and the dictatorship of 1967–1974 in particular are thought to have influenced state and public punitiveness in the years that have followed. Despite common assertions that the authoritarian legacy has functioned to restrict state and public punitiveness, the evidence reviewed suggests that any such impact has been limited. The next section summarises scholarly and commercial research on the levels and patterns of fear of crime and public punitiveness in contemporary Greece, as both distinct and

¹ Thanks are due to Julian Roberts for his constructively critical comments on an earlier version of this chapter.

interrelated themes. Attention is then drawn to the disconnect between crime and imprisonment rates as an illustrative example of the irrational foundations of state punitiveness and its degree of public support; a disconnect that is all the more prominent when examined with reference to nationality. As subsequently discussed, research has increasingly sought to address the public dimension of punitive irrationality in conjunction with indicators other than crime or fear of crime without, however, interrogating the socio-economic and political environment within which punitiveness evolves. Taking inspiration from political economies of punishment in jurisdictions elsewhere, the remainder of the chapter points to state deployment of a law-and-order discourse and the use of punishment as symbolic devices by which social insecurities, generated in large part by the state itself, are displaced and discharged onto suitably weak subsections of the population.

The Legacy of Authoritarianism

The legacy of the Greek military dictatorship of 1967–1974 has overtly and steadfastly remained a key frame of reference within which public discussions have addressed the punitiveness or leniency of the Greek state. The junta employed a brutal system of repression that, notwithstanding its support from the United States, stimulated an international outcry. During the junta's seven-year rule, aside from some 10,000 Leftists that were banished to islands, and 1,700 that were sentenced to prison terms on political grounds, many more were subjected to short and violent detention (Cheliotis and Xenakis, 2010: 361). The use of torture by the state against resisters was routine and institutionalised, press censorship was tight, and surveillance measures were comprehensive (see further Athenian, 1972; Haritos-Fatouros, 2003). There have been assertions that the Greek public rapidly lost memory of the junta after its downfall, and evidence from opinion surveys that the specifics of the junta period are no longer easily recalled in detail (see, e.g., Sotiropoulos, 2010). But mention of the

junta's legacy has persistently accompanied public debate about crime and punishment in contemporary Greece, as much as the language of the junta and pre-junta authoritarian eras has repeatedly been recycled in political discourse (see, e.g., discussion in Panourgíá, 2009: 175–176). Just what this legacy involves, on the other hand, remains a matter of debate.

Heightened public sensitivity towards particular manifestations of punitiveness on the part of the state has commonly been considered part and parcel of Greece's post-authoritarian legacy. The powerful impact of this legacy has been cited, for example, in explanations of the low level of trust accorded to the police by Greek citizens (see discussion in Lambropoulou, 2004: 98), and of the degree of public resistance displayed to the expansion of surveillance measures by the state (Samatas, 2004: 154–157). The fall of the country's military dictatorship in 1974 has been identified as a crucial turning point in the ideological make-up of Greek public opinion, which at that juncture allegedly saw its longstanding dominant conservatism delegitimised and replaced by a 'left-wing ideological hegemony' (Kioukias, 1993; see also Dimitras, 1990). Whilst successive decades have reared generations often believed to be less politically knowledgeable or committed than their predecessors (see Lyrantzis, 2006: 30–31), the broader destabilising influence of the 'permissive' socio-political culture heralded by the end of the junta has been a recurrent cause of concern for conservatives. This concern is well illustrated by the familiar critique that the romanticisation of the anti-dictatorship struggle by the Greek Left has irresponsibly fuelled contemporary forms of rebelliousness which should be considered illegitimate (including repeated labour strikes or frequent public demonstrations that are obstructive of trade or traffic; see, e.g., *Kathimerini*, 11 May 2010, 10 June 2010).² Equally, this concern has been directly referenced in complaints that continuing political sensitivities concerning the junta have led the state to be unacceptably lenient in acting against crime (such as restricting police action against demonstrators, and maintaining the law which prevents the police from entering university buildings and campuses; see indicatively *Kathimerini*, 27 February 2009; and later).

2 Indeed, reflecting such concerns, a new law against 'persistent' labour strikers was passed on 30 September 2010 (on which see discussion in *Kathimerini*, 1 October 2010).

In terms of state punitiveness, the end of the dictatorship in Greece signalled a significant moment of catharsis in which the country belatedly experienced a discrediting of the type of exclusionary and highly coercive forms of government that had already been rejected by other states across the continent in the aftermath of the Second World War (see further Mazower, 2000: 219; on the history of coercion by the Greek state against the labour movement and Leftists, see Mazower, 1997; Rigakos and Papanicolaou, 2003; Seferiades, 2005; Cheliotis and Xenakis, 2010). The renunciation of authoritarian rule in Greece quickly appeared definitive: the country's elite-managed transition to democracy after 1974 was bloodless and relatively swift (Karakatsanis, 2001; Sotiropoulos, 2010) according to the standards of the so-called 'third wave' of democratisation experienced by a number of countries between 1974 and 1990 (Huntington, 1991), including those of Southern Europe more particularly (Diamandouros, 1997).³ The length of the parliamentary tradition in Greece may provide some explanation for the comparatively short (seven-year) period of dictatorship in question (Bermeo, 1995). This should not detract from the point that the army had a history of directly meddling in Greek politics, and that it finally relinquished this role in 1974.

The transition from dictatorial to democratic structures and practices was by no means as abrupt as has often been assumed, however. As Samatas points out, politicians soon quietly reneged on their pledges to revoke authoritarian surveillance measures in the post-junta era; instead, surveillance practices were modernised and their accompanying anti-communist and anti-leftist terminologies replaced with an anti-anarchist lexicon (Samatas, 2004: 51–54). It was not until 1989 that the state finally destroyed 16.5 million intelligence files that had been compiled by police and intelligence services on the political and private affiliations of Greek citizens since 1944. Yet these constituted less than half of the 41.2 million police files that had been created since 1981 (*ibid.*: 64; see also Samatas, this collection).

3 According to Huntington (1991), the first and second 'waves' of democratisation experienced by states across the globe began in the early 1880s and during the Second World War, respectively.

Where policing and surveillance practices showed more signs of superficial adaptation than rupture after 1974, the use of imprisonment saw an all-too-brief reduction, followed by an accelerating rise. Between 1975 and 1979, the annual caseload of convicted and remand prisoners fell by 16.1 percent, from 9,650 (or 107 per 100,000 inhabitants) to 8,088 (or 85 per 100,000 inhabitants), whilst the caseload of prisoners sentenced to a year or more remained stable. Although the 1980s saw a modest overall decline of 6 percent in the annual caseload of convicted and remand prisoners (from 11,455, or 119 per 100,000 inhabitants, in 1980 to 10,763, or 107 per 100,000 inhabitants, in 1989), the average length of stay in prison under conviction saw a 47 percent rise (from 3.8 months to 5.6 months). Over this time, there was a large increase in the annual caseload of prisoners sentenced to longer custodial terms, and a 35.3 percent decrease in the annual caseload of convicted prisoners being discharged for any reason. Between 1990 and 2006, the total annual caseload of convicted and remand prisoners underwent a sharp 52.6 percent rise (from 11,835, or 116 per 100,000 inhabitants, to 18,070, or 162 per 100,000 inhabitants), accompanied by a meteoric increase of 1,337 percent in the average length of stay in prison under conviction (from 5.1 months to 73.3 months). During this period, there was a huge expansion in the annual caseload of prisoners sentenced to longer terms – indeed, by 2006, the annual caseload of prisoners sentenced to a year or more was rapidly approaching parity with the historically peak levels recorded from the interwar years (see further Cheliotis and Xenakis, 2010) –, whilst the annual caseload of convicted prisoners discharged for any reason fell in proportion to the annual caseload of convicted prisoners, from 52.9 percent to 44.6 percent (see further Cheliotis, this collection).

