

# History of Prisons

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Prisons, as places of confinement for lawbreakers, debtors, enemy combatants, political dissidents, religious heretics, and others, came into existence thousands of years before the common era. The modern concept of prisons, however, as places where offenders would be confined for specified periods of time as punishment for criminal offenses, did not emerge fully until the eighteenth century. Before then, states and societies seldom used imprisonment as a punishment. Rather, prisons functioned merely as detention areas to house offenders until the state could mete out the actual sentences—usually some form of capital or corporal punishment.

A landmark in humanitarian reform when it first appeared in the late 1700s, the concept of imprisonment as punishment continued to evolve during the nineteenth and twentieth centuries. Prisons and prison systems throughout the world experimented with different programs, purposes, methodologies, and models. Far from the somewhat monolithic image of prisons in the popular imagination, prison facilities have ranged from halfway houses and minimum-security work camps to fortresslike maximum-security penitentiaries. Prison programs have varied from an emphasis on prisoner reform and the establishment of “normalized” environments, to a reliance on harsh discipline and long sentences. Prison administrators have struggled continually as the principal advocates for making prisons more effective, more responsible, and more humane—often in the face of hostile public reaction. Finally, prison systems have changed as legal structures, social standards, and public attitudes have changed. Like any other institution, prisons have reflected the cultures, societies, governments, and eras to which they have belonged.

## EARLIEST PRISONS

There was widespread use of prisons in the ancient world. During the Middle Kingdom era in Egypt (ca. 2000 B.C.E.), the pharaohs imprisoned non-Egyptian criminals at hard labor in granaries and other available areas. From about 3000 B.C.E. to 400 B.C.E., the Babylonian Empire maintained prisons for petty offenders and debtors, and for noncitizens who broke the law. Babylonian citizens who committed crimes, however, were more likely to suffer banishment, mutilation, or execution. And many accounts of ancient prisons appear in the Christian Bible, both in the Old Testament (which cites imprisonment imposed by the Egyptians, Philistines, Israelites, and Assyrians) and the New Testament (which describes how the Romans confined early Christians in chambers beneath the floor of the Coliseum, before throwing them to the beasts).

There were also prisons in ancient Greece. As early as the fifth century B.C.E., Athens maintained a system of prisons—although criminals faced incarceration less frequently than fines, exile, stoning, crucifixion, and “precipitation” (being thrown from a high cliff). After witnessing his mentor, Socrates (ca. 470–399 B.C.E.), drink poisonous hemlock to satisfy a death sentence imposed against him for teaching philosophies that diverted his students from worshiping the traditional Athenian deities, Plato (ca. 427–347 B.C.E.) described in his *Laws* what he considered to be an ideal system of prisons. Minor offenders would serve short sentences in a public building near the marketplace; serious but redeemable offenders serving longer sentences would be sent to a nearby reform center; and the most incorrigible would be locked away in a secure prison far from the city.

Plato's blueprint was never adopted by the ancient Greeks, but it anticipated with remarkable accuracy the corrections-oriented prison systems of many centuries later, with their graduated levels of security.

Exile and a variety of capital punishments were the primary sanctions in Rome. In the fifth century B.C.E., however, Rome introduced imprisonment for debtors, and permitted the heads of families to discipline slaves or other members of their households by confining them in domestic prison cells. In the third century B.C.E. Rome built an underground prison, called the Tullianum, in an old rock quarry, and in the first century B.C.E. Rome established a series of dungeons known as the Mamertine beneath the streets of the city. Rome built subterranean dungeons throughout the empire, often for captured enemy soldiers awaiting execution.

In 428 C.E., toward the end of the Roman Empire, Emperor Theodosius II (401–450) issued the Theodosian Code. A wide-reaching codification of Roman imperial legislation and decrees, it featured one of the first attempts to establish a systematic legal basis for prison operations. The code outlined minimum standards for the humane treatment of prisoners awaiting trial and provided for a rudimentary form of prisoner classification by requiring offenders who had committed the most heinous crimes to be incarcerated under harsher conditions than less serious offenders. It also sought to eliminate staff corruption and ensure proper treatment of inmates by requiring judges to inspect prisons regularly, and by holding prison wardens, or "registrars," responsible for escapes or mistreatment of prisoners.

