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# What's Left? Political orientation, economic conditions, and incarceration in Greece under Syriza-led government

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**Leonidas K. Cheliotis and Sappho Xenakis**

## Social Policy Working Paper 09-20

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## Abstract

An important body of scholarly work has been produced over recent decades to explain variation in levels and patterns of state punishment across and within different countries around the world. Two variables that have curiously evaded systematic attention in this regard are, first, the orientation of incumbent governments along the political spectrum, and second, the experience and fiscal implications of national economic downturn. Although recent years have seen both variables receive somewhat greater consideration, there is still precious little research into the effects on state punishment that they have in interaction with one another. With a view to helping fill this gap in the literature, this article identifies the direction and assesses the extent of influence exerted by government political orientation, on one hand, and economic downturn alongside its fiscal repercussions, on the other hand, upon the evolution of incarceration in the context of contemporary Greece. In so doing, we offer a uniquely detailed account of carceral trends before and during the period that a coalition government led by the left-wing Syriza party was in power. With regard to carceral trends as such, the scope of our analysis extends beyond conventional imprisonment also to include immigration detention. As well as arguing that economic downturn can place crucial limits on a government's ability to execute progressive plans in carceral matters, we additionally conclude that a government's scope of action in this vein may be further restricted depending on the autonomy it can wield in defiance of foreign forces intervening in both economic and political realms.

**Keywords:** Government political orientation; economic downturn; imprisonment; immigration detention; Syriza

## Authors

Leonidas K. Cheliotis is an Associate Professor in Criminology at the Department of Social Policy, London School of Economics and Political Science, where he also serves as Director of the Mannheim Centre for Criminology.

Sappho Xenakis is a Reader in Criminology and International Relations in the School of Law at Birkbeck, University of London, where she has also been Assistant Dean for Research since 2017. She is a founding Co-Director of Birkbeck's Centre for Political Economy and Institutional Studies.

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## Introduction

Over the last four decades or so, the spread as well as the harshness of state punishment have increased in many different parts of the world. Yet not all countries around the globe have experienced either or both of these trends, whilst some of those that have done so in the past appear to have been latterly reversing course. Although an important body of scholarly work has been produced to explain variation in levels and, to a lesser degree, patterns of punishment, especially with reference to imprisonment across or within select Western democracies, no consensus has as yet been reached as to the causes underlying the phenomena in question. More often than not, the ongoing debate has been focused on the ordering of, and the interrelationship between, the array of causal forces that have been identified already in pertinent research, including, for example, electoral interests, pressure-group lobbying, cultural shifts, economic systems, the scale and scope of socio-economic inequality, political and legal institutions, and international human rights pressures. Owing perhaps to the complexity of the task as it stands, much less effort has been undertaken in terms of scrutinising and, as necessary, broadening the range of those causes as such, thereby arguably risking an insufficiently holistic investigation of the subject.

Two variables that have usually evaded systematic attention are, first, the orientation of incumbent governments along the political spectrum, and second, the experience and fiscal implications of national economic downturn. Although recent years have seen both variables receive somewhat greater consideration, there is still precious little research into the effects on state punishment that they have in interaction with one another. With a view to helping fill this gap in the literature, this article identifies the direction and assesses the extent of influence exerted by government political orientation, on one hand, and economic downturn alongside its fiscal repercussions, on the other hand, upon the evolution of incarceration in the context of contemporary Greece. In so doing, we offer a uniquely detailed account of carceral trends before and during the period that a coalition government led by the left-wing Syriza party was in power.

With regard to carceral trends as such, the scope of our analysis extends beyond conventional imprisonment to include immigration detention as well; namely, the use of separate, dedicated sites where irregular migrants from non-EU countries are detained for the purposes of administrative procedures relating to their immigration status, specifically deportation and asylum processing. This is not only due to the relationship of operational homology that has increasingly bound conventional imprisonment and immigration detention together as such, most evidently in the sense that sustained physical restrictions to free movement and other enforced deprivations commonly associated with the former have evolved into a prevalent feature of the latter, too (see further Peters and Turner, 2017; Loyd *et al.*, 2012).<sup>1</sup> It is also in recognition of the legislative conflation and functional equivalence that characterises these two forms of incarceration in the particular environment of Greece. First and foremost, under Greek law, irregular entry and stay in

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<sup>1</sup> Recent years have seen increasing recognition being paid to the need for studying state punishment – and, within this context, incarceration itself – with reference to a variety of indicators so as to produce more holistic assessments (see, e.g., Newburn, 2020, in press; Cheliotis and Xenakis, 2016; Karstedt, 2013; Tonry, 2007; Cavadino and Dignan, 2006).

the country are in themselves offences that can be treated as either administrative or criminal in nature, leading, respectively, to immigration detention awaiting deportation or to incarceration in a conventional prison and the acquiring of a criminal record, after which immigration detention and deportation can also follow (as is similarly the case with completion of a sentence for any of a wide range of other offences) (see further Antonopoulou and Pitsela, 2014). By the first half of the 2000s, for instance, as the number of foreign convicted prisoners was well on its way to exceeding the corresponding number of Greek nationals, roughly one in three foreigners was serving a sentence for irregular entry or stay in the country (Cheliotis, 2013; see also Spinellis *et al.*, 1996). Although this proportion has since fallen, irregular migrants have become more likely to be channeled directly to the growing migrant detention estate instead (Cheliotis, 2013, 2017). At the same time, the variations that continue to distinguish these otherwise similar forms of incarceration from one another – in terms, for instance, of the agencies involved in their enforcement or the international forces to which their use may be exposed – present us with an opportunity for a more nuanced, cross-sectoral comparative consideration of the relative significance of government political orientation and economic downturn in carceral matters in Greece.

Contemporary Greece readily lends itself as a case study through which to advance understanding of how policies and practices of incarceration relate to the political orientation of incumbent parties and the experience and fiscal ramifications of national economic downturn. To begin with, by the mid-2010s, rates of conventional imprisonment had undergone a long-term rise in the country, at the same time that conditions inside Greek prisons had deteriorated dramatically. The use of administrative detention for irregular migrants was also increasing sharply, whilst the situation inside detention centres amounted to a humanitarian disaster. Against this background, the electoral victory of Syriza and the formation of a coalition government under its leadership in January 2015 did not only signal an end to the dominance of the two centrist political parties – PASOK, on the centre-left, and New Democracy, on the centre-right – that had ruled Greece since the restoration of democracy in the country in 1974 (see further Featherstone and Papadimitriou, 2015; Pappas, 1999), it also opened up the possibility of a drastic change of course specifically in terms of levels and patterns of imprisonment and immigration detention. This was because Syriza was known for its exceptional sensitivity to all matters carceral and its resolution to promote large-scale progressive reforms to penal and cognate state procedures, alongside its broader commitment to radically transforming Greek politics and society as a whole. The juncture at which the Syriza-led government assumed duties, however, was also a tipping point for the Greek economy: the country was in the midst of an incomparably extended period of deep economic recession, the implementation of the second bailout package the previous government had agreed with the so-called ‘troika’ (i.e., the European Commission, the European Central Bank, and the International Monetary Fund) had stalled, and the prospect of bankruptcy and exit from the Eurozone was looming over the horizon.

In effect, our analysis cuts across three different periods: the thirty-five or so years following the fall of the Colonels’ dictatorship, when long-term economic stability coincided with broad continuity in political orientation of government, as PASOK and New Democracy increasingly converged towards the centre whilst alternating in office; the shorter stretch between the late



2000s and the mid-2010s, when the emergence of economic downturn in the country saw further continuity in government political orientation, with PASOK and New Democracy even joining forces in the context of a coalition; and the four-and-a-half-year spell thereafter, when sustained and deepening economic downturn was coeval with a decisive leftward shift in the political orientation of government on account of Syriza's entry into office as the senior partner of a coalition. The scope of our study, in other words, allows for identifying a triad of combinations of different economic conditions and varying government political orientations. In principle, these can then be compared to one another according to their respective carceral trends so as to sharpen our understanding of the nature and degree of influence that the interaction between the experience of economic downturn and the general ideological outlook of sitting parties has had on Greek carceral policy and practice. Although we do not have space in this article to offer systematic historical comparisons in this vein, we outline key pertinent observations in our conclusion. Our primary aim is rather to gauge the carceral effects of Syriza's arrival in government, particularly how and the extent to which its plans for progressive reforms were affected by ongoing and intensifying economic downturn and its fiscal repercussions. To this end, we also identify the direction and amount of influence exerted by an array of other forces in this regard, albeit not invariably across both conventional imprisonment and immigration detention.