Many of the continuities of punitive state practices in Greece in the immediate aftermath of the dictatorship have been directly attributed to the secretive or closed decision-making of political and security-sector elites, more than to public opinion (see, e.g., Samatas, 2004: 51–58). Over the longer term, however, the persistence and extension of punitive state practices logically required the support of a sufficient segment of the population. Sympathetic attitudes towards state punitiveness may well have been facilitated by the significant rehabilitation of the junta's record in Greek public opinion over the past quarter-century, and the corresponding ascription of

the intervening years as a period of excessive leniency. In fact, if one were to accept the dominant academic interpretation of the *absence* of public support for the junta during its rule (see Sotiropoulos, 2010: 451; Bermeo, 1995; contrast Psomiades, 2004; see further Kassimeris, 2010: 55–56; and on the absence of mass opposition to the dictatorship, Clogg, 1986: 195–196), positive public appreciation for the dictatorship emerged subsequent to its demise and has progressively grown since. In 1985, a comparative international survey involving three other post-dictatorial countries of Southern Europe (Italy, Portugal, and Spain) found that whilst 59 percent of Greek respondents knew or remembered the junta to have been ‘only bad’, 31 percent believed its record to have been mixed (‘in part good and in part bad’), and 6 percent that ‘all considered, it was good’ (see further Montero and Torcal, 1990: 128). A subsequent survey carried out in 1997 (cited by Sotiropoulos, 2010: 460) found that the proportion of Greek respondents considering the regime to have been wholly negative had dropped to around 40 percent, the proportion of those perceiving its record to have been mixed had risen to just under 50 percent, and those viewing it as entirely positive had risen to 11 percent. By 2007, a further opinion poll carried out in Greece found that 50.9 percent of respondents agreed that ‘despite the negative characteristics that accompany a dictatorship, the junta also had, after all, benefits for Greece’ (*To Vima*, 22 April 2007).

Whilst the growth in favourable memories of the junta has not been accompanied by evidence of any explicit preference for a return to authoritarian rule, calls for strong political leadership and the censuring of dissent within and outside parliament have become more vocal over recent years, and especially since the onset of the country’s financial crisis. An opinion poll in April 2007 found that 60.2 percent of respondents preferred a system other than the country’s parliamentary democracy: 48.6 percent a presidential democracy, and 11.6 percent a monarchical democracy (*ibid.*). One leading centre-right newspaper suggested the need for a bipartisan ‘emergency administration’ to manage the structural reforms outlined by the International Monetary Fund (*Kathimerini*, 8 November 2010), expressing the public’s ‘need to see a strong hand at the helm of the country’ and ‘for a government that will defend what needs to be done and an opposition that will stop behaving like a backbench naysayer’ (*Kathimerini*, 21 June 2010). It is certainly true that the experience of the

junta has often been critically evoked by protestors to condemn financial and physical punitiveness on the part of the state (e.g., with regard to the imposition of economic reforms and instances of police brutality; see protest imagery in Charitatu-Synodinou, 2010: 35, 58). That there has even been public discussion of the option of using the army to quell unrest during the upheavals of December 2008 (see further *Prin*, 6 December 2010), however, illustrates the extent to which the boundaries of acceptable state punitiveness have become untethered from the presumed liberal constraints of the junta legacy.

The concerns explicitly underpinning this evolution are discussed in the following section, which explores more particularly the relationship between fear of criminal victimisation and public punitiveness.

Fear of Crime and Punitiveness in Contemporary Greece

As Bakalaki (2003: 211) notes, Europeans and Americans have long seen the Greeks as the living embodiments of a Zorba-esque indifference to danger or even a proclivity to risk. Albeit discreetly, Greeks themselves also tend to endorse this stereotype, construing it as a positive national trait akin to agonistic masculinity that distinguishes them from an overly disciplined West. In recent years, however, and at least as concerns crime, Greeks have been characterised by a heightened consciousness of safety, not only matching but indeed exceeding their Western counterparts. The irony is that Greeks often only choose to see their heightened levels of safety consciousness as a process of convergence with the Western norm.

Fear of Crime and Confidence in the Police and Judicial Authorities

Ever since its inclusion in pertinent international comparative analyses in the early 2000s, Greece has ranked amongst the most crime-fearing nations in Europe and beyond. Juxtaposing the results of a nationwide

survey conducted in Greece in 2001 with those of the International Crime Victimization Survey (ICVS) of 2000 (in which Greece did not participate), Karydis found the perceived likelihood of burglary victimisation over the coming year to be by far the highest in Greece. In particular, 66 percent of respondents thought burglary victimisation was likely or very likely, a rate over twice as high as the international average of 31 percent, more than quadruple the US rate of 16 percent, and higher than any rate ever to have been recorded in the ICVS since it was first launched in 1989. Also, 35 percent of respondents in Greece reported feeling unsafe or very unsafe walking alone in their neighbourhood during the night, which was again the highest rate internationally, substantially higher than the international average of 23 percent, and more than double the US rate of 15 percent (Karydis, 2004: 152–156). The comparison with the US is telling, given that Greeks so often exclaim ‘We have become like Chicago’ or ‘This is Texas’ to describe their experience of increased insecurity (Bakalaki, 2003: 213).

More recently, the European Crime and Safety Survey (EU ICS) of 2005 found the public in Greece to be the most fearful of criminal victimisation on the continent. One in every two individuals surveyed (49 percent) considered burglary victimisation within the coming year to be likely or very likely. This rate, although lower than that recorded in 2001, was much higher than the European average of 30 percent, but also the fifth highest ever to have been recorded on the continent since the first sweep of the ICVS (the precursor of EU ICS) in 1989 (van Dijk *et al.*, 2007a: 64–65, 117–118). Indeed, Greece ranked first even by global standards, as illustrated by van Dijk *et al.* in their synthesis of findings from the latest ICVS and EU ICS sweeps, which included countries such as the US, Japan, Mexico, New Zealand, Australia, Canada, and Bulgaria (see van Dijk *et al.*, 2007b: 127–128). Moreover, four out of ten individuals in Greece (42 percent) reported feeling unsafe or very unsafe walking alone in their area of domicile after dark. This rate, which exceeded that recorded in 2001, was far higher than the European average (28 percent) and the third highest ever to have been recorded on the continent since the ICVS started running (van Dijk *et al.*, 2007a: 66–67, 117–118). At a global level, it was the second highest rate after that of Bulgaria (see van Dijk *et al.*, 2007b: 131–132). Some variation notwithstanding, prior and subsequent nationwide and local-level surveys have produced similar results (see, e.g.,

Panousis and Karydis, 1999; Zarafonitou, 2002; Vakiari and Kontargyri, 2009; Zarafonitou *et al.*, 2009; *Eleftherotypia*, 14 May 2009; Public Issue, 2009b; Hummelsheim *et al.*, 2010).

Unsurprisingly, people in Greece feel less safe living in areas where they think that types of crime such as burglary and vehicle theft are a serious problem (Christakopoulou *et al.*, 2001), and fear of crime tends to be greater amongst those who believe that crime rates have been rising (Zarafonitou, 2002). Consistently high levels of fear of crime may thus be linked to the prevailing and ever-spreading notion that the problem of crime has seriously worsened with time, both in terms of levels and patterns. In a nationwide survey conducted in 2005, for instance, 41 percent of respondents agreed that 'the state of crime' worsened over the past year. When the survey was repeated in 2009, the rate of respondents who expressed this view was more than double, at 88 percent, whilst 72 percent thought that 'the state of crime' had worsened 'a lot'. In this latter sweep, 61 percent of respondents felt unsafe in their area of domicile (Public Issue, 2009b; see also Public Issue, 2008; *Eleftherotypia*, 14 May 2009). From a qualitative point of view, meanwhile, crime is thought in Greece to have become more unpredictable and violent (Bakalaki, 2003; see also Public Issue, 2009b).