With the collapse of the Roman Empire and the onset of the Middle Ages in Europe, the Roman Catholic Church expanded the jurisdiction of its legal system, and provided for monastic or ecclesiastical prisons to confine both clergy and laypeople who violated canon law. During the papacy of Saint Siricius (ca. 334–399), prison cells (*ergastulum*) were established in monasteries, abbeys, and convents to confine miscreant priests, monks, and nuns at hard labor. By the twelfth and thirteenth centuries, the church was using ecclesiastical prisons to punish clergy and nonclergy alike for behavior deemed sinful. And during the Inquisition of the fourteenth and fifteenth centuries, the church imprisoned thousands of religious heretics.

Conditions in ecclesiastical prisons of the Middle Ages could be harsh, with restricted diets, beatings, and other forms of physical abuse. In the 1300s, the monks of Toulouse, France, protested prison conditions, and, even hundreds of years later, stories about cruelty in the ecclesiastical prisons were a staple of the lurid anti-Catholic screeds of the eighteenth and nineteenth centuries. Nevertheless, the ecclesiastical prisons represented an important advance. The purpose of the ecclesiastical

prisons was not to serve simply as places of confinement for offenders awaiting capital or corporal punishment. Rather, they were intended as places of correction, where offenders could redeem themselves through prayer and penance.

By about 1100, nation-states and kingdoms were coalescing in Europe—giving rise to civil government, public law, and secular prisons. In 1166 Henry II (1133–1189) of England ordered county sheriffs throughout his domain to build jails (or *gaols*) to hold defendants awaiting trial. Sheriffs in northern Europe, including Scandinavia and Iceland, confined inmates in their own homes until they could be tried or until sentences could be imposed.

Many of the secular prisons during the Middle Ages were located in castles and fortresses. During the last half of the eleventh century in England, William I (ca. 1028–1087) started a royal tradition of imprisoning political enemies in the Tower of London. French monarchs began sending prisoners to the Chalet, a fortress on the right bank of the Seine, around 1200, and by the 1370s were housing offenders in the dungeons and towers of the Bastille. In the second half of the 1400s, Louis XI (1423–1483) used the fortress at Loches, near Tours, as a prison. City-states in Germany also incarcerated offenders in dungeons, chambers, and holes in castles, fortifications, and ruins.

By the end of the Middle Ages, the most prevalent forms of punishment continued to be forfeiture of property, torture, mutilation, and execution. Most offenders were confined in the secular prisons only until they could be tried and their sentences carried out. Gradually, however, incarceration became the punishment for a growing body of minor crimes—mainly misdemeanors, morals offenses, and vagrancy. Blasphemy and theft, for example, were imprisonable offenses in thirteenth-century France. And by the early 1500s, English common law specified no fewer than 180 offenses that were punishable by incarceration.

Until at least the eighteenth century, jailers who operated prisons received little or no funding from their governments. Instead, they collected fees from the inmates to pay for food and other necessities. Nobles and others who could pay higher fees were able to obtain better accommodations, and often were incarcerated in comparative comfort and privacy. Most inmates, however, were crowded into large rooms, without regard to sex, age, severity of offense, or mental stability, and were often subjected to the most squalid conditions. Corruption was widespread, as jailers frequently demanded exorbitant fees for the meager rations they dispensed, and discipline was enforced with beatings and other harsh measures.

There were a few notable early attempts to classify and segregate inmates, particularly by sex. Le Stinche prison, built in the 1290s in Florence, Italy, housed male inmates separately from female inmates, and also segregated inmates by age group, degree of sanity, and severity of offense. The Maison de Force in Ghent, Belgium, and the Amsterdam House of Correction both separated men from women and felons from misdemeanants. Rome's Hospice of San Michele included special facilities and programs for juvenile offenders, and in 1645 Holland established the Spinuis in Amsterdam—a textile mill that served as a refuge and place of work for wayward and destitute women, and as a prison for women convicted of minor offenses.

The end of the Middle Ages (ca. 1500) was marked by the breakup of feudalism, which sent unnumbered landless peasants streaming across the European countryside and into the cities in search of livelihoods—either honest or dishonest. This inherently unstable population, perpetually at risk of descending into vagrancy or criminality, alarmed rural landowners and urban citizens alike, and governments attempted various means to bring the problem under control. One strategy was imprisonment.