#### **Political orientation of government, economic downturn, and state punishment**

Research has thus far identified no clear relationship between the ideological leanings of the incumbent party and state use of punishment. In the US, for example, the upward trajectory of imprisonment from the 1970s onwards has been shown to have been unrelated to whether state or national government was led by Republicans or Democrats (Grumbach, 2018; Gottschalk, 2014; Caplow and Simon, 1999; compare Brown, 2013). Pointing in the same general direction are the findings from Karstedt *et al.*'s (2019) analysis of decarcerative legal reforms since the late 2000s across all fifty US states, which demonstrates that the introduction of such reforms has not been confined to Democrat-controlled state governments, even though it has been comparatively more likely under them. Likewise, the overall 'punitive drift' in penal policy in the UK since the early 1990s has been found to have been promoted both by the Conservatives and the Labour Party (Newburn, 2007; Reiner, 2007; Tonry, 2004; Downes, 2001).

Due at least in part to such continuities having been revealed, relevant scholarship has sought to identify broader ideological orientations that have traversed rather than divided political parties in office, fuelling an intensification of state punishment as they have done so. A simultaneous commitment to neoliberal economics and neo-conservative morality has received especial attention in this respect, with the majority of commentators arguing that allegiance to neoliberalism on the economic front has presaged and even necessitated the enactment of neo-conservative principles in terms of penal policy and practice (see, e.g., Wacquant, 2009; Cavadino and Dignan, 2006; compare Farrall and Jennings, 2014). There is, however, some research to suggest that the adverse effect of neo-conservative culture on state punishment has been unrelated to economic neoliberalisation (see, e.g., De Koster *et al.*, 2008).

The primacy of economic forces over sitting parties' political orientation can also be deduced from the small but growing body of literature on the relationship between economic downturn and state punishment, although here the focus has increasingly been on the ameliorative effects the former may have on the latter, particularly as regards imprisonment in the US context over the last decade or so. It has thus been argued that a principal reason why a majority of US states have in recent years experienced an end to the long-term expansion of their use of imprisonment and a reduction in the size of their respective custodial populations is because the fiscal crises they underwent following nationwide economic recessions in 2001 and 2008 facilitated the ascent of politicians with a stronger commitment to budgetary retrenchment and enabled the mobilisation of cross-party support for decarceration on monetary grounds (Schrantz *et al.*, 2018; Aviram, 2015; Dagan and Teles, 2014; but see also Melossi, 2020, in press). The aforementioned study by Karstedt *et al.* (2019) lends at least partial support to this claim, inasmuch as it demonstrates that states with a higher outstanding debt were more likely to be set on a trajectory toward decarcerative reforms (see also Brown, 2013). One might, in fact, locate traces of a similar phenomenon having occurred more latterly in the UK, where the rate of imprisonment first stabilised and then began to fall during a period of budgetary austerity that itself followed the national recession of 2018 (see further House of Commons Justice Committee, 2019; also Box, 1987).

On the other hand, once the focus of attention shifts beyond conventional imprisonment to other forms of incarceration, or even when conventional imprisonment is subjected to closer scrutiny as such, whether in terms of disaggregated levels or with regard to the conditions under which prisoners are held, it is less clear that economic downturn in general and the imposition of budgetary constraints in particular necessarily work to reduce state punishment. In the US, for instance, the recent decline in prisoner numbers has coincided not just with budgetary retrenchment as a result of economic downturn, but also with the decentralisation and diffusion of punishment to local and private institutions of confinement, where oversight of conditions and support facilities are scant (Kang-Brown and Subramanian, 2017; Cate, 2016; Martin, 2016; Lynch and Verma, 2015). Also unreflected in the overall drop of the US prisoner population has been the counter-trend of rapidly rising numbers of confined children and their inhumane treatment, albeit chiefly under migrant detention (ACF, 2020; Peeler *et al.*, 2020; Nowak, 2019). Similarly, in England and Wales, prisoner numbers appear to have fallen whilst conditions of imprisonment have worsened (Ministry of Justice, 2020; Ismail, 2019; Tomczak, 2019). Although such findings do not cast doubt on the notion that the political orientation of incumbent parties is trumped by economic forces, they do imply that the relationship between political orientation, economic conditions and state punishment is best understood when the latter is conceptualised in a multi-dimensional manner.

In sum, the extant literature offers conflicting findings regarding the impact of either the political orientation of government or economic downturn on state punishment. In what follows, we seek to reflect on the effects that the emergence of a left-led government had on carceral policy and practice in the context of crisis-hit Greece. We begin by discussing the expected significance of the government in question, before going on to assess its actual impact on incarceration, first in relation to conventional imprisonment and then in relation to migrant detention.

### Greece's economic crisis and the ascent of Syriza-led government

Economic upheaval began in Greece with the 2008 downturn that affected many countries internationally. At least within the European Union, however, no other state experienced as deep or prolonged a crisis as Greece (see, e.g., Matsaganis, 2018). By the time that a Syriza-led coalition government was formed in January 2015, the Greek economy was getting closer and closer to collapse.

In an effort to manage the inordinate size of Greece's sovereign debt and overcome the country's consequent inability to access bond markets, previous governments had already received two bailout packages from the troika, the first in 2010 and the second in 2012. Each of those packages had come, on one hand, with a broad range of strict conditions such as austerity measures, the further deregulation of the labour market, the sale of valuable public assets, and in-depth public administration reforms; and, on the other hand, with heavy involvement on the part of creditors in domestic policy-making more generally and their close oversight of the implementation of the measures at issue (Ioannidis, 2014). Indeed, there is evidence to suggest that the troika's intervention was harsher in Greece – whether in terms of the content of the specific measures demanded, control over broader policy design dealing with social and economic matters, or supervision of pertinent implementation procedures – than in other countries of the European periphery (Clifton *et al.*, 2018). Towards the end of 2014, as the Greek economy tumbled further into recession and public anger intensified about the impact of austerity and foreign meddling in Greece's internal affairs, implementation of the second loan package stalled.

Snap elections were called soon thereafter, with Syriza campaigning as an anti-austerity party that would tear up the excoriating bailout agreements and take 'immediate measures to fight the humanitarian crisis', in reference to the exacerbated rates of unemployment, poverty, deprivation and ill health in Greek society at the time (Matsaganis, 2018). Although Syriza won the elections with 36.3 percent of the vote and was thereby catapulted firmly into a leading role in national Greek politics, it still fell two seats short of an outright majority. The party nevertheless managed to assume office thanks to a coalition it quickly formed with Independent Greeks (ANEL), a small far-rightist party with deeply reactionary views on a range of issues, not least on matters of law and order and immigration, yet one which shared Syriza's anti-austerity agenda and its open opposition to foreign intervention in domestic affairs. As has typically been the case with the few coalition governments to have emerged in Greece since the restoration of democracy in the country in 1974, the status of the senior partner allowed Syriza to retain a tight grip over nearly all government business. Indeed, only one cabinet portfolio (that of the Ministry of Defence) was allocated to the junior partner as payoff for its participation in government (see further Tsatsanis and Teperoglou, 2019).

The Syriza-led coalition government went on to reject the terms of the second loan package, to which the troika responded by shutting off the transfer of liquidity to Greek banks. Although a four-month period extending the loan agreement was subsequently agreed, its termination point was breached in June 2015, reportedly making Greece the first advanced economy to technically default on an IMF loan. The country was thrown into a liquidity crisis and found itself on the brink



of bankruptcy and exit from the Eurozone. Stringent bailout conditions proposed by the troika were then put to the people in a referendum held in early July. But whilst Syriza openly campaigned in favour of a 'No' vote and celebrated its resounding victory in public, the Syriza-led government proceeded to strike an agreement with the troika for a new, third financial package that was even more biting in its requirements than the one rejected in the referendum itself. The bill that formally enacted the third package was only passed with votes from opposition parties, as dozens of Syriza MPs chose not to toe the party line. In an effort to purge dissenters and secure a retrospective mandate for what was widely being described amongst the Left as a humiliating capitulation, the government called snap elections for September.