There is also evidence to suggest that fear of crime in Greece is significantly positively correlated with prior experience of victimisation (Tseloni, 2002; Tseloni and Zarafonitou, 2008; see additionally Karydis, 2004), whilst insufficient policing is the most common reason reported by Greeks to explain their lack of safety (Zarafonitou *et al.*, 2009; compare Vakiari and Kontargyri, 2009). Indeed, levels of fear of crime in the country are significantly negatively correlated with levels of perceived effectiveness of the police in controlling crime (see Kääriäinen, 2007: 421–422; Van de Walle and Raine, 2008: 27). Thus, in the EU ICS of 2005, only 57 percent of respondents gave a positive assessment of police effectiveness, a rate markedly below the European average of 67 percent and the third lowest on the continent (only Estonia and Poland ranked lower than Greece by this measure) (van Dijk *et al.*, 2007a: 79–80, 115–116). This was also the fifth lowest rate at a global level, with only Bulgaria, Estonia, Mexico, and Poland scoring lower than Greece (van Dijk *et al.*, 2007b: 142) (see also Lambropoulou *et al.*, 1996; Karydis, 2004; Lambropoulou, 2004; Zarafonitou *et al.*, 2009; *Eleftherotypia*, 14 May 2009).

In Greece, both fear of crime and perceived effectiveness of the police are significantly correlated (the former negatively and the latter positively) with citizen confidence in the national justice system (Van de Walle and Raine, 2008: 27, 22). It therefore comes as no surprise that the public in Greece expresses low levels of confidence in the justice system of the country: only 43.7 percent expressed 'a great deal or quite a lot of confidence' in the justice system in the World Values Survey of 1999–2000 (the fourth lowest rate amongst the EU-15 and below the median in global comparison), and 55 percent stated they tend to trust the justice system in the Eurobarometer Survey of spring 2006 (though this rate was above the EU-15 average of 50 percent) (ibid.: 59–61; Van de Walle, 2009: 25; see also *Eleftherotypia*, 14 May 2009). Domestic research also shows a high level of public dissatisfaction in Greece with what is perceived as 'lenient or very lenient' treatment of offenders by the judiciary, especially as concerns 'drug traffickers' (Zarafonitou *et al.*, 2009).

As far as trends over time are concerned, recent years have seen an overall increase in the number of individuals in Greece who believe that the effectiveness of neighbourhood policing has dropped. In a nationwide survey conducted in 2006, 31 percent stated that the quality of neighbourhood policing over the last year had deteriorated, 54 percent that it had remained the same, and 15 percent that it had undergone improvement. When the survey was repeated in 2009, the rate of respondents who saw deterioration in the quality of neighbourhood policing had gone up to 46 percent, those who saw stagnation amounted to 47 percent, and those who saw improvement only comprised 6 percent (Public Issue, 2009b; see also Public Issue, 2008). More generally, public confidence in the police 'in the fight against crime' has fallen. In a nationwide survey conducted in 2005, 54 percent expressed little or no confidence in the police, a rate that went up to 59 percent when the survey was repeated in 2009 (Public Issue, 2009b). Turning to the levels of public confidence in the justice system in Greece, Eurobarometer data for the period 1997–2006 reveal an overall decline, from 63 percent of respondents in the autumn of 1997 to 55 percent in the spring of 2006 (Van de Walle and Raine, 2008: 61). A comparison of data from the 2002 and 2004 rounds of the European Social Survey reveals a more impressive downward trend, from 62.3 percent in 2002 to

48 percent in 2004. Indeed, this downward trend was substantially starker in Greece than in any other surveyed country where public confidence in the justice system also fell during the period under consideration (*ibid.*: 19; for a discussion see Tsiganou, 2007).

At the same time that fear of crime has been rising and confidence in the police and judicial authorities has been dropping, citizens in Greece have been increasingly adopting situational crime prevention measures, from avoiding particular locales and making sure to keep house doors locked (Bakalaki, 2003) to investing in the hardware and services of the booming private security industry. For instance, nearly one in every two individuals (46 percent) surveyed in the EU ICS of 2005 stated that their home had a special (high-grade) door lock (van Dijk *et al.*, 2007a: 84, 117; see also van Dijk *et al.*, 2007b: 135–138; read further Yannakopoulos, 2007).

Public Punitiveness

Not unlike elsewhere in the West, citizens in Greece express support for a 'get tough' approach to crime control at a highly significant level, as Unnever and Cullen (2010) showed recently in their analysis of data from the 2006 Eurobarometer Survey of European Values and Societal Issues. According to more specific measurements, significant segments of the public in Greece tend to be supportive of punitive criminal justice policies and practices such as patrol policing (see, e.g., Karydis, 2004; Zarafonitou, 2008) and the use of imprisonment. At least as concerns the latter, comparison with other European jurisdictions puts Greece in a rather unflattering light. In the EU ICS of 2005, for example, Greece was the only European country other than the UK where more respondents opted for imprisonment as opposed to a community service order for recidivist burglars (30 percent chose the former and 27 percent the latter). Greece's rate of support for imprisonment placed it amongst the most punitive European nations by this measure (van Kesteren, 2009: 28; see also van Dijk *et al.*, 2007a: 87, 117), though not above the pertinent median in global comparison (see van Dijk *et al.*, 2007b: 148). More starkly still, the public in Greece was found to be the least likely in Europe to view a community service order

as the most appropriate sentence for recidivist burglars (van Dijk *et al.*, 2007a: 89), with the second lowest rate of preference for a community service order ever to have been recorded on the continent since the first sweep of the ICVS in 1989 (*ibid.*: 117–118). In global comparison, only Mexico and Japan scored lower than Greece on this measure (van Dijk *et al.*, 2007b: 148).

Kühnrich and Kania (2005) present a methodologically different analysis of data from the EU ICS of 2005. Having first duly excluded true missing values, they demonstrate that 34.1 percent of the public in Greece favoured imprisoning recidivist burglars, which was the third highest rate in Europe (only the UK and Ireland ranked higher). Public support for a community service order stood at 46 percent, the third lowest rate after the UK and the Netherlands. Kühnrich and Kania also examine public punitiveness with reference to the duration of imprisonment, itself an important ‘qualitative’ indicator that usually goes unnoticed (Frost, 2008), even though it bears a significant positive correlation with support for imprisonment as such (van Dijk *et al.*, 2007b: 151–153), but also one with great relevance to the Greek case (see further Cheliotis, this collection). The proportion of respondents who opted for the longest possible custodial sentence (i.e., ‘over ten years’) in the same recidivist burglar scenario was higher in Greece than anywhere else on the continent (Kühnrich and Kania, 2005: 15–17; see further van Dijk *et al.*, 2007b: 151–153).

Greeks are more likely to favour stricter police treatment for immigrants than for natives (e.g., Panousis and Karydis, 1999), just as they are more likely to favour imprisoning immigrant offenders (Albanians in particular) than offenders from other socio-demographic categories (e.g., male juveniles, fathers of multiple children, unemployed young adults, and young women) (Zarafonitou *et al.*, 2009). Such attitudes, not unlike racist victimisation (van Dijk *et al.*, 2007a; Petoussi-Douli, 2008) and increased consent to situational crime control measures that compromise personal convenience and liberties since immigration into the country started rising in the early 1990s (Bakalaki, 2003; Figgou *et al.*, 2011), are linked to the widespread perception of immigrants as the major source of criminal danger and associated insecurities (Figgou *et al.*, 2011; see also Fakiolas, 1999; *To Vima*, 20 February 2000; *Eleftherotypia*, 14 May 2009,

20 February 2011; Karydis, this collection; Xenakis, this collection). This view is itself typically premised on one of two essentialist assumptions: either that immigrants are naturally prone to crime or that their poor conditions of living unavoidably push them into a life of illegality (*ibid.*; see also Figgou and Condor, 2007). Albanians are especially likely to be seen as dangerous, hence the term 'Albanian' is often used derogatorily by Greeks to describe immigrants in their entirety (Bakalaki, 2003; but see also Hatziprokopiou, 2006; Antonopoulos *et al.*, 2008).

Public punitiveness in Greece is also gauged with reference to the primary goal attributed to judicial punishment, with individuals selecting retribution qualifying as punitive. This approach, it should be noted parenthetically, has been rightly criticised by Maruna and King (2009) for missing that retributivists may well support minimal punishment; that harsh punishment may be justified on non-retributivist grounds such as incapacitation and deterrence; and that focusing on the goals people consciously attribute to punishment tends to obscure its unconscious expressive functions (see further Cheliotis, 2011; and later). In any case, the majority of Greeks surveyed choose an 'instrumentalist' response, whether in the form of incapacitation or general deterrence, although retributive and rehabilitative sentiments are far from absent. When operationalised as support for enhanced patrol policing, punitiveness bears a significant positive correlation with prior experience of victimisation. Conversely, when punitiveness is operationalised as support for imprisonment, it bears a significant positive correlation with fear of crime. Finally, when punitiveness is operationalised as support for retribution, it is significantly predicted by the experience of indirect victimisation (*i.e.*, through knowing a victim) (see further Zarafonitou, 2008; Zarafonitou *et al.*, 2009).