After measures to restrict the movement of workers and brutal punishments, such as branding and mutilation, proved ineffective, the English Parliament ordered each county to open a workhouse for the incarceration of vagrants and petty criminals. Called bridewells—after the first such workhouse, established in London's old Bridewell Palace in 1557—the workhouses confined their inmates under strict discipline, and required them to perform labor in manufacturing, milling, baking, or other endeavors. As harsh as the bridewells may have been, they were a humane alternative to the corporal punishments that the destitute could otherwise have suffered.

The end of the Middle Ages was also marked by the rise of mercantilism and the era of exploration as many European powers sent out expeditions to the Western and Southern Hemispheres in search of colonies. Colonization, in turn, gave rise to a new type of criminal sentence: transportation of convicts to European penal colonies in Africa, Australia, and the Americas, primarily during the 1600s, 1700s, and 1800s. Spain established penal colonies in the Canary Islands and North Africa; Russia exiled convicts to Siberia; and France used New Caledonia, a Pacific island west of Australia, as a penal colony, as well as French Guiana in South America—which included Devil's Island, the notorious prison camp that France operated until after World War II.

England transported convicts to its North American colonies in the seventeenth and eighteenth centuries, where they were auctioned to settlers as indentured

servants. After American independence, England transported convicts to its colony in Australia.

Norfolk Island was a prison colony within the prison colony of Australia, reserved for some of England's most desperate criminals, and for exiled criminals who reoffended after reaching Australia. For most of its history, Norfolk Island had a reputation for great brutality, but Captain Alexander Maconochie (1787–1860) introduced numerous reforms during his administration as superintendent from 1839 to 1843. Maconochie's emphasis on rehabilitation, compassionate treatment of inmates, and release of inmates based on good behavior and sound attitudes rather than time served ultimately were rejected by his superiors in London, but Maconochie and his ideas had enormous influence on reform-minded prison administrators of later generations.

Another confinement option, used mainly in England, was to imprison convicts on derelict warships and merchant vessels called hulks. England resorted to this form of incarceration in the mid-1700s because its criminal population was expanding so rapidly that bridewells, gaols, and transportation to the colonies could not contain it. Anchored in bays and rivers throughout England, the hulks were filthy, crowded, unventilated, and disease-ridden. The food was inadequate and the discipline harsh. No longer seaworthy, so much water seeped into the hulks that inmate drownings sometimes occurred. At any given time, as many as 5,500 convicts were imprisoned on hulks in England, many of whom were marched onto land by day to perform hard labor. England generally abandoned its use of hulks by the mid-nineteenth century, but it continued to operate at least one, anchored off Gibraltar, as late as 1875.

#### IMPRISONMENT AS PUNISHMENT: THE PENITENTIARY ERA

Imprisoning felons under humane conditions as their punishment for serious crimes was a reform that emerged from the Age of Enlightenment in eighteenth-century Europe. It also reflected a growing revulsion against the floggings; the severing of lips, ears, and limbs; the hangings and decapitations; and the postmortem desecrations that until then were the favored sanctions against felons and against the horrendous conditions that prevailed in bridewells, gaols, hulks, and other places where misdemeanants, debtors, and pretrial detainees were incarcerated.

European philosophers, reformers, and leaders, such as Voltaire (1694–1778), Montesquieu (1689–1755), and Denis Diderot (1713–1784) in France; Italy's Cesare Beccaria (1738–1794); Frederick II (1712–1786) of Prussia; and England's Jeremy Bentham (1748–1832) and John Howard (1726–1790), denounced the cruelty and barbarity of existing criminal sanctions. They

championed replacement of capital and corporal punishments with fixed terms at humane, rehabilitation-oriented prisons as part of systematic, impartial, and reasoned criminal justice systems aligned with the spirit of rationalism that characterized the Enlightenment. Bentham, Howard, and Beccaria in particular proposed specific designs, procedures, and standards focused on creating prisons that were equitable, well-managed, safe, and sanitary, and that sought to achieve reform of individual inmates through religious instruction and meaningful work. “The purpose of punishment is not to torment a sensible being, nor to undo a crime already committed,” wrote Beccaria in 1764, but rather to “prevent the criminal from doing further injury to society and to prevent others from committing the like offense.”