As the combination of inflowing centrist votes and an exceedingly high abstention rate helped to counterbalance the electoral repercussions of en masse defections from the party, Syriza once more won the majority at the ballot box, at 35.4 percent, yet not the number of seats required to govern on its own. Just as before, a coalition was immediately forged with the Independent Greeks as a weak partner, and Syriza was back at the helm of the country, its strategy being to implement the loan agreement whilst at the same time running a 'parallel programme' of welfare measures that would cushion the impact of austerity on the poorest segments of the population. Syriza stayed in power until July 2019, when it lost the next national election to the right-of-centre New Democracy party by a wide margin. At least in part, Syriza's defeat came as a result of growing ire amongst the public, and especially amongst leftist constituencies, regarding the introduction in May 2017 of further austerity measures in the context of what was effectively, but not in name, a fourth bailout package dictated by the troika.

### **Waiting for the Left: Why hope was 'on the way' with Syriza**

The ascent of Syriza into office raised the prospect of a new, less punitive and more humane direction in the Greek state's use of incarceration. This was due to a combination of three factors: first, the composition of the core of the party's membership as such; second, modes of activism in which prominent members of the party had long been regularly engaged; and third, the substance and tenor of the party's manifesto in the build-up to the election of early 2015.

From its very beginning in 2004, Syriza established itself as a political force deeply concerned with promoting grassroots reforms to criminal justice in general and the prison system in particular; a concern that gradually extended to issues relating to immigration detention as well. This was no surprise given that Syriza emerged from a coalition of leftist political parties and currents that counted amongst their members committed campaigners for human rights in carceral sites and beyond, but also, more generally, people with heightened sensitivities to issues of punishment, often as a result of direct or indirect experience of punitive treatment at the hands of authoritarian regimes in the past, be it in the form of imprisonment, exile or torture (or a combination of those).

In addition, whilst Syriza was still in the opposition, several eminent members of the party regularly mobilized themselves in seeking to help bring about progressive changes to carceral conditions or, indeed, a shift towards decarceration: from visiting carceral sites to inspect them first-hand, to taking to the streets to participate in protests against known gross violations of the rights of

incarcerated populations, to using mainstream and other media platforms to sensitise the broader public and force sitting parties to consider taking liberalising measures. In this broader context, Syriza also openly campaigned in favour of high-profile prisoners with known political leanings towards the Left. To take the most well-known example, in late 2013, the party issued a public statement in support of Savvas Xiros, a nearly blind and almost deaf amputee serving multiple life sentences for offences related to his involvement in the Revolutionary Organisation November 17, who was at the time applying for suspension of his imprisonment on grounds of ill health (see further Cheliotis, 2012; Xenakis and Cheliotis, 2016).

Such actions were typically met with sustained criticism from parties in the centre and, even more so, on the right end of the political spectrum purportedly for indicating softness on crime and a sympathising stance towards terrorism. Syriza nevertheless proceeded to lend carceral moderation, and at least in part also abolition, high visibility in its campaign for the election held in January 2015. Propagated under slogans such as 'Hope is on the Way' and 'First Time Left', Syriza's manifesto comprised a long series of promises bound together by a concern for redressing what it described as widespread injustice and restoring dignity, especially for the most disadvantaged. Promises were clustered around three policy domains: the first, as suggested earlier, was economy and society, starting with debt restructuring, which would in turn facilitate an end to austerity and help enhance welfare provision for the poorest families; the second was public administration, with a particular focus on tackling corruption and unnecessary red tape; and the third was human rights, ranging from the legalisation of same-sex marriage and the introduction of laws to protect minorities from hate speech and criminal victimisation, to an array of reforms relating, whether directly or indirectly, to incarceration. The latter spanned reducing the prison population, abolishing the maximum-security prisons programme that the previous government had introduced towards the end of its tenure, providing second-generation migrants with citizenship, expediting the asylum application process, putting an end to systematic and arbitrary detention of undocumented migrants, and replacing closed administrative detention centres with open facilities (see further Douzinas, 2017; Tsakatika, 2016).

Optimism was further fuelled in the immediate aftermath of the election and the formulation of a coalition government headed by Syriza, at which point several ministerial positions were filled by people with personal or family histories of political resistance and subjection to punishment under the Colonels' dictatorship. Moreover, the Ministry of Justice (and with it the responsibility for prison policy) was allocated to Nikos Paraskevopoulos, a criminal law professor with a long-term interest in prisoners' rights, whilst the post of Alternate Minister for Migration Policy (which included responsibility for immigration detention matters) was given to Tasia Christodouloupoulou, a respected lawyer and human rights activist.

### **Before the Left: Imprisonment before Syriza in power**

By the time that Syriza was on the verge assuming office as the senior partner in a coalition government in January 2015, the use of imprisonment in Greece had undergone a long-term rise. The caseload of convicted and remand prisoners had increased by 120.5 percent over the last three decades, from 9,114 (or 92 per 100,000 inhabitants) in 1985 to 20,099 (or 184 per 100,000

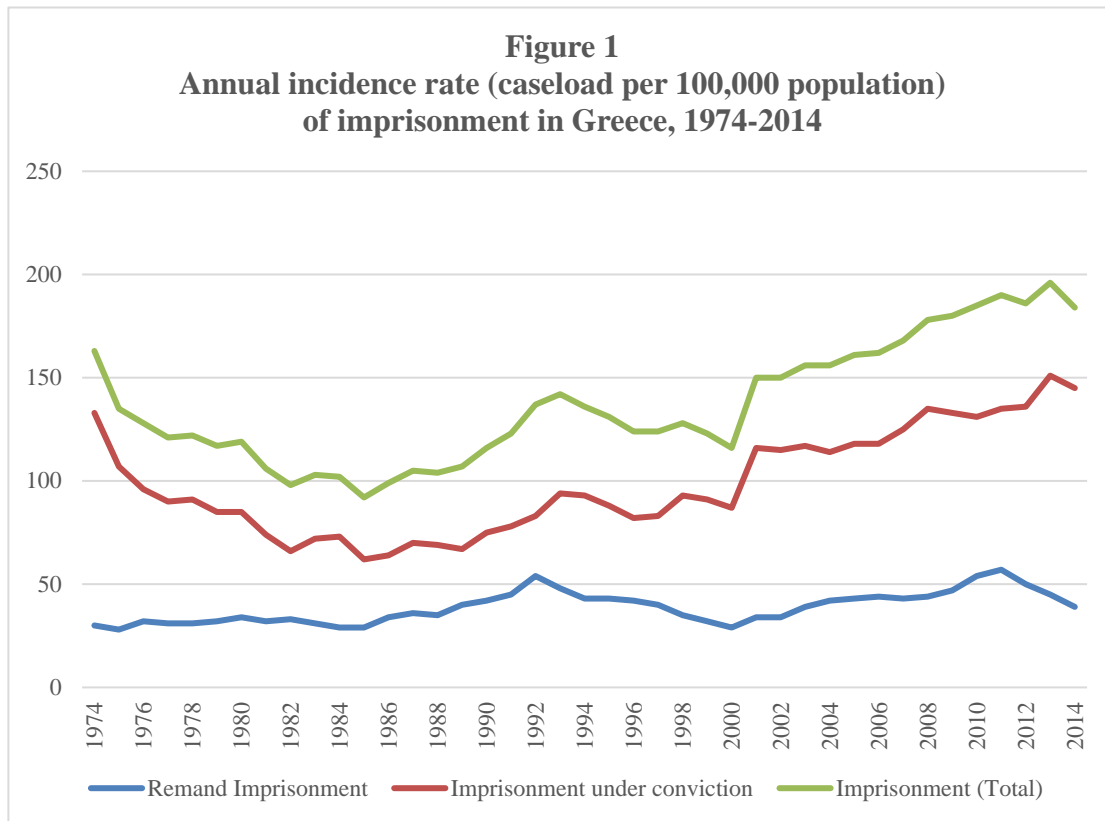
inhabitants) in 2014, rising especially sharply from 2000 onwards.<sup>2</sup> The overall growth of the prisoner caseload had been reflective of a rise in the caseload specifically of convicted prisoners, and particularly of those amongst them serving longer sentences (see Figure 1). Equally importantly, however, it was foreigners who had borne the brunt in this regard. From 1996, when relevant data were first made available, to 2014, the caseload of non-Greek convicts rose by a spectacular 288.3 per cent, from 2,253 to 8,750, with the proportion of non-Greeks in the country's caseload of convicted prisoners coming to exceed that of Greeks themselves, rising from 25.3 to 55 percent. Leaving aside immigration-related convictions, the above trends are to be explained by reference to reforms that elevated sentence severity and restricted parole eligibility, combined with intensified police activity and punitive decision-making on the part of judges, particularly against non-Greeks (see further Cheliotis, 2011; Xenakis and Cheliotis, 2013; Cheliotis and Xenakis, 2010, 2016).<sup>3</sup>