Although not calling it as such, Papastamou *et al.* (2005) have measured punitiveness by reference to two other indicators, both of which are highly apposite to contemporary Greek realities: first, support for a range of 'anti-terrorist' policies, from surveillance of the citizenry in its entirety (including phone-tapping) and the tightening of border controls to the use of psychological or physical force during the questioning of suspects; and second, support for the denial of a range of human rights and civil liberties to individuals accused of terrorism, from the rights to a fair trial and

protection from torture to the rights to vote and privacy of correspondence. Nearly a fifth of the sample surveyed (university students) supported such measures as the use of psychological or physical force during questioning, whilst two-fifths supported control measures specifically oriented against foreigners (i.e., simplification of extradition proceedings, denial of political asylum, and enhanced border controls) (ibid.: 253–254).⁴ Also, half of the sample surveyed agreed with depriving individuals accused of terrorism of rights related either to privacy and individual physical integrity or to fair institutional treatment (ibid.: 253–255; for an older and somewhat similar survey see Lambropoulou *et al.*, 1996).

Other, seemingly less pertinent indicators of punitiveness in Greece have included support for the death penalty (which has long been abolished in the country, a caveat discussed below); support for vigilantism; support for carrying guns; and support for the use of truth serum on suspects by the police (which is not provided for by the law). Significant minorities have expressed support for the death penalty and vigilantism, but very few are those who have supported the carrying of guns, whilst views as to the use of truth serum by the police have been divided (Zarafonitou *et al.*, 2009: 99–109). Using data from the 2001 Eurobarometer Young Europeans Survey, Unnever and Cullen (2010) recently focused specifically on public support for the death penalty amongst youths aged 15–21 years old. In Greece, like in Belgium and Finland (but also in line with the broader international trend reported), support for the death penalty was found to be substantial and bore a significant positive correlation with the belief that crime rates are on the rise (see also Papastamou *et al.*, 2005). Unnever and Cullen explain that, even though the death penalty is unlikely to reappear in European jurisdictions in the foreseeable future given the pertinent constitutional ban imposed by the EU, it is still important to gauge public opinion on the use of this sanction around the continent. This is because

4 Three recent opinion polls showed very high levels of support amongst the public in Greece (from 59 to 80 percent) for the announced construction of a fence along a section of the country's borders with Turkey in the prefecture of Evros to prevent illegal immigration (Public Issue, 2011; *Proto Thema*, 16 January 2011; *Ethnos*, 17 January 2011).

reactive policies excluded by law are not unlikely to acquire symbolic significance in populist 'wars on crime'. For example, 'opposition to capital punishment may render political officials vulnerable. Such officials could be attacked as being elitist and "soft on crime" for not endorsing the use of the ultimate form of state legal power in the community's defence against an impending social collapse' (Unnever and Cullen, 2010: 851).

A number of further indicators of public punitiveness can be found in polling company research, including support for law and order over citizens' rights and liberties (Public Issue, 2007, 2009a, 2009b); support for the use of CCTV cameras in public places for security purposes (Public Issue, 2007, 2009b; see also Samatas, this collection); support for the establishment of neighbourhood watch schemes (Panousis and Karydis, 1999); support for a rise in the size of the police force (ibid.); support for police intervention during demonstrations and university occupations (Public Issue, 2009a, 2009b); support for the abolition of the university asylum law that forbids police from entering university buildings and campuses (ibid.; see also *Eleftherotypia*, 6 April 2009); support for mass arrests and prosecutions at times of urban disorder (Public Issue, 2009a); and support for punishing hood-wearing demonstrators (Public Issue, 2009b). The majority of people surveyed were commonly supportive of these measures. There is also short-term time series data on support for the abolition of the university asylum law and support for police intervention during demonstrations and university occupations, with an important increase having been recorded in both cases (measurements were taken before and after the December 2008 riots) (ibid.).

Another way of gauging trends in public punitiveness in Greece consists in looking directly at developments on the fronts of criminal justice policy and practice. This is not to say that criminal justice ever accurately reflects public views and desires (see, for example, van Kesteren, 2009). But if, as political psychologists suggest of representative democracies, the perceptions and preferences of citizens set limits to the design and implementation of governmental policies (see, e.g., Page and Shapiro, 1983; Gibson, 1992), then it is reasonable to infer a sufficient degree of correspondence between criminal justice policies and practices, on the one hand, and public attitudes, on the other. To take what is the most characteristic example in

the Greek context, high levels of public support for imprisonment and its concomitant focus on immigrants have coincided with a significant rise in the actual use of imprisonment, with the numbers of non-Greeks kept behind bars swelling (see also van Dijk *et al.*, 2007b: 150–151).

In the section that follows, however, levels and patterns of public and state punitiveness as expressed through imprisonment are juxtaposed with levels and patterns of their purported antecedent – that is, of crime –, in order to bring into relief an emergent rationalist gap.

The Relationship between Crime and Imprisonment⁵

With a few exceptions (e.g., Kranidioti, 2003), the norm amongst criminologists of Greece is to ignore that a large proportion of the total volume of police-recorded crime in the country consists in traffic violations, namely, offences of little criminological interest that only very rarely result in imprisonment (see further Karydis, 2004: 39–40). It is not merely that crime rates are thereby inflated as such, but also that rising levels of imprisonment – and punitiveness, more generally – are unduly legitimated in response. The disconnect between trends in crime and imprisonment has been further obscured by a broader context of opposition to measuring the relationship between police-recorded crime and patterns of punishment, on the grounds that heavy court caseloads aggravate the time lag between the recording of the offence by the police and the adjudication of cases (see, e.g., Courakis, 2000: 345). The thematic and temporal scope of available data, in the following analysis extending to pre-trial detention and covering multi-year periods, clearly renders such argument redundant.

5 Our analysis in this section draws on crime data compiled by the Greek police and on imprisonment data compiled by the National Statistical Service of Greece (NSSG). Our findings as to the rates of crime in Greece are largely consistent with findings from self-reported victimisation surveys (see, e.g., Karydis, 2004; van Dijk *et al.*, 2005, 2007).

During the period 1980–2006, the annual total of police-recorded offences (including traffic offences such as speeding and illegal parking) increased by 57 percent, from 295,353 to 463,750. Expressed as a rate per 100,000 inhabitants, the volume of crime rose by 35.8 percent, from 3,063 in 1980 to 4,160 in 2006. During the same period, the annual total of traffic offences increased by 95.1 percent, from 114,138 to 222,720, and by 68.8 percent as a rate per 100,000 inhabitants, from 1,184 to 1,998. It follows that, in good part, the rise in the total volume of offences was because of the rise in the volume of traffic offences. Indeed, once one deducts the volume of traffic offences from the total volume of offences, one observes that the annual number of police-recorded crimes rose by 33 percent (from 181,215 to 241,030), and by a modest 15 percent as a rate per 100,000 inhabitants (from 1,879 to 2,161).

In any case, the rise in police-recorded offences cannot account for the fact that the annual total caseload of convicted and remand prisoners rose concurrently by 65.6 percent as an absolute number (from 10,703 in 1980 to 17,726 in 2006), by 43.2 percent as a rate per 100,000 inhabitants (from 111 to 159), and by 24.5 percent as a rate per 1,000 police-recorded offences (from 59 to 73.5).⁶ To express the point differently, the likelihood of dealing with crime by way of imprisonment grew by a quarter during the period 1980–2006. The likelihood of imprisonment under conviction grew even stronger: by 29.7 percent as such (i.e., from 41 to 53.2 as a ratio per 1,000 police-recorded offences), by 129.5 percent for convictions of a year or more (i.e., from 19.3 to 44.3 as a ratio per 1,000 police-recorded offences), and by 246.1 percent for convictions of three years or more (i.e., from 10.4 to 36 as a ratio per 1,000 police-recorded offences). At the same time, the likelihood of pre-trial detention rose by 29.4 percent as a rate per 100,000 inhabitants (from 34 to 44), and by 12.7 percent as a rate per 1,000 police-recorded offences (from 18 to 20.3).