England and France both enacted laws in the late 1700s to establish prisons that would be clean, competently managed, free of corruption, subject to regular inspections, and supported by government appropriations instead of fees paid by the inmates. Rudimentary classification would also ensure that male inmates would be housed separately from female inmates, adults from minors, felons from misdemeanants, and the sane from the insane. The concept of temporary incarceration in humane prisons as the primary form of punishment, however, did not take hold right away in Europe. Rather, the first major, practical tests of the prison concept came in America.

In 1682 members of a religious dissident group, the Quakers, began to settle in England’s North American colony of Pennsylvania. Many Quakers, including the colony’s first governor William Penn (1644–1718), had been imprisoned for their religious beliefs when they were in England, and they had been appalled by the brutal conditions they saw and experienced. Moreover, as pacifists, the Quakers opposed capital and corporal punishments on moral grounds.

In setting up its new government, Pennsylvania adopted a set of criminal laws called Penn’s Code or the Great Code, which provided for only one capital offense, murder, as opposed to the more than two hundred capital offenses then on the books in England. The fundamental criminal sanction under Penn’s Code was incarceration, and each county in Pennsylvania was required to establish a government-financed (not fee-based) house of correction. The houses of correction in Pennsylvania in the late 1600s and early 1700s represented the first glimmerings of “penitentiaries”—that is, facilities for penitents, or convicts doing penance for their crimes. They also marked the beginning of the Quakers’ long tradition of prison reform and criminal-justice activism.

England, however, did not share the Quakers’ enthusiasm for the new sanction. After Penn’s death in 1718,

England forced the colony to repeal Penn’s Code and to adopt the so-called sanguinary laws, which reinstated the death penalty for many crimes and also provided for corporal punishment.

The other English colonies in North America adhered more readily than Pennsylvania to the criminal sanctions that were part of the English legal forms they had inherited. Murder, manslaughter, rape, and kidnapping were punishable by death, as were certain morals offenses. In seventeenth-century Massachusetts, for example, idolatry, witchcraft, blasphemy, and adultery were capital crimes. Branding and whipping were among the forms of corporal punishment used in the North American colonies. Lesser crimes frequently were punishable by public humiliation, such as exposing convicts to stares and ridicule by locking them in stocks and pillories located in public gathering places.

As in Europe, there were jails in North America to house petty offenders, defendants awaiting trial, or felons awaiting sentences of death or physical abuse. Also as in Europe, those facilities tended to be crude, unsanitary, and dangerous, and inmates of all kinds were crowded in together. One of the worst was located in an abandoned copper mine in Connecticut, where convicts were kept chained in underground cages.

After the United States gained its independence in 1781, however, and began creating new governments and judicial systems, many jurisdictions also began experimenting with new sanctions. Pennsylvania, in particular, moved quickly to abandon the sanguinary laws and enact a criminal code similar to that promulgated a century earlier under Governor Penn.

Although incarceration had been reinstated as the primary form of criminal punishment in Pennsylvania, conditions at the state’s main prison, the Walnut Street Jail in Philadelphia, were troubling. Inmates worked outside the prison walls in degrading positions on chain gangs; rations were so meager that inmates on chain gangs had to beg passersby for food; and within the prison walls, supervision was insufficient, sanitation deplorable, and inmate classification almost nonexistent.

To campaign for better prison conditions, and to provide assistance to individual inmates in distress, several of Philadelphia’s most eminent citizens, including Benjamin Franklin (1706–1790), Benjamin Rush (1745–1813), and leading members of the Quaker community, formed what would become one of the world’s longest-lived and most influential prison reform organizations, the Pennsylvania Prison Society. Through laws it passed in 1789 and 1790, the Pennsylvania state legislature adopted the reforms urged by the society, thereby transforming the Walnut Street Jail into what may have been the first modern penitentiary.

The prototype for the modern penitentiary was actually a three-story wing that was added to the Walnut Street Jail. The new wing housed convicted felons exclusively, with the most dangerous confined to individual cells. The facility was explicitly “correctional” in purpose. Through its work programs (such as shoemaking, weaving, and marble cutting and polishing), and through the remorse and penitential reflection that were supposed to occur during incarceration, the intention was for the felons to reform themselves, so that they could return to society as law-abiding citizens.

