

## M Finnane, *Punishment in Australian Society*

Oxford University Press, Melbourne (1997) ISBN 0195537327

---

The historiography of punishment in Australia and New Zealand is currently in a period of great vigour. Ramsland's (1996) history of the New South Wales prison system and Pratt's (1992) history of punishment in New Zealand are two recent examples. Finnane's text is a contribution to this body of knowledge, but is aimed at a broader audience than these two texts. He provides a history of punishment in all Australian States since colonisation. Finnane does not discuss forms of punishment prior to 1788. In some respects this book may be seen to stand as a companion volume to his previous text, *Police and Government*.

Although Finnane criticises the overemphasis on transportation in histories of Australian punishment, he includes a chapter on this. This is appropriate I think, as it provides an important background and contrast to later directions in Australian punishment. This overview of transportation discusses features such as, how transportation was a form of punishment, who constituted the convict population, and how the penitentiary replaced transportation. This chapter also reveals Finnane's preference for writing a history which attempts to account for punishment in its cultural context (p5). Throughout the text, he does locate shifts in forms of punishment in their cultural and political contexts.

The second chapter focuses on punishment in the then self governing States. Of particular interest to me was Finnane's fascinating exploration of Aboriginal imprisonment in the second half of the nineteenth century and the early twentieth century. The text examines some of the principles affecting punishment at this time. Principles such as, punishment through individualisation and silence are contrasted in the local context with the established debates on punishment in Europe. Finnane routinely wrestles with the local specificities in contrast to the histories of Britain and elsewhere. This chapter also examines prison architecture. The inclusion of this topic provides an opportunity for Finnane to discuss the peculiarities and differences of prison design within Australia. He suggests that prisons are among the largest and most spectacular buildings of the nineteenth century, and argues that this gives some indication of the importance of punishment 'in sustaining the social order'.

Finnane's history of punishment also includes a discussion of the effects of early Australian criminology societies on punishment. This provides a rare discussion of the nature and effects of early criminology in Australia and is valuable for this alone. I think many readers may not have encountered this material before. This chapter discusses the impacts in Australia of topics and concepts such as individualisation, the punishment of women, the efforts of feminist reformers, the habitual criminal, and the impact of psychology on punishment.

Finnane also traces the decline of physical punishment in Australia by examining the political pressures surrounding corporal and capital punishment. This has been an important debate in the history of punishment. He argues that politics rather than popularity is at the centre of the dissolution of corporal and capital punishment. At the same time he carefully points out that the decline of physical punishment was not uniform and that there were specificities involved; such as the particular effects of corporal punishment on Aboriginal people and the political activities of women's groups seeking physical punishment for rapists. One point that Finnane makes in this chapter sits oddly with me. He suggests that prison

warders were unwilling to carry out whippings on convicted criminals in the 1920s (p120). This stands in extreme contrast to the systematic, but unofficial, forms of physical brutality that were found in later years by the Nagle Royal Commission in New South Wales. Perhaps this is an example of lack of uniformity that Finnane refers to as a characteristic of the decline of physical punishment.

The final chapter focuses on politics and punishment. Finnane outlines a number of sources as catalysts for change in forms of punishment; philanthropically and religiously motivated social reformists, prisoners themselves, the media, although he is careful to add that the media is not always a source of reform in the same vein as social reformists, for example. Although Finnane could have included parliamentarians here, I think a greater deficiency with his discussion of the politics of punishment lies in the lack of a conceptual analysis of how politics affects punishment.

Perhaps this is the fundamental problem of a book of this nature. By aiming to write a broad history of punishment in all States of Australia, Finnane cannot deal in great depth with issues, such as the impact of politics or the media on punishment, because this requires far greater detail and analysis of specific events than this text can afford. Having said this, I still feel that Finnane handles his task well. The organisation of his broad subject material is particularly good, taking its cue from major debates that have and currently occupy the local and international literature of punishment.

This book fills a space in the literature on the history of Australian punishment. It is cleverly aimed at both a broad reader, as well as a specific reader with an interest in a particular aspect of punishment in Australia. This text is written in an historical manner, but by a historian willing to engage, at times, with the conceptual issues that have emerged in the recent histories of punishment. It is an ideal general text for tertiary students who are studying punishment or crime in Australian history. At the same time it also provides a text for specialists in criminology and criminal justice practitioners.

Andrew Johnson

Department of Sociology, University of New England

## REFERENCES

- Pratt, J (1992) *Punishment in a Perfect Society*, Victoria University Press, Wellington.
- Ramsland, J (1996) *With Just But Relentless Discipline*, Kangaroo Press, Sydney.