The rise in the use of imprisonment under conviction and especially for longer terms is commonly attributed to a rise in the caseload of prisoners

6 The imprisonment figures reported in this section do not take account of prisoners held in connection with traffic offences (see further Cheliotis, this collection).

convicted of a drug-related offence. Indeed, in 2006, drug offenders comprised the largest cohort in the total caseload of convicted prisoners (32.3 percent, up from 8 percent in 1980), in the caseload of convicted prisoners serving a term of a year or more (37.8 percent), and in the caseload of convicted prisoners serving a term of three years or more (43.2 percent) (see further Cheliotis, this collection). There is broad consensus that underpinning this development has been a mix of harsh reforms of sentencing and parole laws (e.g., providing that possession of small amounts of cannabis be punished more severely than possession of small amounts of heroin, and tightening the eligibility criteria for release of drug offenders on parole) and arbitrary punitive practices of sentencing (e.g., punishing petty drug possession according to the provisions for serious organised drug dealing) (see Lambropoulou, 2003; Cheliotis, this collection). None of the above trends, however, may be adequately understood unless close attention is paid to the nationality of those caught in the criminal justice net.

Regarding the nationality of convicted prisoners, official data collection only began in 1996. Between then and 2006, the annual total caseload of non-Greek convicts rose by 140.5 percent, from 2,253 (or 404 per 100,000 non-Greek inhabitants) to 5,420 (or 559 per 100,000 non-Greek inhabitants). Correspondingly, the proportion of non-Greeks amongst the total caseload of convicts increased from 25.3 percent to 41.1 percent. In 2006, and reflecting a long-standing upward trend, the majority (52.4 percent) of non-Greek convicted prisoners were Albanian. During the same period, the annual total caseload of Greek convicts increased by 16.8 percent, from 6,632 (or 65 per 100,000 Greek inhabitants) to 7,750 (or 76 per 100,000 Greek inhabitants), yet fell in reference to the annual total of cases of convicted prisoners, from 74.6 percent to 58.8 percent (see further Cheliotis, this collection).

The proportion of non-Greeks amongst the total caseload of convicts grew to become four times higher than the estimated proportion of non-Greeks in the general population of the country,⁷ whilst the average

7 According to a recent snapshot of the prison population (including both convicted and remand prisoners) on 1 January 2010, non-Greeks comprised 55.5 percent of the total (6,307 out of 11,364). The data are available from the website of the Ministry of Justice, Transparency and Human Rights.

likelihood that a non-Greek is held in prison under conviction was 8.1 times higher than the equivalent likelihood for a Greek between 1996 and 2006. The discrepancy holds up (and indeed, widens) when one looks at the caseload of long-term convicts. In 2006, for instance, the proportion of non-Greeks amongst the total caseload of convicts serving a term of a year or more was 40.7 percent, and rose to 41.6 percent for terms of three years and beyond. Expressed as a ratio of rates per 100,000, between 1996 and 2006, the average likelihood that a non-Greek adult is in prison serving a term of a year or more was 7.9 times higher than the equivalent likelihood for a Greek adult, and 8.8 times higher for terms of three years and beyond.

The level and nature of non-Greeks' criminal involvement leave a lot unanswered as to the driving forces behind the overrepresentation of non-Greeks in the total caseload of convicted prisoners. Between 2000 and 2006, for example, the police-recorded rate of non-Greeks amongst offenders was 1.6 times higher than the rate of Greeks, but the likelihood of imprisonment under conviction was 7.9 times higher for non-Greeks than the equivalent likelihood for Greeks. Over the same period, non-Greeks represented an average of 43.2 percent in the total caseload of prisoners convicted of a drug-related offence, but secondary analysis of police data reveals that the average proportion of non-Greeks amongst the perpetrators of drug offences only stood at 10.9 percent (which was also equal to the estimated share of non-Greeks in the general population of the country). Expressed in terms of the ratio of rates per 100,000 population, the average likelihood that a non-Greek is held in prison under conviction for a drug offence was 9.4 times higher than the equivalent likelihood for a Greek, but the police-recorded rate of non-Greeks amongst the perpetrators of drug offences was only 1.5 times higher than the rate of Greeks.⁸

8 Not dissimilarly to their Greek counterparts, the most common main offence of which non-Greek prisoners had been convicted fell under the category of drug-related crimes (an average of 30.5 percent in the total caseload of non-Greek convicts). This was followed closely by the category of illegal entry into, departure from, and stay in the country (30.1 percent), and then by property offences (21.7 percent), whilst crimes against life and bodily harm were both rare (4.3 percent and 1.3 percent, respectively). These findings cast considerable doubt on the widespread stereotype that

Much more than in levels and patterns of offending, the reason why non-Greeks are over-represented behind bars is to be sought in the sentencing behaviour of judges. An emerging body of research evidence on drug-related (and other) court adjudications suggests that Greek judges are significantly more likely to order pre-trial detention or pass a custodial sentence – and indeed, a longer custodial sentence, whether in the first or second instance – when the defendant is non-Greek (see, e.g., Kalamatiou and Kosmatos, 2007; also Karydis, this collection).⁹ Such findings chime with a survey conducted by Vagena-Palaiologou with members of the judiciary in the late 1990s and early 2000s. Of the 250 members of the judiciary surveyed, 99.6 percent stated that ‘crime has been on the rise in recent years’; 35.6 percent that ‘foreigners currently residing in Greece are exclusively responsible for the rise in crime’; 54.8 percent that ‘there is racism in Greek society’ (but 52.6 percent also stated that racism is due to foreigners’ own conduct); 17 percent that ‘foreign identity impacts negatively upon sentencing decisions’; and 61 percent that ‘foreigners currently residing in Greece are too many’ (Vagena-Palaiologou, 2006: 17–67).

But discrimination against non-Greeks must also be taken into account when interpreting crime rates as such, despite longstanding claims about low rates of reporting, recording, and clearing up crimes committed by non-Greek individuals and groups (see, e.g., *Kathimerini*, 22 November 1998). To begin with, the rate at which Greek citizens report crimes to the police exceeds the international average, as demonstrated by van Dijk *et al.*

foreigners are especially and even inherently prone to violence (see also Karasavoglou and Kiourktsoglou, 2006; Tsiganou, 2009). Not much more can be said here about imprisonment under conviction for illegal entry into, departure from, and stay in the country, only that this conviction offence category is of an administrative nature and concerns almost exclusively non-Greeks (but see also Xenakis, this collection).

- 9 In a study of appellate court rulings on cases of convicted felons, Koulouris and Spyrou (2009) found, first, that the majority of vindications concerned non-Greeks, which hints at unfairness in first-instance rulings, and second, that the waiting time for rulings on cases of non-Greeks was longer, which might as well be the outcome of discriminatory treatment against them. Whilst Koulouris and Spyrou report that nearly half of the felons in the sample had been convicted of a drug-related offence, and that the majority of them were non-Greeks, it is not clear what proportion of Greek and non-Greek drug felons were vindicated by second-instance courts.

(2007b: 110) in their synthesis of the latest data from the ICVS and EU ICS. In fact, frivolous incidents are also commonly reported, according to a study of calls to the police emergency service (see Panousis, 2001). Most crucially, Greek citizens are significantly more likely to report crimes to the police when offenders are believed – rightly or wrongly – to be immigrants (see, e.g., Antonopoulos, 2006).