The Walnut Street Jail became a model for prisons throughout the United States, including state prisons in Trenton, New Jersey (1798); Richmond, Virginia (1800); Charlestown, Massachusetts (1805); and Baltimore, Maryland (1811). In New York City, the Newgate Prison (1797) was perhaps the most important to emulate the Walnut Street Jail, and it went on to introduce several innovations of its own. Warden Thomas Eddy (1758–1827), like so many of the Pennsylvania prison reformers a Quaker, established a hospital at Newgate and hired a full-time physician, established clearly defined qualifications and job assignments for staff, prohibited corporal punishment as a disciplinary measure, provided inmates with more wholesome and varied meals, and instituted a work program within Newgate’s walls that covered most of the prison’s costs.

Walnut Street Jail and Newgate Prison, however, were only temporary solutions, and they were quickly outgrown. But they paved the way for the massive, full-scale penitentiaries that appeared in the nineteenth century.

By the 1820s and 1830s, two distinct penitentiary models had emerged in the United States: the separate system (also known as the Pennsylvania system) and the congregate system (or Auburn system). Each model had its own programs, philosophies, and architectural styles.

The separate system was pioneered at Eastern State Penitentiary in Philadelphia, which the state of Pennsylvania built in 1829 to replace the aging Walnut Street Jail. The congregate system was pioneered at the state penitentiary in Auburn, New York, built between 1816 and 1825 to replace the overcrowded Newgate Prison.

The separate system was based on the principle of solitary confinement. In developing the system, Eastern State Penitentiary implemented proposals espoused by the Pennsylvania Prison Society. Apart from contact with prison staff, representatives of the Pennsylvania Prison Society, and clergy, inmates served their entire sentences confined to their cells in virtual solitude. They took meals in their cells, completed work assignments in their cells, and even exercised in small, private yards adjacent to their cells. On rare occasions when they were

permitted out of their cells, they had to wear hoods to maintain their anonymity and prevent them from communicating with other inmates.

The purpose of solitary confinement was threefold. First, it made it easier and safer to control the inmates. Second, it prevented inmates from consorting with each other, which prison administrators feared would reinforce patterns of criminal behavior. Third, and most importantly, it presumably would give inmates the time and solitude they needed to pray, study the Bible, contemplate their misdeeds and do penance for them, and redeem themselves.

An unintended consequence was that years of enforced solitude could have devastating psychological effects on individual prisoners. When famed English novelist Charles Dickens (1812–1870) visited Eastern State Penitentiary in 1842, he praised the facility for its cleanliness and orderliness, but deplored the separate system and its “tampering with the mysteries of the brain” as “cruel and wrong.”

Influential prison architect John Haviland (1792–1852) designed Eastern State to facilitate the practice of solitary confinement. Long cell houses radiated out from a central rotunda, each featuring central hallways flanked by rows of “outside” cells, so-called because each cell had an exterior wall facing the outdoors, and cells were separated by masonry walls rather than bars. Ground-level cells opened out onto small exercise yards, surrounded by high stone walls. Cells were large enough to accommodate the machinery, tools, and materials inmates needed to make shoes, weave and dye cloth, cane chairs, roll cigars, and manufacture other products that were sold to defray prison costs. And, even in 1829, indoor plumbing minimized the need for inmates to leave their cells.

The congregate system modeled at Auburn Penitentiary, however, restricted inmates to their cells only at night. By day, they worked and ate in large common areas. Long, parallel cell houses featured “inside” cells. Unlike the outside cells at Eastern State, Auburn-style cells did not have exterior walls. Instead, each cell house formed a shell for two rows of cells, placed back to back and stacked three or four tiers high, with corridors or ranges completely surrounding them. The cell blocks, in a sense, were buildings within buildings, to ensure greater security. Another characteristic of Auburn-style architecture was that it tended to be massive, with fortresslike walls and imposing towers. The monumental Gothic towers were intended to enhance security and reinforce the punitive aspect of confinement. For more than a century, the Auburn style was the most frequently copied prison layout.

Because they permitted inmates to congregate, prisons following the Auburn model imposed harsh measures to ensure control. Inmates wore striped uniforms to

guarantee ready identification, and they had to walk in lockstep when in groups. Inmates also generally were prohibited from speaking to other inmates, and they faced severe physical punishments for committing infractions.

