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BOOK REVIEW

David Skarbek: The puzzle of prison order: why life behind bars varies around the world. Oxford University Press, New York, NY, 2020, xiii + 240 pp, USD 27.95 (paperback)

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This is a subversive text. Give it to your colleague in sociology or criminology and suggest they use it in their course on prisons. It is, clearly, directed at them, and not public choice or political economy scholars. If they use it, chances are that the instructor will report she found it exciting and that the students loved it. They will be confronted by a mass of detailed information, drawn from a variety of disciplines and methodologies, reporting on the organizational structure and conditions in prisons around the world. But it will not be a random walk through a bewildering variety of institutions from different cultures, with dozens of competing explanatory variables. It is quite distinct from the hundreds of individual case studies of prison structure and organization that are preoccupied with individual distinctiveness and detail. (Though I note that it draws its sustenance from such studies.) Rather, the author cruises at 30,000 feet, and looks for the contours in the detailed landscapes. He seeks out wide variation in prison control structures, and then explains it. In short, it is a disciplined and informed guide that radically simplifies the bewildering variety of social control structures in prisons, imposes order on them, and provides a convincing explanation for why some prisons provide safety and security for inmates and others do not, and the variety of ways prisons succeed in providing safety and security. Readers will immediately seize upon its explanatory framework and use it to reflect on the prisons they may know best to see how they fit.

Skarbek presents four ideal types of governance regimes, based on who produces prison governance—external state governance, co- governance, self- governance, and minimal governance—and uses these factors to identify and then account for differences in a wide array of prisons on three continents. He acknowledges that his theory cannot predict all of the variation in extralegal organization in all prisons, and that his predictions are more probabilistic than deterministic. But the trade-off, he maintains, is that his parsimonious approach allows him to account for variation among social orders in a broad range of prisons. His theoretical framework is based four options: First, is the amount and quality of resources, administration, and governance provided to prisoners. When officials govern well, prisoners have little need to govern themselves. Conversely,

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when officials do not govern, prisoners seek ways to provide alternatives and are usually successful—they create extensive and elaborate institutions, including housing associations, extensive market exchanges, and vibrant civil societies. At times, neither officials nor inmates can govern because neither group has adequate resources, nor access to benefits to reward collective action. Here, life in prison can be nasty, brutish and short.

Second, in small prisons, it is relatively easy for inmates to overcome collective action problems, and establish and maintain decentralized governance and control with a minimum of hierarchy. Social order is based upon individual reputations, ethnic segregation, mutual responsibility, organized leadership, with little reliance on written rules and regulations. Larger prisons face a greater challenge in overcoming the collective action problem, and thus must invest in centralized extralegal governance because they cannot rely on decentralized reputation mechanisms.

Third, prison officials can influence and shape the type of control structures inmates establish and maintain. If inmates come from the same region, institutional transaction costs are reduced. They can obtain information about prisoners' reputations, rely on external reputational networks, and establish decentralized extralegal governance institutions. In contrast, in large prisons and especially those in which inmates come from a great variety of communities, obtaining reliable information about prior reputation is difficult if not impossible, and thus the ability to create decentralized mechanisms of informal social control is frustrated. The result: more centralization and often more violent forms of control.

Finally, prison officials can affect the nature of social control by structuring housing choices that determines social distance—the extent to which people share appearances, beliefs, customs, practices, and other characteristics that define their identity—within the prisoner community. Housing classification based on salient demographics, e.g., lifestyle, appearance, history, and social network minimizes social distance and thus facilitates relatively peaceful decentralized governance. In contrast, the larger and more diverse the populations in the housing area is, the more likely that control will be enforced by centralized extralegal governance institutions, and all things equal a greater reliance on violence.

Skarbek's great contribution is to show how these factors affect the near-universal objective of inmates—and prison officials—to obtain safety and security. His relatively simple taxonomy has enormous explanatory power.

Once you have heard your sociologist colleague's summary, abruptly shift topics and ask about her preferred social theorists, methodologists, and books. Chances are they will say Marx, Durkheim and Weber, and perhaps Foucault and Bourdieu. As they move on to methodologies and favorite studies, they might mention examples of ethnomethodology and survey research, and then turn to the classic works Gresham Sykes, Irving Goffman, Reusch and Kirchheimer, and any of a number of individual studies of contemporary prison culture, practices, and governance.