Research has yet to focus specifically on the rates of reporting drug-related crimes, but it is known that the rate of reported exposure to drug-related problems in one's area of residence (i.e., seeing people dealing or using drugs, or finding syringes left by drug addicts) is far higher in Greece than anywhere else in Europe, but also the US, Canada, Australia, and New Zealand (see, respectively, van Dijk *et al.*, 2007a: 59–60, 112–113; van Dijk *et al.*, 2007b: 95–97); that the statistically significant positive correlation between reported exposure to drug-related problems in one's area of residence and levels of fear of crime is stronger in Greece than anywhere else on the continent (van Dijk *et al.*, 2007a: 68); and that the perceived rise in drug trafficking is attributed by the Greek public to the influx of migrants, especially Albanians (see, e.g., Antonopoulos, 2006: 149). It is reasonable to assume that a nation which rushes to report illegal parking and ringing car alarms to the police (Panousis, 2001: 131), tends to report drug-related crimes as well, even more so when drug-related crimes are blamed on immigrants.

The police, for their part, claim that recent years have seen a rise in both the quality of recording practices and the rates of clearing up crime (the latter also reaching 'above the international average', according to the Hellenic Police Headquarters (2009: 3)). In this context, organised crime in general and drug trafficking in particular have long been identified amongst the top priorities (Central Anti-Drug Coordinative Unit/National Intelligence Unit, 2008). Whatever the progress made, however, it is bound to have been distorted, given that immigrant communities are systematically subject to over-policing, including a greater likelihood of being stopped and searched (Papandreou, 2009; EU-MIDIS, 2010) and so-called 'sweep' or 'cleaning operations' launched in the name of fighting illegal immigration, drug-related criminality, and prostitution (Petoussi-Douli, 2008). Immigrant individuals are also significantly more likely to be brought to a police station than Greek persons (see, e.g., Papantoniou

et al., 1998), and immigrant offenders remain easier to arrest due to the comparatively unsupportive social and physical environment in which they find themselves (a commonsensical finding shared openly by senior police officials; see, e.g., Tsandrivos (2008)). Indeed, non-Greeks are much more likely than Greeks to be arrested by the police regardless of whether the large number of arrests for deportation due to illegal stay in the country are accounted for (see further Papantoniou *et al.*, 1998: 29; Moschopoulou, 2005: 66–69; also Kranidioti, 2003: 155–156).¹⁰

Such findings also cohere with a survey conducted by Vagena-Palaiologou with police officers in the early 2000s. Of the 412 police officers surveyed, 92.2 percent stated that ‘crime has been on the rise in recent years’; 35.9 percent that ‘foreigners currently residing in Greece are exclusively responsible for the rise in crime’; 21.8 percent that ‘criminal involvement amongst foreigners and especially Albanians is high due to their disrespect towards other humans’ (some also stated that ‘foreigners are born criminals’); 50 percent that ‘there is racism in Greek society’ (but 55 percent also stated that racism is due to foreigners’ own conduct); 13.6 percent that foreigners are subject to discrimination by the authorities of formal social control; and 74 percent that the number of foreigners to remain in the country should not exceed that necessary for the economy (Vagena-Palaiologou, 2006: 68–109; see also Karydis, 1996; Papakonstantis, 2000; Antonopoulos *et al.*, 2008).

How to Account for Punitiveness?

The analysis up to this point exposes the irrationality underlying the levels and patterns of public and state punitiveness in Greece. That is to say, crime rates at best only bear a tenuous correlation with public support for punitive

10 No wonder many immigrants view the Greek police as hostile (Hatziprokopiou, 2003). Moreover, their experiences of discriminatory treatment by police authorities are negatively correlated with trust in the police (EU-MIDIS, 2010).

state interventions, even more so when targeting immigrants. Equally, levels of criminal victimisation as suggested by crime rates fall far short of adequately explaining trends in fear of crime (whether in terms of levels or 'objects') and the degree to which judicial punishment is associated with the 'instrumentalist' goals of incapacitation and deterrence. To top it all off, the ever-widening disconnect between crime trends, on the one hand, and the scope and nature of punitive policies and practices, on the other hand, problematises widespread public assessments of the criminal justice system as ineffective or lenient. (To anticipate crime-control champions: the point here is emphatically not that increased state punitiveness has helped keep crime rates low in Greece, though one might have expected the Greek public to be more persuaded that this is the case.)

Findings from survey research complicate things even further. Prior experience of victimisation does not significantly predict support for imprisonment, and is a negative correlate of support for retribution as the primary goal of judicial punishment. Also, fear of crime does not predict support for enhanced patrol policing nor for imprisoning immigrant offenders over offenders from other socio-demographic categories (see further Zarafonitou, 2008; Zarafonitou *et al.*, 2009). If still within the narrow context of statistical correlations, the emerging rationalist gaps have in recent years started to be addressed by academic researchers, who stretch their analyses beyond crime to include self-defined political standpoints (including voting behaviour) and broader social attitudes and concerns. Important material towards this direction has also been generated by commercial research. Several examples from both sources follow.

Fear of crime has been found to be greater amongst centrists and right-wingers (Panousis and Karydis, 1999), whilst perceiving immigrants as a 'life threat' has been shown to bear a significant positive correlation with religiosity (Karyotis and Patrikios, 2010). Meanwhile, confidence in the police 'in the fight against crime' has been found to be twice as high amongst those voting for the centre-right New Democracy party as for the centre-left 'Panhellenic Socialist Movement' (widely known as PASOK by its initials in Greek) (Public Issue, 2009b; but see also Panousis and Karydis, 1999). As in other European countries such as the Czech Republic, Estonia, Finland, Ireland, and Ukraine, so too in Greece, confidence in the justice system is greater

amongst individuals who see themselves at the right end of the political left-right scale. Interest in politics, by contrast, is not a significant correlate of confidence in the justice system (Van de Walle and Raine, 2008).

As concerns punitiveness, holding a right-wing standpoint has been found to bear a significant positive correlation with support for imprisonment, support for the death penalty, and support for vigilantism. Interestingly, support for retribution as the primary goal of judicial punishment has been found to be greater amongst those holding a centrist or left-wing standpoint, whilst support for the use of truth serum by the police has been found to be greater amongst centre-leftists (Zarafonitou *et al.*, 2009). In line with trends observed more widely in the Western world, support for the death penalty in Greece is significantly lower amongst citizens who endorse egalitarian beliefs, and significantly higher amongst citizens who specifically express greater racial and ethnic intolerance (or 'animus towards immigrants'). Racially or ethnically intolerant citizens are also significantly more likely to support severely punishing criminals (even after such variables as age, gender, educational level, and marital status are controlled for) (Unnever and Cullen, 2010).

Support for 'anti-terrorist' measures, meanwhile, has been found to span all moderate political affiliations from Left to Right (including the Centre), but agreement with enhanced control measures specifically oriented against foreigners is greater amongst right-wingers and centrists (Papastamou *et al.*, 2005), as is support for mass arrests and prosecutions at times of urban disorder (Public Issue, 2009a). Surprisingly, perhaps, moderate left-wingers tend to agree with the denial of political participation rights to individuals accused of terrorism (Papastamou *et al.*, 2005). Support for punishing hood-wearing demonstrators has been found amongst the majority of those voting for the centre-left PASOK party and, even more so, the centre-right New Democracy party (Public Issue, 2009b). Finally, supporters of New Democracy appear far more likely than supporters of any other party to view the use of CCTV cameras in public places as protecting rather than infringing citizens' rights. Parties aside, individuals who position themselves on the Left are more likely than those who position themselves on the Right to view the use of CCTV cameras in public places as infringing rather than protecting citizens' rights (Public Issue, 2007).

Turning to the role of broader social concerns, a positive link has been found between fear of crime and various indicators of perceived decline in 'community well-being' or 'quality of life', from dissatisfaction with the built environment (e.g., cleanliness, greenery and parks, condition of the roads) and environmental quality (e.g., amount of traffic, parking facilities, quality of air), to other 'adverse neighbourhood' characteristics such as street begging and drug trafficking, to a sensed lack of social cohesion (e.g., the indifference of neighbours and passers-by in the event of a criminal attack), to rising rates of unemployment and immigration, to low rates of welfare provision (see further Christakopoulou *et al.*, 2001; van Dijk *et al.*, 2007a; van Dijk *et al.*, 2007b; Tseloni and Zarafonitou, 2008; Vakiari and Kontargyri, 2009; Public Issue, 2008; Hummelsheim *et al.*, 2010). It itself, immigration tends to be seen as a threat to the economic and cultural life of the country by individuals who exhibit greater religiosity (as measured by frequency of church attendance) (Karyotis and Patrikios, 2010). 'Quality of life' has been associated with public punitiveness, too. There is some evidence, for instance, that support for the use of imprisonment is significantly greater amongst citizens who rank immigration into the country as the most important social problem; those who rank unemployment as the most important social problem also tend to support the use of imprisonment, though this correlation has not been found to be statistically significant (Zarafonitou *et al.*, 2009).