The congregate system had clear economic advantages over the separate system. Requiring less space for individual cells, such prisons were less expensive to build. And congregating inmates on a single shop floor allowed congregate-style penitentiaries to take advantage of factory production methods, enabling them to produce a greater variety of consumer goods more cheaply and to realize higher returns. Penitentiaries based on the separate system, however, were tied to old-fashioned, preindustrial handicraft production, which generally was too inefficient to generate a sufficient income to support prison operations.

By turning inmate labor into a viable economic asset, the congregate system opened the door for what evolved into one of the most disturbing prison abuses of the nineteenth century: the convict contract/lease system. Private companies, particularly in the northern United States, paid fees to congregate system prisons to have inmates manufacture goods for them in the prisons' factories. In a variant of that system, which appeared mainly in the southern and western United States, private business interests actually leased the convicts from the prison, and put them to work at privately owned factories, mines, logging camps, and plantations.

The relative merits of the solitary system and the congregate system were the subject of impassioned debate during the nineteenth century, and prisons based on both models were erected throughout the United States. Due largely to its economic advantages, the congregate system eventually became the standard; between the 1820s and the 1870s, more than thirty state penitentiaries in the United States were built and operated following the Auburn model, and others converted from the solitary system to the congregate system. Some prisons, most notably, the U.S. Penitentiary in Leavenworth, Kansas (ca. 1900), incorporated architectural elements of both systems, while operating more under the congregate philosophy.

There was a third type of penitentiary system, which, though highly imaginative, never attained the acceptance of either the solitary system or the congregate system. The panopticon system was proposed by English philosopher and scholar Jeremy Bentham in 1791, at the birth of the penitentiary era. Its unusual design featured multiple tiers of open-front, barred cells built in a large circle, resembling a wheel. The cells faced inward toward a hub that served not only as a guard station from which staff could observe all inmates in all cells simultaneously, but that also provided a convenient place for providing

religious and other forms of instruction to the entire cell house at once.

The underlying philosophy was that the constant supervision from the hub would not only facilitate better security, but would also make inmates more aware of their own behavior and more likely to improve their habits. Only a few penitentiaries in the United States were built according to the panopticon model, and one of them (in Pittsburgh, Pennsylvania) was deemed such a failure that the state demolished it after only a few years. The most successful example of a panopticon prison in the United States was Stateville Penitentiary in Illinois, built in 1919.

Similar debates over penitentiary designs and philosophies were also occurring in Europe. A modified version of Auburn-style architecture was developed in France; later called the telephone pole design, it featured parallel cell houses linked by a central corridor. The Pennsylvania style, however, proved much more influential. Worldwide, approximately three hundred prisons were built in the nineteenth and early twentieth centuries modeled on the radial design and separate-system approach of Eastern State Penitentiary. Pentonville Prison (1840–1842) in London was one of the first European facilities to be built and operated according to the Eastern State model, but it was soon followed by other Pennsylvania-style prisons throughout Europe, including Mazas Prison in France (1843–1850), Louvain Prison in Belgium (1856–1860), San Vittoire Prison in Italy (1867–1879), Moabit Prison in Germany (1868–1879), and Kresty Prison in Russia (1884–1890). Spain, Portugal, Holland, Switzerland, and Austria also opened Pennsylvania-style prisons. In addition, British colonies, such as South Africa, Australia, and Canada, favored the radial design.

It was during and shortly after the penitentiary era that colonialism and westernization led to prison development in Asia, Africa, and South America. In ancient India, as in pre-eighteenth-century Europe, offenders were imprisoned only until they could be tried and convicted, but they were normally sentenced to suffer corporal punishment. In the 1830s, however, the British colonial administration in India began introducing English prison models into India. Precolonial African societies, meanwhile, typically relied on noncustodial, community-based sanctions. As Great Britain, France, Portugal, and Belgium colonized Africa in the nineteenth century, they imposed their own criminal justice systems, including penitentiaries, which the postcolonial governments tended to retain.

South American governments sent representatives to inspect prisons in the United States as early as the 1830s, and the very few large-scale prisons built on that continent before 1870 were based on the Pennsylvania

model. Several more radial-design prisons were built in Latin America during the late 1800s and early 1900s, in Brazil, Argentina, Peru, Colombia, Ecuador, and Mexico.