Prisoner numbers kept on growing at such pace over the years that serious prison overcrowding was effectively inevitable. Partly as a consequence of overcrowding, and partly due to a continuing lack of state provision, conditions of imprisonment grew increasingly deplorable, ranging from insufficient floor space, limited sanitation and lack of ventilation and hot water, to unsuitable room temperature, poor hygiene and minimal healthcare provision (see further Cheliotis, 2011, 2012). Both the problems bedeviling conditions in Greek prisons in themselves and the Greek state's persistent failure to improve them became subject to a long series of damning reports by the Committee for the Prevention of Torture, Inhuman or Degrading Treatment or Punishment (CPT) and a host of national and international NGOs and media organisations. Prisoner unrest and even riots meanwhile assumed ever-increasing frequency, and there was a steady upsurge from the 2000s onwards not just in the volume of applications lodged with the European Court of Human Rights (ECtHR) by prisoners claiming they had suffered inhuman or degrading treatment in Greek prisons, but also in the number of convictions and fines the ECtHR meted out to Greece in this regard (see further Xenakis and Cheliotis, 2018; Cheliotis, 2012).

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<sup>2</sup> The term 'caseload' refers to the total number of cases of individuals held in custody during a given year (see further Cheliotis, 2011). The article's discussion of trends in the prisoner caseload and prison admissions is based on the authors' re-analysis of data compiled and published by the National Statistical Service of Greece (NSSG) on its freely accessible website ([www.statistics.gr](http://www.statistics.gr)). For further information on the Greek prison system during the period under consideration, see Cheliotis (2011, 2012) and Cheliotis and Xenakis (2016).

<sup>3</sup> On judicial culture and its conservative dimensions in Greece, see further Vagena-Palaiologou (2006).



Source of primary data: National Statistical Service of Greece (NSSG), Statistical Yearbook and Juice Statistics. The data were compiled and analysed by the authors.

Such pressures, however, did little to help reverse course in the country's prison policy and practice. Successive Greek governments typically responded to criticism with a combination of denial and defiance (Xenakis and Cheliotis, 2018; Cheliotis, 2012), in a context where the country continued to develop one of the poorest records in implementing ECtHR judgments (Anagnostou and Mungiu-Pippidi, 2014). When the Syriza-led coalition was installed in government in early 2015, the Greek prison system was close to 'breaking point', as the CPT concluded in a report it produced based on inspection of several Greek prisons at the time. Indeed, the Committee noted that '[t]he situation has now deteriorated to the point where over and above the serious ill-treatment concerns under Article 3 of the European Convention on Human Rights [which prohibits inhuman or degrading treatment or punishment], there are very real right-to-life issues under Article 2, inasmuch as vulnerable prisoners are not being cared for and, in some cases, are being allowed to die' (CPT, 2016: 2).

The only front on which some substantive remedial effort had occasionally been undertaken by past governments concerned specifically prison overcrowding. Often introduced in spasmodic response to prisoner rioting, initiatives in this regard nevertheless tended to be temporary in nature and purely managerial in orientation, insofar as they were solely meant to deal with a particular practical problem at hand. In terms of content, they mainly consisted in legislative interventions intended at least temporarily to reduce prisoner numbers, either by restricting 'front-door' entries into the prison system or promoting 'back-door' releases from it. That prison overcrowding remained severe anyway

was because of self-defeating provisions usually comprised within such legislation itself (e.g., overly restrictive definitions of parole eligibility) and, even more so, due to conservative resistance on the part of the judiciary. That is to say, judges typically reacted to decarcerative blips in government policy by increasing their recourse to long-term custodial sentences, continuing to order pre-trial detention at excessive rates, and persisting in making limited use of options of early release (see further Cheliotis, 2010, 2011; Xenakis and Cheliotis, 2018).

Such an effort to reduce prison overcrowding was actually under way in the build-up to the national elections of January 2015 that brought Syriza to power, as legislative amendments had been passed since 2012 under the coalition government led by right-of-centre New Democracy to facilitate release on parole for various categories of prisoners. Indeed, by 2014, these amendments appeared to have borne fruit in terms of lowering prisoner numbers, although prison overcrowding was still very high. One-day snapshots published by the Greek Ministry of Justice, for example, show the total prisoner population to have fallen by 7 percent that year. Although the measures in question were not reflective of a broader shift in policy, and they were, in fact, taken amidst a plethora of punitive other initiatives –not least the bill passed in July 2014 to establish maximum-security prisons and block access to release on temporary licence for offenders convicted of serious crimes and violations of anti-terrorism laws–, the reduction they seemed to have helped bring to the prisoner population was a welcome development for a party that was soon to enter office and seek to promote a broader and progressive reform agenda relating to prison matters.

### **With the Left at the helm: Prison reform under Syriza**

One of the first major pieces of legislation that the Syriza-led government brought to parliament was a bill whose central aims were, first, to abolish maximum-security prisons as such; second, to promote drug rehabilitation treatment for prisoners in need, for example by facilitating their voluntary participation in relevant schemes; and third, to reduce the use of custodial punishment and relieve prison overcrowding through an array of measures such as limiting the range of imprisonable offences for young people, setting limits to the prolonged detention of foreigners facing deportation after expiry of the custody term set by courts, and relaxing the eligibility criteria for parole, including for elderly and disabled prisoners. Although the bill in question was not exhaustive of the scope of prison reform that Syriza had been planning to effectuate, its passage and successful implementation were deemed vital to progressing with a series of further measures in due course so as eventually to accomplish a major overhaul of the country's prison system as a whole.

Not unexpectedly, a bitter conflict immediately ensued both in parliament and the mass media. Syriza stood alone amongst elected parties, justifying the proposed bill by invoking humanitarian principles and pointing to the monetary and symbolic implications that pertinent ECtHR rulings carried for the country. The other parliamentary forces –including Syriza's junior coalition partner– expressed a variety of disagreements, some of which were also echoed by powerful judicial circles such as the Greek Union of Prosecutors. The most controversial aspects of the bill proved to be the scrapping of maximum-security establishments and the provision that facilitated access to early release on health grounds. The former, critics argued, indicated undue leniency towards hardened



criminals and terrorists, whereas the latter would specifically allow Savvas Xiros, a prominent member of Greece's long-standing urban guerrilla group November 17, to be freed under house arrest.

With memories still very much alive of American targets having been attacked by November 17, the US government also weighed in to push against the passage of the bill. To start with, US Secretary of State, John Kerry, conveyed his country's concerns in a phone-call directly with Greek Prime Minister Alexis Tsipras, as did the US Ambassador to Athens, David Pearce, in the communication he had with the Greek Minister of Justice. Realising that private diplomatic efforts of this kind were to no avail, however, the Americans began to increase their pressure on the Greek side and to do so in the public eye. Most notably, in the morning of the very day that the bill was tabled in parliament for a final vote, Ambassador Pearce held a widely covered press conference about the matter, during which he condemned the early release provisions of the bill in general and urged the Greek government to shut down any prospect of Xiros being paroled in particular. 'If Savvas Xiros – or anyone else with the blood of American diplomats and US Mission members on their hands– leaves prison, it will be seen as a profoundly unfriendly act. [...] We believe this legislation is inconsistent with [our] partnership [with Greece]', he characteristically said (Ovenden, 2015: 144; see also *The Guardian*, 20 April 2015).