Virtually no attempt has been made to date to account for the role of political standpoint, whilst attempts to theorise the role of broader social attitudes and concerns are scant and commonly limited to brief references to Durkheimian functionalism. Public and state punitiveness in the field of law and order, it is argued, serve to reaffirm moral order and promote social solidarity, both of which are challenged in the face of fundamental changes in the general structure of society and the experience of everyday life therein. Greece's transition to modernity and its constituent phenomena of urbanisation and immigration are thereby viewed as partaking of the psychosocial context of complexity and insecurity within which Greeks exhibit greater propensity towards punitiveness (see, e.g., *ibid.*; Unnever and Cullen, 2010).

A more nuanced perspective (and one that might well be applied to Durkheimian explanations themselves) is offered by Bakalaki. Rather than looking at the modernisation of Greece as a more or less completed process, Bakalaki invites us to consider the way in which Greeks openly attribute their enhanced safety consciousness and associated attitudes to a break with 'tradition' in favour of modernisation as a means by which they unconsciously convince themselves that the country is actually on the way to assimilation to an already modernised West. Thus, for example, the anxiety over the rise in burglaries and the various imperfect efforts to crack down on them are strangely reassuring in that they point to 'fulfilment of a longstanding collective dream – that Greece transcends poverty and backwardness and integrates itself into the modern world' (Bakalaki, 2003: 214). Whatever the viewpoint taken, insofar as punitiveness fulfils latent expressive functions, conscious beliefs about rising crime rates, about ineffective and lenient criminal justice agencies, and about the instrumental and moral missions of penalty, may best be understood as rationalisations of otherwise irrational attitudes linked to the inherent human need for ontological security (see further Cheliotis, 2011).

Arguably, the expressive functions of punitiveness may be further elucidated by carefully disentangling the subtleties of general punitive attitudes. For instance, what has failed thus far to attract interpretative interest beyond the reporting of mere statistical correlations is that, whereas the effect of quality of life on fear of crime appears linear, this is not the case as regards punitiveness, where the relationship appears mediated by class. Recent survey research associating the latter (referred to as 'socio-economic level') with area of residence has shown that lower socioeconomic classes are more punitive than the upper class. But lower-middle-class respondents tend to be more punitive than their lower-class counterparts when it comes to such issues as support for the use of imprisonment and support for the imprisonment of immigrant offenders over those of other socio-demographic categories (Zarafonitou *et al.*, 2009).

This brings us to a further and crucial point: just as public attitudes are never formed in a socio-cultural vacuum, so too social and cultural conditions are never plucked out of thin air. To put it differently, serious attention needs to be paid to the man-made, political processes by which

social and cultural arrangements are produced in the first place. Once this analytic operation is performed, a whole new vista opens up for the explanation of punitiveness, attending simultaneously to the political functionality of punitive state action and the political processes that generate and reproduce one of its necessary prerequisites; a sufficient degree of punitive sentiment amongst the public (Cheliotis, 2011). Thus, for example, the role of the mass media in galvanising or inflaming public punitiveness cannot be adequately grasped just by reference to the levels and patterns of media production or consumption, however interesting and arguably important these may be. Whilst the media constitute a field with its own rules, these rules are defined both by its position in the world at large and by the attractions and repulsions to which it is subject from the 'meta-fields' of politics and the economy (Bourdieu, 1998). It is in this spirit that Hall *et al.* (1978) argue that sensationalised media reporting on crime, on the one hand, and harsh penal measures by the capitalist state and its agencies, on the other hand, combine to displace mass economic and ontological insecurities onto powerless minorities, thereby perpetuating and strengthening class rule (see further Cheliotis, 2010).¹¹ In short, accounting for trends in punitiveness requires no less than a political economy perspective that points to the material efficacy of symbolic power and the symbolic efficacy of material power, as these stand to one another in a relationship of mutual constitution (Wacquant, 2009).

This perspective has yet to be developed in the contemporary Greek context. As a step towards this direction, we revisit below the question begged by any claim that punitiveness performs an expressive function: 'expressive of what?' (Maruna and King, 2004: 93). In so doing, we take our cue from political economies of punishment in jurisdictions elsewhere (see further De Giorgi, 2007) and point to insecurities stemming from domestic trends in poverty and social inequality, the labour market, and welfare provision. These trends, we suggest, should not only constitute a basis for enriched empirical inquiries into the causes of punitiveness, but also serve as the framework within which past and future data are to be interpreted.

11 One could develop a similar argument in relation to the role played by religious elites in Greece (on which see further Karyotis and Patrikios, 2010).

The Roots of Social Insecurity

In Greece, lower- and middle-class anxieties are rooted in the social, political, and economic tensions typical of semi-peripheral societies: the particularly strained dynamics of social rights and mobility, political representation and state provision, and labour relations and profit-making. According to world-systems theory, 'core' and 'peripheral' states denote the winners and losers of international commodity exchange. Greece is a semi-peripheral state because it hosts a fairly even combination of high- and low-profit production processes employing both capital-intensive and labour-intensive techniques, and involving both skilled and highly-paid labour as well as coerced low-wage labour. It is this divided nature of production processes that, in semi-peripheral states such as Greece, tends to generate sharp struggles between higher and lower socioeconomic classes (and external economic actors), as each seek to influence state structures and policies in their favour (see further Tayfur, 2003; Featherstone and Papadimitriou, 2008). Whilst the vagaries of international commodity exchange have exerted strong pressures over the evolution of socio-economic conditions in Greece, national elites have played a crucial role in determining the shape of those conditions and their trajectories.

Since the mid-1980s, the country has seen the persistence of high levels of poverty and inequality. Although there was a significant drop in absolute poverty in Greece between the early 1960s and early 1980s, it has hovered at around 20 percent thereafter, one of the highest rates amongst EU and OECD member-states (see further Balourdos, 2004; Tsakloglou and Mitrakos, 2006; Lampousaki, 2010a; NSSG, 2010a; OECD, 2010). The country also saw an overall reduction in income inequality from the mid-1980s to the mid-2000s (OECD, 2009), but this slowed between 2001 and 2004 (Medgyesi, 2008) and here, too, levels have remained amongst the highest of the EU-27 (NSSG, 2010b). A number of factors have served to consolidate high levels of poverty and inequality, including the underlying structural weaknesses of the Greek economy (which stimulated the emergence of mass unemployment in the 1980s; see below), a weak labour

force as indicated by low average wage levels and high levels of worker pauperisation, high levels of clientelism and corruption, and regressive tax and highly inadequate welfare systems (Papadimitriou, 2006; Tikos, 2008; Wolff, 2010).

The last three decades have also seen the national levels of unemployment undergo a significant rise. The rate of unemployment rose over the 1980s and 1990s, reaching a high of 12 percent in 1999 and henceforth overtaking the European average (Eurostat, 2009). The rate fell as of 2000 and, by the second half of the decade, had returned to levels of the late 1980s and early 1990s (IMF World Economic Outlook Database). Following the unveiling of the Greek financial crisis in late 2009, however, unemployment leapt from 8.5 percent to over 12 percent in 2010, with youth unemployment standing at over 32 percent (see *The Guardian*, 13 August 2010). Whilst aggravated by the onset of neoliberal policies over the 1990s, the problem of mass unemployment in Greece has emerged from the comparative weaknesses of the national economy and its semi-peripheral character. Over the past thirty years, this character was increasingly veiled by investment from, and market access to, the EU, which paved the way to the enlargement of the national labour force, attracting more women (Kanellopoulos and Mavromaras, 1999), immigrants, and Greeks who would otherwise emigrate (Mihail, 1996). Nevertheless, stubbornly low levels of investment in research and development activities (amongst the lowest in the EU; Seferiades, 2006), coupled with deep-seated features of the business sector (i.e., its composition by small and medium-sized enterprises specialising in low-tech industry or service activities; Liagouras *et al.*, 2003), ensured that Greeks would increasingly find their aspirations – heightened in the meantime by expanding education and media consumption – unmet by the domestic job market.