Shift again, and ask them about Paul Samuelson, Mancur Olson, James Buchannan, Gordon Tulluck, and Elinor Ostrom. Chances are they will be able to say a bit about Samuelson, but nothing or very little about the others, and be puzzled as to why you asked. Then, spring your surprise. Explain that the framework underlying this book they found so useful does not flow from their favored theories or methodologies or authors, so much as it does from this theoretical tradition and body of scholarship about which they are largely ignorant, one anchored in public choice theory and an approach to which they may very well be vehemently opposed. If they doubt your claim, turn to the book's bibliography, and ask them to single out those materials that are primarily or exclusively theoretical. There are not many, but all or almost all of them are classics in public choice theory.

The genius of this book is its power to seduce its intended audience. It is written for prison scholars, who as a group are not known for their embrace of rational choice analyses or their use of the economic theory of collective action. Yet, they are likely to have found this book profound in its insights, convincing it its categorizations and explanations, and dazzling in its range and reach. It is theoretical without laying out axiomatic first principles which may have switched its primary intended audience off at the outset. It is comparative, though it does not categorize by the groupings familiar to comparative corrections researchers; countries in Western Europe and North America; countries in Eastern and Western Europe; North–South country comparisons. Rather, it is comparative by analytical categories—forms of organization, in order to determine how organization structure and resources effect internal order and security.

The seductive power of this book is revealed in still another way. Too many economists and public choice scholars, particularly when dealing with law and legal institutions, revel in their theoretical analysis, and give short shrift to the data used to test their theory. This leads many subject-matter experts to dismiss the theoretical frameworks as overkill since their findings offer little more than truisms from Sociology 101 or Psychology 101. However, Skarbek only lightly sketches out the theoretical foundations on which his study in erected. They are there, but are largely implicit. In contrast, he immerses himself in the vast and varied descriptive reports on prisons on at least three continents. He has probably closely read as many such studies as any prison expert in the world. But, he has read—and selected from what he has read—and organized them with a fresh and theoretically sophisticated eye. This is an impressive achievement and makes him stand out from economists and public choice scholars on the one hand, and students of prison organization on the other.

Furthermore, Skarbek is eclectic in his embrace of sources. He is interested in learning all he can to find out how the information informs his theory. Certainly, no one can argue that he has cherry picked his sources, favored one approach or another, or ignored the insights of still other approaches. The book is a testimony of the value of the oft-issued but rarely followed admonition to embrace a multi-method, multi-technique approach to data gathering and analysis. He reviews a vast treasure trove of existing reports, selects from among them, and then sees things in new light. Furthermore, if one reads his methodological appendix, it is clear that he has carefully and convincingly set out his reasons for selecting those cases he focuses on. Finally, as an aside, this book is a wonderful example of how brilliant scholarship can be produced by relying on secondary data sources, without collecting any "original" data.

So, what are Skarbek's theoretical focus, insights, and conclusions? He addresses the question Hobbes posed for society in general—Why isn't life a "war of all against all?" Prisons are filled with people who cannot conform to society's norms, so why should we expect them to do any better in prisons? His response is that it depends on the nature and form of collective action, which in turn is determined in large by size and the resolve and resources available of external authorities. Safety and security is a public good in prisons as it is everywhere, and as with all public goods, it is a challenge to provide them. General governments can provide public goods by taxing residents, taking their money or their liberty or both to pay for them, but *within* prisons these options are much reduced. Order depends on authoritative action, externally imposed at substantial cost, or collective action internally arrived at through negotiations and internal enforcement.

Skarbek's book examines the various organizational structures (both formal and informal, and internal and external) to account for order and the lack of order in prisons around the world. In the process, he sets to the side, but does not dismiss, issues such as general

culture, gender, criminal background, to focus on just how much explanatory power can be generated by the traditional concerns with how secure public goods. This book is to prisons what Anthony Downs' *An Economic Theory of Democracy*, and Gordon Tulluck's, *The Politics of Bureaucracy* were to their respective topics. Just as theirs did, Skarbek's book should shape research agendas on the internal structure and organization of prisons for decades to come. This is an accomplishment of the first order.