There was little doubt Pearce's intervention comprised a lightly disguised threat that the Greek government would be denied the support it had been hoping to obtain from the Americans in what had meanwhile become drawn-out negotiations with European creditors to save its debt-stricken economy from collapse. All this pressure notwithstanding, and with the junior coalition partner's support secured, the bill did pass as proposed.<sup>4</sup> The saga was far from over, however. In light of the discontent already openly expressed by the US, the leading opposition party and the phalanx of media outlets that were friendly to it doubled down on their criticism against the Greek government's prison reform plans, now claiming that the senior coalition partner's alleged affinity for criminals and terrorists was not just putting public security at risk, but also, more broadly, jeopardised the country's geopolitical interests and economic prospects (see, e.g., *Kathimerini*, 21 April 2015). Further fodder was provided for such views by the Americans themselves, who instantly responded to the passage of the bill with fresh public expressions of dismay and concern.

When, against this background, the issue was brought up in a televised interview with the Greek Prime Minister, the latter sought to reassure the public that 'the difference in views about the Xiros case has not harmed Greece's relations with the US, nor the alignment of the two countries on the issue of the negotiations about the economy'. Concrete support from Washington was not forthcoming, however, whilst criticism against the prison reform bill continued unabated until the very end of the Syriza-led government's tenure in office, initially with regard to Xiros' impending discharge (which he ended up rejecting himself on ideological grounds relating to the supervisory conditions he would have had to satisfy) and then with reference to what was described, typically in

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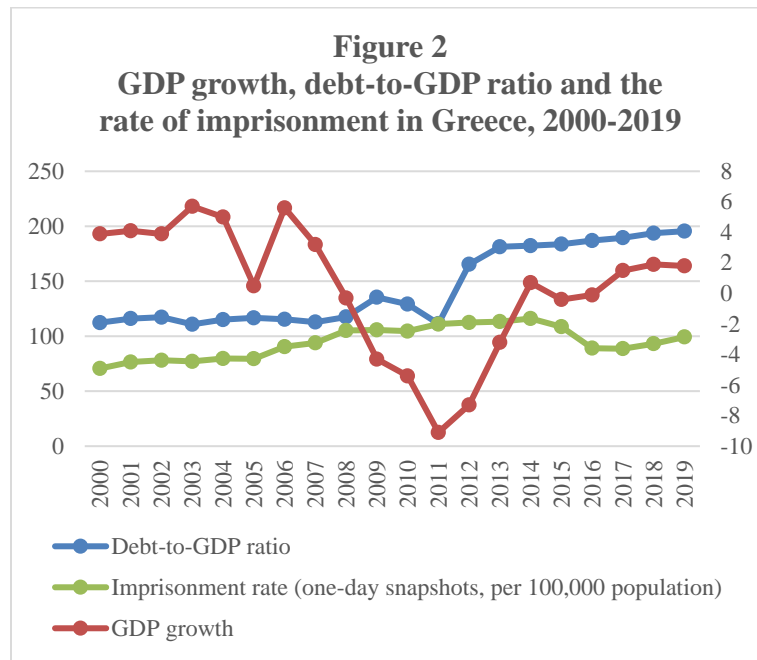
<sup>4</sup> The bill was passed in April 2019. Formally speaking, it was temporary and was successfully renewed several times during the Syriza-led coalition government's stay in office.

dramatic terms, as a rise in common crime stemming from the expanded use of parole for hardcore criminals.

Initial appearances to the contrary, however, it is questionable whether the bill delivered much by way of its intended decarcerative effects. The caseload of convicted prisoners released on parole increased by 13.6 percent between 2014 and 2015, from 4,510 to 5,123. Indeed, both the absolute number of convicted prisoners who were released on parole in 2015, and the proportion they constituted in the total caseload of convicted prisoners that year (at 34.6 percent), were the highest to have been recorded in Greece during the long period since the fall of the junta in 1974. Between 2014 and 2015, there was also a 6.9 percent drop in the volume of admissions to prison under conviction, from 6,481 to 6,036, which accounts for the decline this period saw both in the total of prison admissions as such (by 3.7 percent) and, to a significant degree, in the total caseload of prisoners (by 6.1 percent).

At the time of writing, available caseload data only stretched up to 2015. One-day snapshot measurements nevertheless allow for a fuller appreciation –and, in fact, paint a more complicated picture– of the impact that the prison reform bill had on the use of imprisonment in the country. On one hand, such data indicate that Greece’s total prisoner population underwent an extraordinary 15.6 percent reduction within a mere three months immediately after the bill was passed (from 11,447 on 1 May 2015 to 9,660 on 1 August 2015), with the most notable drops recorded amongst male and foreign prisoners. The reduction achieved within those months largely account for the 18.5 percent drop in the prisoner population for the year 2015 as a whole; itself the largest annual contraction in the country’s prisoner population to have been recorded (with reference to one-day snapshots) since the restoration of democracy in 1974.

This development was not only in line with the pledges Syriza had repeatedly made on the campaign trail with regard to penal policy as such. It also reflected the party’s desire to demonstrate in practice its broader commitment to forging a radical rupture from the politics and policies of past governments. This was especially so under conditions in which, as Figure 2 illustrates, the economic and fiscal crisis facing Greece was deepening, with the rate of national GDP growth slipping back to negative and the country’s ability to service the enormous debt it had acquired continuing to worsen.



Sources of data: World Bank (GDP growth); OECD (Debt-to-GDP ratio); Greek Ministry of Justice (One-day snapshots of the prisoner population).

Notes: For presentational purposes, the GDP growth series has been plotted on a secondary axis. Rates of imprisonment per 100,000 population were calculated by the authors.

On the other hand, at no point since the passage of the bill did prisoner numbers cease being high as such; throughout this period, for example, they were comparable to the numbers previously experienced when imprisonment was soaring in the mid- to late 2000s (see Figure 2). Moreover, the fall in prisoner numbers was anything but persistent or comprehensive. Overall, between 1 January 2015 (a few months before the bill was passed) and 1 January 2019 (a few months before the Syriza-led government stepped down), the total prisoner population declined by 9.7 percent (from 11,798 to 10,654). This was a result of a 21.3 percent reduction specifically in the number of convicted prisoners, which overshadowed the 34.2 increase in the number of pre-trial detainees. But the prisoner population had already stabilised by 2016, before returning to an upward course thereafter (see Figure 2). Similarly, the number of convicted prisoners had effectively plateaued by 2017, and resumed an upward trajectory in 2018, paralleling, from that point onwards, the rise in the number of pre-trial detainees that had been continuing all along.

What is more, although the number of convicted prisoners underwent an overall decline as such, the share of prisoners serving long terms actually increased significantly. At the beginning of 2015, for instance, the proportion of prisoners on sentences of five years and above was 78.6 percent of the total convicted prisoner population; at the beginning of 2019, it was up at 88.9 percent. In effect, then, the Syriza-led coalition government's prison reform bill was undermined by judicial practice both in the sense that judges continued ordering pre-trial detention at excessive rates and also in that they expanded their imposition of long-term custodial sentences.

Stubbornly high prisoner numbers, in combination with the fact that the rise in the operational capacity of the prison system was only negligible during the years under consideration, meant that prison overcrowding was bound to stay severe; indeed, at one of the highest levels by European comparison (Aebi and Tiago, 2018). But overcrowding was far from the only enduring problem in Greek prisons whilst the Syriza-led coalition was in power. Despite some positive developments in particular establishments, most notably the institution of a dedicated drug rehabilitation unit in the prison of Diavata in Northern Greece and the strengthening of cognate services in a select number of prisons elsewhere in the country, the overall situation did not cease being dire.