Reflective of this semi-peripheral environment, the Greek labour force has historically been weak, as illustrated by the low level of average wages and the inadequate structures of welfare protection and union representation (Seferiades, 1999, 2003; Petmesidou, 2006). Indeed, and despite allegations to the contrary (including by the OECD, 2010; and IMF, 2009), the Greek labour market has long been characterised by low wages, low indirect labour costs, and high flexibility (e.g., seasonal and part-time work,

inadequate provisions for compensation and notice of job redundancies, and high wage elasticity; European Committee of Social Rights, 2010; Livanos, 2010; see further Mihail, 1996; Seferiades, 1999, 2003; Papadimitriou, 2006). From the 1990s, the relatively slow and stilted introduction of policies such as the dismantling of employment safeguards, the lowering of labour costs, the reduction of protectionism, the expansion of credit liberalisation, the deregulation of the market, and the privatisation of public services, primarily constituted a challenge to the middle-class workforce (see Staikouras, 2004; Pagoulatos, 2003; Tsakalotos, 2008; Spanou, 2008; OECD, 2010). Equally, the reforms introduced in 2010 that halved the severance pay of white-collar workers, lowered the threshold for collective dismissals, and reduced the minimum wage for young people under the ages of 25 and 18 to 84 percent and 70 percent of the national minimum wage, respectively (Lampousaki, 2010b), worked largely to formalise an already flexible market and extend its ramifications for the middle classes.

To date, the disproportionate impact of high informal flexibility in the labour market on lower socio-economic classes has been exacerbated by the state-sanctioned particularism of welfare provision, such as the differential provisions made for social insurance for specific professional sectors of the workforce. These arrangements have left a durable legacy of uneven distribution and a large proportion of the population entirely uncovered (Petmesidou, 2006; Tikos, 2008). Particularly vulnerable have been the self-employed and, of course, those working in the informal economy, both very sizeable sectors in EU comparison and both lacking union representation. The self-employed comprised over 21 percent of the total workforce in 2007, which was more than twice the EU-27 average (see Pedersini and Coletto, 2009), whilst the informal economy has been one of the largest in the EU (Schneider and Buehn, 2009; Matsaganis and Flevotomou, 2010). Amongst the most vulnerable groups of workers are immigrants, the majority of whom are confined to low-paid, menial, and technical labour in the informal economy by the overshadowing pincer pressures of exploitative immigration policies and selective repression by law enforcement (see Lawrence, 2005; and earlier).

On the one hand, social inequalities have been exacerbated by the minimalist and ineffective provision of welfare by the Greek state (for example, despite rising social expenditure over the past half-century, social transfers by the state have been amongst the least successful in reducing the risk of poverty by European comparison; see Seferiades, 2006; Wolff, 2010; Lampousaki, 2010a). On the other hand, inequalities have been compounded by a system of taxation that redistributes wealth regressively, by the prevalence of tax evasion (most common amongst the decile of the population with the highest level of income), and by entrenched practices of clientelism that sustain the power of state elites (see Papatheodorou, 2006; Matsaganis and Flevotomou, 2010; Pagoulatos, 2003; Petmesidou, 2006). Since the 1980s, this conjunction of low levels of social transfers, rising tax ratios, and mass unemployment, has functioned to offset labour gains from increases in real wages, ensuring that Greek workers face a far higher risk of poverty than the vast majority of their European counterparts (Maniatis, 2003; Tsakalotos, 2008; Papadimitriou, 2006; Tikos, 2008; Wolff, 2010).

This is not to say that living standards did not rise from the 1980s onwards; there was significant growth in household consumption from the 1990s onwards (by 22 percent between 1993/4 and 1998/9, and by 12.1 percent between 1998/9 and 2004/5; NSSG, 2001a). But this was facilitated by the deregulation of both consumer and housing credit, which in turn produced a steep rise in household indebtedness from the 1990s onwards (particularly amongst higher-income groups; see Mitrakos *et al.*, 2005). Although the ratio of household debt to national income has been comparatively low by European standards, the average annual rise in loans for housing and consumer goods has far outstripped that of the Eurozone in recent years (see Athanassiou, 2007). In 2009, a pan-European public opinion survey placed Greeks amongst those most likely to report serious financial problems and difficulties in keeping up with the payment of bills and credit commitments (Eurobarometer, 2010). Thus, consumerist expectations have advanced at a considerably faster pace than poverty and inequality have declined. Moreover, consumerism has expanded upon the shaky foundation of indebtedness, set against the background of rising unemployment.

Conclusion: Towards a Political Economy of Punitiveness

Given the above trends, it seems likely that what lies behind ever-rising levels of public and state punitiveness in Greece is, in good part, a growing sense of insecurity amongst the middle classes. Whilst lower socio-economic classes have long faced severe and multifaceted insecurities, it is the middle classes that have increasingly found themselves subjected to a range of new pressures over the last three decades, pressures that have combined to fuel the experience known as 'fear of falling'. This, as Jock Young has theorised, involves the dread of an 'ever-present possibility of downward mobility, of a descent into the underclass, a loss of control, of dignity' (Young, 2007: 44; see also Young, 1999). This is not to imply that the process by which fear of falling translates into punitiveness is unmediated (nor indeed that punitiveness is absent amongst other socioeconomic classes, though there it can take different forms).

Insofar as the pressures exerted upon the middle classes and the attendant fear of falling have been the outcome of state policy – and it is our argument that the state has played a major role in this respect –, they cannot but pose grave challenges to the authority of elected governments. Indeed, whether out of retributive impulse or purely instrumentally, middle-class citizens may adopt a 'punitive' stance against political elites thought to bear responsibility for the predicaments at issue, the mildest and most common example of which is the voting out of incumbent parties. In the continuing absence of concrete solutions, discourses meant to absolve domestic elites from blame (for example, the fatalistic rhetoric of globalisation and its positive promise of eventual prosperity for citizens and nation-states alike; Bourdieu and Wacquant, 1999; Harcourt, 2009), may only provide partial and, at any rate, temporary relief.

With a view to alleviating the mounting deficit in the legitimacy of their authority, as well as its potential consequences, but without practically addressing its root causes, state elites have deployed a law-and-order discourse and the use of punishment as symbolic devices by which middle-class anxieties are consecutively displaced onto 'actionable' fractions of the population and are 'acted out' against them. It seems no coincidence that

state and middle-class punitiveness are so closely aligned, as illustrated by the way in which the use of imprisonment in general and against non-Greeks in particular has found greatest support amongst the middle classes. It seems no coincidence, either, that the middle classes concurrently display the strongest conviction that unemployment constitutes the gravest social problem in the country, and are most adamant that rising unemployment has been caused by the 'mass influx of immigrants' (see, e.g., Zarafonitou *et al.*, 2009). To the extent that the twin processes of displacement and 'acting out' may be successful, this is due to the nature of the anxieties they seek to manipulate. Indeed, a constant finding in pertinent international scholarship is that, when feeling trapped in situations of intense insecurity as to their actual life prospects, humans exhibit greater susceptibility to political myths which refocus danger and call for harsh reaction (see further Cheliotis, 2011).

The thesis developed in this chapter requires both thematic elaboration and thorough empirical testing. As concerns the former, future work should encompass such issues as the mechanisms by which public attitudes towards crime and punishment are shaped, the reasons why crime is selected over other risks, and the influence of political institutions on levels and patterns of state punitiveness (*ibid.*). Turning to the matter of testing our thesis empirically, the relationship between class and public punitiveness has been understudied in the Greek context. Research has tended to make limited use of proxies for class and without necessarily recognising them as such, whilst there has been little systematic attempt to provide an account of the evolution in punitive attitudes over time, let alone from a political economy perspective.

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