Prison reform was one aspect of the westernization that took hold in Asia in the late nineteenth and early twentieth centuries, and the Pennsylvania style received wide acceptance. Between 1906 and 1918, China completely revamped its prison system with nearly forty institutions that combined the Pennsylvania system's radial architecture with certain operational elements of congregate-system facilities. As British colonies in the early 1900s, of course, Hong Kong and Burma also established Pennsylvania-style prisons.

Between 700 C.E. and 900 C.E., the principal criminal sanctions in Japan were whipping, caning, banishment, and death, although imprisonment at forced labor was sometimes meted out as punishment for minor crimes. Thereafter, imprisonment was abandoned under samurai feudalism, until the country began to adopt Western legal forms in the 1870s. In 1879 Miyagi Prison became the first of at least thirty-six Pennsylvania-style prisons erected in Japan.

Comprising only a minuscule portion of the inmate population, female inmates largely were ignored during the penitentiary era. The only time or place in world history where women made up more than about 10 percent of the inmate population was in mid-nineteenth-century Great Britain, where nearly 40 percent of the prisoners were women. More typical was the United States, where in 1845 there may have been fewer than two hundred female prisoners in the entire country.

Women usually were relegated to the attics, corners, or basements of prisons built for male offenders, where their primary activities included cleaning and mending for male inmates, and where they could be vulnerable to abuse by the male officers who supervised them. Not infrequently during the late eighteenth and early nineteenth centuries, women who were sent to prison were accompanied by their children. Auburn Penitentiary's facilities for women were typical: a single room in the administration building was all that could be spared in the sprawling prison.

There were significant exceptions, where prison administrators made determined efforts to provide suitable conditions for female inmates. Both Walnut Street Jail and Newgate Prison maintained separate cell blocks for women in the 1790s, as did the Maryland State Penitentiary in Baltimore in the 1820s. Eastern State Penitentiary hired a matron to supervise female inmates who was praised by prison and asylum reformer Dorothea Dix (1802–1887) for maintaining “neatness” and “good behavior” among her charges, and for providing books,

lessons, and constructive work assignments. Moreover, there were strong advocates for women in prison. Probably the most notable was the Quaker reformer Elizabeth Gurney Fry (1780–1845), who campaigned throughout Great Britain for better prison conditions for women (and their children), and established guidelines for the management of women's prisons.

In 1828 Sing Sing Prison in Ossining, New York, opened a separate building for female prisoners, with female staff members, space for religious and educational activities, a nursery, and high walls to provide ample protection from male inmates. Under the direction of Head Matron Eliza W. B. Farnham (1815–1864) in the 1840s, Sing Sing's women's facility, called Mount Pleasant, became a prototype for female reformatories of the twentieth century, emphasizing rehabilitation programs, relying on inducements to good behavior rather than punishment for misconduct, and attempting to create an atmosphere resembling an idealized middle-class home.

#### PRISONS AS CORRECTIONAL FACILITIES: THE REFORMATORY MOVEMENT

The promise of the penitentiary was that it would incarcerate offenders as punishment for their crimes, and that it would help offenders redeem themselves. In actual practice during the nineteenth century, penitentiaries lived up to their goal of punishment, but failed to achieve much in the area of redemption. By the 1830s, prison reformers and social critics in Europe were calling for prisons to offer more and better correctional treatments and to provide incentives that would encourage inmates to reform themselves. In the words of Frederick Hill, an English prison reformer, each prison should be a “moral hospital” where prisoners would be “cured of their bad habits.” Out of these criticisms and reform proposals, a new type of prison emerged by the late 1800s: the reformatory.

There were two short-lived precursors of the reformatory in the 1830s and 1840s: Norfolk Island penal colony in Australia, under Alexander Maconochie, and the Valencia Prison in Spain, under Colonel Manuel Montesinos. Even more influential were the sweeping initiatives of the Irish prison system, devised and implemented in the mid-nineteenth century by Irish prison director Joshua Jebb (1793–1863) and his successor, Walter Crofton (1815–1897). Jebb and Crofton introduced an ambitious regimen of religious, educational, and work programs; established a graduated classification system with greater privileges at higher levels; rewarded inmates demonstrating good behavior with advancement through the system; and allowed inmates to earn credits toward early release by showing progress in their

rehabilitation programs. The Irish prison system won international acclaim, but other European systems were slow to emulate it. Prison administrators in the United States, however, eagerly adopted many of the Irish reforms.