Accounts produced by the Greek Ombudsman, segments of the mass media and prisoner rights groups point to an array of persisting deficiencies, such as grossly insufficient healthcare, poor hygiene, inadequate food provision, and limited heating (see, e.g., Greek Ombudsman, 2019; *Efimerida ton Syntakton*, 18 September 2016; *To Pontiki*, 9 October 2016). Prisoner protests resumed after a brief initial grace period and the country kept on attracting convictions at the ECtHR for violations of Article 3 of the ECHR (see, e.g., Greek Ombudsman, 2019: 36). The preliminary findings reached by the United Nations Working Group on Arbitrary Detention (n.d.) based on its inspection of Greek prisons in December 2019 suggest that little progress was achieved before the coalition left office just a few months earlier. Prison conditions in Greece, the Working Group concluded, did 'not generally meet international standards, particularly the Mandela Rules.'

It is impossible to understand why the Syriza-led government failed to make sufficient headway towards improving prison conditions without considering that it found itself severely restricted under the troika's tutelage both as to the overall size and specific distribution of public funding it could utilise for prisons. To illustrate the point, it is necessary first to state some basic facts about the levels and patterns of prison funding as such. Before anything else, whilst the Syriza-led coalition was in power, yearly trends in budget allocation to the operation of prisons and in actual payments made by the Greek state in this regard largely mirrored the trajectory of the prisoner population itself. To this extent, there was no substantial shift in prison budgets and payments during the period at issue, which obviously posed serious limitations to the scope and depth of reforms that could be applied to prison conditions.

What further jeopardised such reforms was the fact that the budgets allocated and the payments executed by the Greek state specifically for the provision of basic necessities and capital goods for prisoners (e.g., medicines, hygienic products, heating, food, and workshop equipment) were kept meagre, at levels ranking amongst the lowest by European comparison (see further Aebi and Tiago, 2018; Aebi *et al.*, 2017). Indeed, whilst the budget for prisoner-related costs underwent a slight overall rise, relevant payments actually declined year on year, which, in its turn, meant that budget underspending widened on this front under Syriza-led government. The drop in payments and the increase in underspending were especially conspicuous in 2018, when only 64.3 percent of the total budget earmarked for prisoner-related expenses was actually spent, down from 85.2 percent in 2015 and 85.3 percent in 2011.<sup>5</sup>

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<sup>5</sup> The trends and figures reported in this article in relation to prison budgets and payments are based on calculations made by the authors based on the most up-to-date data provided by the Greek Ministry of Finance at the time of writing.

What lay behind not just the sluggish trends in terms of budgets, but also behind the decline in prisoner-related payments and the attendant spike in underspending were the economic controls and related pressures the troika had been placing on Greece in its capacity as the country's bailout lender. On one hand, under the harsh terms of the loan agreement reached in the summer of 2015, the troika not only afforded the Syriza-led government no leeway over budget formulation, it was also able to quash the government's pronounced plans to increase public funding for a broad range of badly needed welfare-oriented measures. Although the troika did include reforms to the justice system amongst the public management demands it made of Greece, the reforms in question were focused not on criminal justice, let alone prisons, but rather on modernising administrative and tax court procedures in order to support economic activity.

On the other hand, the Syriza-led government was essentially pushed into a catch-22 situation, whereby intensification of ministerial budget underspending on a broad array of public investment fronts was the only readily available option it had for making a plausible appeal to the troika for a desperately needed break from additional austerity and at least some longed-for debt relief. Albeit also linked to chronic bureaucratic inefficiencies, budget underspending on public investment was a key way in which Greece had previously managed to meet the stringent targets imposed by the troika in terms of annual primary budget surpluses, itself a crucial prerequisite for the sustained inflow of tranches of vital bailout funds (European Commission, 2019a, 2019b).

In 2018, however, as the devastating effects of continuing austerity accumulated and spread across Greek society, but also with the next national election now approaching, the Syriza-led government doubled down on its under-execution of public expenditure in order to overshoot what by that point was the highest troika-mandated fiscal target of its tenure in office; that is, a primary budget surplus of 3.5 percent of GDP (European Commission, 2019a: 21). Indeed, no other Greek government in the bailout era had underused public investment budgets as much as the Syriza-led coalition did that year (see, e.g., European Commission, 2019b: 20). The rationale underlying this seemingly absurd move was that over-achieving so high a fiscal target would help persuade the troika that further austerity measures were no longer necessary (most notably in the form of scheduled pension cuts) and that debt relief was at last feasible in the Greek case. To this extent, persisting problems in prison conditions were yet another collateral damage in the Syriza-led government's ongoing struggle effectively against its international creditor for a stable and sustainable domestic economy, as well as for a halt to further degradation in the living conditions of the average Greek person.

All in all, then, the prison reform aspirations of the Syriza-led coalition government – or, to be more precise, of Syriza as the senior partner of the coalition – were mostly crushed between the Scylla of judicial obstinacy and the Charybdis of external economic intervention. Throughout its stay in office, Syriza kept on trying to push through its reform agenda, albeit, of necessity, mainly by way of sporadic and small-scale measures that fell beyond the grip of either the judiciary or the troika (e.g., repurposing existing resources to strengthen drug rehabilitation programming in some prisons). Although the party and, by extension, the government in practice continued treating the troika as an invincible force, they did eventually seek to fight back against, and enforce limits to, the obstructive discretionary powers of judges by passing an amendment to the country's Penal Code that reduced maximum sentence lengths. But this move, carried out as late as 2019, turned out to be no more



than a parting shot; it was, in fact, the last major legislative action taken by the Syriza-led coalition on any policy front before the elections that brought it down in July that year. No sooner did right-of-centre New Democracy return to power than it began undoing key legislative and other measures through which its predecessor had endeavoured to change the Greek prison system for the better.

### **Migrant detention and human rights before Syriza**

In the 1980s, Greece transformed from a country of emigration to a country of immigration, albeit predominantly as one of the main gateways to the EU for irregular migrants. Over the following three decades, the country proceeded to take an obstructive position on regularisation and, more generally, to resist the establishment of administrative capabilities that would ensure the management of irregular migration in an efficient and effective fashion. When the financial crisis broke in the late 2000s, the rate of asylum applications to Greece was the highest in Europe, whilst the country maintained one of the lowest rates of refugee recognition on the continent and one of the highest rates of pending asylum cases worldwide (Cheliotis, 2013, 2017).

Meanwhile, although there is no clarity as to the precise numbers of irregular migrants held in administrative detention at the time, conditions of migrant detention had given rise to increasing alarm amongst national and international human rights bodies. Human Rights Watch and CPT reports, for example, repeatedly told of overcrowding, extremely poor sanitation, little to no access to medical services, and physical ill-treatment on a frequent basis, distress about all of which sometimes led to protests that were met with violent police reaction (Kalpouzou and Mann, 2015; Cheliotis 2013; Nowak, 2011). As such conditions persisted, the number of convictions Greece received by the ECtHR for relevant violations of Article 3 of the ECHR increased. Indeed, in January 2011, the ECtHR ruled that detention practices in Greece were such that the Dublin II agreement should be suspended so that other EU member-states cease transferring migrants that had entered the EU via Greece back to the country (Koutsouraki, 2017; Nowak, 2011).

The election of a right-of-centre New Democracy government in June 2012 marked the start of an increased use of detention to address irregular migration in the country. Against a background of intensifying xenophobia and deep financial crisis, the Greek government introduced the 2012 Action Plan on Asylum and Migration Management, a revised version of which was put to the European Commission in January 2013. The plan promised a modernised asylum system with improved protections for vulnerable migrants, and an increase in detention capacity of 4,500 places – a three-fold expansion of space – through the launch of new dedicated immigration detention facilities (many termed ‘pre-removal detention centres’), as well as reception and identification centres (‘RIC’), the latter mostly operating as so-called ‘hotspots’ on Aegean islands. Under the new plan, migrants were systematically to be placed in detention as a direct consequence of their irregular status, and the system rolled out shortly after the launch of a police operation of unprecedented magnitude to capture and detain irregular migrants around the country. Degrading conditions inside detention sites remained, however, so much so that mass detainee protests became commonplace (Koutsouraki, 2017; Mavrikos-Adamou, 2017; Cheliotis 2013).

Syriza entered government at a juncture when irregular migration was swelling, and was shortly to reach unprecedented proportions. Already, following a hardening of controls at the country’s land

border with Turkey under the previous government in 2013, record numbers of irregular migrants had arrived via Greece's sea border with Turkey in 2014.

### **Migrant detention under Syriza**

On entering office, Syriza transformed state discourse around irregular migrants by pushing for consistent referencing of their human rights, centred around the notion that 'no migrant is illegal' (Skleparis, 2017; Nestoras, 2016). On the policy front, in February 2015, just three short weeks after beginning its tenure, the government introduced a range of measures designed to reduce the use of immigration detention and relieve conditions within detention sites. A prior ministerial decision allowing for detention beyond 18 months was revoked, and those held pursuant to that decision were immediately released, along with detainees judged to belong to vulnerable groups. Additionally, the maximum period of detention was limited to 6 months (Koutsouraki, 2017).

These measures did reduce the numbers of those detained, which, in its turn, helped tackle the problem of overcrowding in a large number of detention sites around the country. A CPT inspection in April 2015, for example, found that the four operational centres were holding 988 persons for a capacity of 5,033, whilst another 2,000 irregular migrants were being held in police stations and special holding facilities for a capacity of approximately 5,500. As the same CPT mission discovered, however, the inadequacies of the Greek migration management infrastructure continued unabated. There still were unhygienic conditions and an ongoing dearth of medical services in the detention sites themselves, whilst newly released, destitute migrants were resorting to camping out in the public spaces of cities across Greece in their hundreds (CPT, 2016). In the meantime, the government's plan to construct open migrant 'holding centres' was blocked by the strict curtailment of public funds as asserted under the loan agreement with the troika.

In March 2015, several high-ranking members of the government made highly publicised comments indicating that Greece might further loosen its migration procedures to allow more migrants to travel on to Western Europe, thus posing a major challenge to the EU's Schengen and Dublin Agreements. Between April and June that year, FRONTEX went on to report record numbers of largely unregistered migrants and refugees transiting through the Western Balkans (an increase of 663 percent compared to the same period in 2014) who had entered the EU via Greece (Nestoras, 2016). In the summer months of 2015, states along the Western Balkan route began to close their borders and erect fences in response, leaving thousands of unregistered migrants trapped at the Greek frontier with FYROM. In May 2015, the EU responded with an Agenda for Migration, under which practical emergency assistance was proposed to support the administration of irregular migration management in Greece and Italy, with a €60 million allocation to boost reception capacity and healthcare across the two countries. In July, the EU agreed to accept a small increase in the number of refugees that would be resettled across 27 member-states. But by the end of the month, 124,000 irregular migrants had arrived in Greece by sea alone, a 750 percent increase on the same period in 2014. Between 2015 and early 2016, Greece received an unprecedented influx of more than 1 million irregular migrants (UNHCR, 2016). The abysmal living conditions of new arrivals led the UNHCR to classify the situation as a humanitarian emergency, in the face of which reception capacity, infrastructure, services and registration procedures in Greece clearly fell far short of needs (Cabot,

2018; Nestoras, 2016; UNHCR, 2015).

The Greek government's apparent hopes that its migration pressures might soften the EU's stance over the punitive conditions of the troika loan agreement came to nought. Instead, the EU put forward a proposal for a FRONTEX intervention to address the border crisis, and went on to negotiate a controversial deal with Turkey, concluded in March 2016, according to which the Turkish side would be provided with financial aid to accept back from Greece and retain migrants not passing the threshold for refugee status. These were then forced upon the Syriza-led government through the threat of Greece's expulsion from the Schengen regime, which would have been a blow to the country's tourism-reliant economy (as overseas visitors would have been required to obtain a visa to enter Greece). EU's agreement with Turkey was formally accepted by Greece in the form of Law 4375/2016, which transformed 'hotspot' reception sites into de facto closed reception facilities, laying the framework for the continuous detention of irregular migrants during the mass, expedited processing of their claims and pending their expulsion. According to Article 14 of the law, new arrivals would be subject to a restriction on freedom of movement within the premises of the Centres during the reception and identification procedure. Whilst the provision did not refer to detention specifically, evidence from the conditions in facilities such as those in Evros and on the Greek islands demonstrated that those staying in Reception and Identification Centres became deprived of their liberty in practice, in contravention of both EU and international human rights provisions in relation to asylum (Papadopoulou *et al.*, 2016).

The three largest hotspots –on the islands of Lesbos, Chios and Samos– rapidly became overcrowded and conditions deteriorated dramatically, with insufficient shelter and food, poor sanitation and inadequate access to medical services. The government was subjected to international criticism in the winter of 2016-17 for its failure to use tens of millions of Euros of dedicated EU funding to properly prepare the camps on the islands for the impending harsh weather, or to evacuate all migrants to more appropriate conditions, leaving around half of the camp populations to cope in freezing conditions. The European Commissioner for Migration also pointed to the fact that no other country in the continent had as much access to EU Home Affairs funding as Greece did by that juncture (see further *DW*, 2017; *The Guardian*, 2016, 2017). The implication that the EU was simply providing funds mismanaged by others was itself criticised, however. The Medecins Sans Frontiers Head of Mission in Greece characterised the pronouncements from the Commission as scandalous, given that the camp at Moria was built with European money, two European agencies were operating in the centre (FRONTEX and EASO), and the overcrowding of the camps was a direct consequence of the EU's determination that migrants arriving on the islands not be allowed to travel to the Greek mainland (*DW*, 2017; see also Kalpouzou and Mann, 2015). As if underscoring this very point, just a few months later, in March 2017, EU member-states resumed returns of migrants to Greece under the Dublin II agreement.

By April 2018, there had been scant improvement in the treatment of detained irregular migrants and their living conditions. A visit by the CPT found that foreign nationals deprived of their liberty by the police under aliens' legislation continued to be at risk of ill-treatment, particularly in the Evros region and on the Aegean islands. Fundamental legal safeguards against ill-treatment (e.g., access to a lawyer) were rarely applied in practice and were generally ineffective. There was an almost total lack

of interpretation services in all the establishments visited, and a chronic shortage of healthcare staff, medication and medical equipment. The CPT also criticised the inappropriately carceral design of the migration sites, which included 'omnipresent' rolls of razor blade wire and high wire-mesh fences. Overcrowding and unsanitary conditions in some sites of detention were decried as 'appalling' and 'grossly sub-standard'. For the CPT, conditions amounted to inhuman and degrading treatment, especially unsuitable for unaccompanied children, single and pregnant women, and families (CPT, 2019a).

Conditions of detention for irregular migrants steadily worsened over the course of 2019, up to and following the July elections which saw the exit of the Syriza-led government and the entry to office of New Democracy (CPT, 2019b). Although policies and practices of immigrant detention were in some key human rights respects to worsen further from that point onwards (see, e.g., Commissioner for Human Rights, 2019), it is evident that by the end of the Syriza-led government's tenure in office, its human rights agenda for migrant detention had dramatically failed to be realised.

## Conclusion

Our review of the relationship between the ideological orientation of government, economic downturn, and incarceration in Greece has revealed a complex picture.

To start with ideological orientation, although Syriza's entry into office as the senior partner of a coalition in January 2015 marked a leftward shift in government following decades of centrist rule, the ways in which incarceration evolved in the country over the next four-and-a-half years were more often than not continuous with the excessively harsh trends of the preceding era. Turning to economic conditions, we similarly find that although a tipping point in economic downturn and related societal hardship allowed the rise to power of a leftist anti-austerity party that was openly promising to foreground human rights and promote progressive change in matters of incarceration as well, economic pressures triggered arrangements that acted retrogressively to restrict the government's scope to enact its agenda on the carceral front, as most starkly illustrated by the impact of severe externally imposed restraints on public expenditure.

To this extent, our analysis challenges pertinent international literature in certain respects whilst supporting it in others. In particular, although our findings problematise the view that harsh and worsening socio-economic conditions facilitate the ascent of political parties with a stronger commitment to public spending retrenchment or that they enable the mobilisation of cross-party support in this direction, it is confirmed that the political orientation of sitting parties cannot be relied upon to predict the evolution of carceral policies and practices, and that the role government political orientation plays in this regard may be overridden by economic pressures. Equally, however, the case of Greece is one where fiscal constraints did not bring about a sustained reduction in the use of incarceration, although they did contribute to the further deterioration of carceral conditions.

Our analysis nevertheless also suggests a qualification to the emerging notion that economic decline outweighs the political orientation of incumbent governments to generate adverse carceral effects. If, rather than considering the reality and fiscal repercussions of Greece's economic decline

solely at their most acute –that is, when Syriza was in office–, one examines more broadly the years since the country went into recession, was plunged into a debt crisis, and soon thereafter started receiving fiscally restrictive bailout loans from the troika, then the carceral continuities one can observe between Syriza’s coalition government and its centrist predecessors during this period appear to further corroborate that economic downturn trumps political orientation as a determinant factor of carceral policies and practices. On successive occasions before Syriza rose to power, for example, prison budgets had already been slashed and prisoner-focused expenditure dwarfed under the troika’s tutelage (GSAP, 2017).

If, however, one takes a longer-term perspective, then one discovers that the continuities at least in levels and patterns of imprisonment (e.g., swelling prison populations and rising human rights violations inside prisons) stretch back to an economically stable period when centrist parties alternated in office. What this implies is that any pernicious influence subsequently exerted on incarceration by economic downturn and its fiscal repercussions was not axiomatically incongruent with the political orientation of the governments that ruled the country before Syriza’s coalition, nor, at any rate, did it necessarily clash with the overall plan they had meant to pursue on the fronts of imprisonment and immigration detention. Well before troika’s intervention begun, for example, per-prisoner expenditure was already systematically kept at deeply inadequate levels, thereby effectively perpetuating terrible prison conditions. One could argue, therefore, that government political orientation may actually be causally superior to economic downturn so long as there is equivalence between the two in terms of the carceral impact they would have independently of one another. Absent such equivalence, of course, economic downturn is indisputably more important in determining carceral outcomes.

Even so –and here we agree with Karstedt *et al.* (2019)–, it would be a manifest error to assume that economic downturn interacts with government political orientation alone. Further powerful forces may be at play, either constraining or, indeed, exacerbating the effects of economic downturn on carceral policy and practice. In the case of the Syriza-led government, we find that were additional regressive factors that combined with economic conditions to further restrict the Syriza-led government’s ability to realise its aspirations for reforms either to conventional imprisonment or to migrant detention. But whilst such factors manifested themselves on each of the policy fronts at issue, we conclude that they were not equally consequential, which also explains why the government was particularly unsuccessful in enforcing its agenda for migrant detention. In particular, the obstructive impact that judicial culture –or, rather, judicial political orientation– had on the government’s plans for prison reform was neither as insurmountable nor, at any rate, as comprehensive as the obstacles that pressure from the EU and changing international migration patterns posed for the change the government hoped to bring to the country’s immigration detention system.

This should not be read as implying that forces beyond the troika that stemmed from the international sphere invariably stood in the way of government plans, nor, in any case, that they were always irresistible as such. True as it may be, as our analysis also shows, that the US actively tried to thwart the Greek government’s endeavour to liberalise parole provisions in a way that was meant to reduce the use of custodial punishment and relieve prison overcrowding and associated



problems, it is equally evident that the CPT and the ECtHR were very much in spirit with the government in their persistent push for compliance with the ECHR across Greece's carceral sites. As we proceed to demonstrate, however, both of these efforts were frustrated, in stark contrast with the EU's intervention effectively in favour of severity – indeed, infringement of the European human rights regime– in Greek immigration detention matters. This confirms two key conclusions from our previous research on the forces that have shaped the carceral policies and practices enacted in Greece over time: first, that just as international pressures may assume different and even contradictory forms, so too they may vary according to their respective causal import; and second, that the actual impact of external actors has predominantly been a negative one (see further Xenakis and Cheliotis, 2018).

To recap and elaborate, as far as conventional imprisonment is concerned, the Syriza-led government not only ushered in a major change in state rhetoric around crime and punishment, it was also successful in abolishing maximum-security prisons, made a start in terms of promoting sorely needed drug rehabilitation programmes for prisoners, and at least for a short while managed to reduce overall prisoner numbers. In so doing, moreover, the government was able to resist select foreign pressure from the US not to liberalise the country's parole system whilst at the same time taking steps towards compliance with international human rights-oriented pressures from the CPT and the ECtHR. The role played by Syriza's political orientation in this regard did not itself remain untouched by economic conditions, to the extent that using its power as the senior coalition partner to introduce and sustain progressive measures on the penal front additionally lent itself as a key means by which the party could provide tangible demonstration of its commitment to engendering a fundamental leftward shift in Greek politics and society against the background of lingering continuities on the economic front. This was the case both during its first few months in office, when uncertainty was mounting as to whether debt restructuring and an end to austerity were attainable, and even more so thereafter, following the much-reviled new loan agreement the government reached relatively swiftly with the troika in the summer of 2015. Similarly –and this applies to the junior coalition partner, too, who did not substantively oppose Syriza's prison reform plans–, resistance to US pressure against the liberalisation of parole also furnished an opportunity to display resistance to undue external meddling in Greek domestic affairs at a juncture when the government was otherwise descending further into a humiliating state of economic subjugation to foreign powers. Yet economic pressures, including fiscal restrictions imposed by the troika, concurrently limited the government's ability to fund progressive prison reforms, which ultimately meant –in combination with the fact that prisoner numbers remained stubbornly high largely as a result of judicial obstinacy– that conditions in Greek prisons continued to be dire.

On the front of immigration detention, the scope for the Syriza-led government to achieve its progressive ambitions was even more limited –and from very early on at that. Here, too, Syriza was successful in bringing about a liberalising shift in pertinent state discourse, notwithstanding xenophobic views expressed in the media by the junior coalition partner. Yet strains placed on Greece from the EU as to how the country should deal with issues of migration, including how it could spend EU funds in this respect, worked to undermine the plans the senior coalition partner had for reforming the country's immigration detention system. Under concerted pressure from the EU, including notably the threat of what would have been an economically catastrophic expulsion from

the Schengen accord, the Greek government was forced into stemming the outflows of irregular migrants towards Western Europe by recourse effectively to mass mandatory detention practices that contravened regional and international human rights law alike. This, combined with the unprecedented magnitude of the influx of irregular migrants that Greece experienced from the mid-2010s onwards, meant that the use of immigration detention intensified during Syriza's stay in office, save for a brief initial decline. So much so, indeed, that despite an expansion in the overall capacity of the country's immigration detention system, overcrowding and associated problems continued bedevilling detention sites around the country. Compounding the situation was the fact that detainees were increasingly kept under closed, prison-like conditions, itself yet another negative development that bore the EU's imprint, to the extent, first, that the Union's deal with Turkey in 2016 turned existing 'hotspot' reception sites into de facto closed centres for future deportees; and second, that the much-needed EU funding set aside to support Greece's management of its migration burden was essentially attached to curtailing the liberty of irregular migrants. All in all, then, it is not simply that the Syriza-led government's political orientation was overridden by prevailing economic conditions, it is also that Greece's ongoing economic woes and its deepening financial subordination to the European establishment allowed the EU to force upon the country policies and practices of immigration detention that suited the EU's own political orientation. What, in other words, proved decisive was not Syriza's leftist ideology, nor the ideological division within the coalition or even within Greece, but rather the ideological position taken by Greece's EU partners, who maintained a resolute unwillingness to establish anything like a systematic dispersal resettlement arrangement across the Schengen area, and Greece's clearly subordinate position in relation to them.

In essence, then, our analysis of Greek carceral policy and practice after the assumption of office by a coalition led by Syriza goes beyond suggesting that economic downturn can place crucial limits on a government's ability to execute progressive plans in carceral matters. We additionally conclude that a government's scope of action in this vein may be further restricted depending on the autonomy it can wield in defiance not only of domestic opposition, but also –and, in the Greek case, certainly more importantly– of foreign forces intervening in both economic and political realms. To put the point differently, just as foreign forces may combine with economic downturn (and domestic opposition at that) to undermine a government's agenda for progressive reform to carceral policy and practice, the degree to which they might successfully do so is contingent upon the relative politico-economic might of the state that the government in question represents in the international sphere.

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