Inspired by the Irish system and the rehabilitation philosophies emanating from Europe, an aggressive prison reform movement was coalescing in the United States during the 1860s. It culminated in 1870 with the formation of the National Prison Congress (later called the American Correctional Association). At its inaugural meeting, delegates heard an address by Crofton, and went on to adopt a Declaration of Principles that endorsed the Irish system and the reformatory concept; supported inmate classification and separate facilities for men, women, and juveniles; called for abolition of convict leasing; proposed a variety of work and education programs; and declared that “reformation, not vindictive suffering,” was the purpose of incarceration.

In 1876 Warden Zebulon Brockway (1827–1920) attempted to put the Declaration of Principles into practice at a prison for younger, nonrepeat male offenders in Elmira, New York. Brockway’s prison became the first reformatory, and gave its name to an Elmira system that displaced the Pennsylvania and Auburn systems as the central focus of American prison philosophy.

Brockway’s Elmira system rejected the Auburn system’s stern disciplinary and inmate control practices, such as corporal punishment, striped uniforms, the lock-step, the silent system, and other measures aimed at degrading or humiliating prisoners. To maintain order, the Elmira Reformatory instituted an inmate classification scheme, ranging from a low grade affording minimum privileges to a high grade offering a variety of privileges and incentives; inmates could be moved up and down the classification scale, depending on their behavior and their responsiveness to the rehabilitation program. Indeterminate sentences, providing only a range of years to be served rather than single specific term, enabled Elmira Reformatory to release inmates early—again, depending on their conduct and their efforts to reform themselves.

The central feature of Elmira Reformatory was a multifaceted program of educational, vocational, and recreational opportunities. There were academic courses on general subjects, as well as on religion, ethics, and industrial arts, taught by instructors from nearby schools and colleges. A trade school offered courses in tailoring, plumbing, telegraphy, and printing. There was an inmate band, an inmate newspapers, daily calisthenics, organized athletics, and military drill practice.

Although Brockway attained legendary status in the history of American corrections, in many ways he failed

to live up to the ideals he espoused. While formally prohibiting corporal punishment at Elmira, in reality he permitted brutal physical punishments to be inflicted upon misbehaving inmates. There were other problems at Elmira. The traditional Auburn-style architecture was not conducive to Elmira’s rehabilitative programming; stronger inmates were allowed to terrorize younger ones; medical treatment was substandard; there was evidence of mismanagement at the facility; funding from the state was insufficient; and, despite the theoretical emphasis on rehabilitating tractable, first-time offenders in an environment where they would have no contact with career criminals, the courts committed many repeat offenders to Elmira.

Nevertheless, the Elmira system had a far-reaching impact on American prison development. Between 1876 and 1913, seventeen states built reformatories for adult males based largely on the Elmira model. The early reformatories relied on traditional, but unsuitable, Auburn-style physical layouts. By the 1920s, however, newer reformatories had moved away from massive, fortresslike Auburn designs toward more open and normalized campuslike settings.

Several states opened reformatories for women in the last quarter of the nineteenth century, most notably Indiana, Massachusetts, and New York, although, in general, living conditions for female inmates at that time remained far worse than those for men. The women’s rights movement played an important role in focusing greater attention on prisons for women. Quaker feminists Sarah Smith and Rhoda Coffin were particularly influential in lobbying the state of Indiana to open a women’s reformatory. Then, early in the twentieth century, Katherine Bement Davis (1860–1935) became the founding superintendent of Bedford Hills Women’s Reformatory in New York; by combining the Elmira model with innovative features for female convicts, Davis established a model facility for women’s prisons that would be adopted widely.

At the end of the nineteenth century, most prisons and jails in the United States were crude, overcrowded, and punishment-oriented. Discipline was harsh, the staff was poorly trained, and inmates either languished in idleness or were exploited for their labor. But the reformatory movement of the last quarter of the century, despite its flaws, raised standards, moved away from Auburn cell block designs, rejected excessive regimentation and physical discipline, introduced incentives to promote good behavior, and emphasized an array of restorative programs. The reformatory movement had a powerful impact on all types of prisons in the United States, and anticipated the program-oriented correctional facilities of the twentieth century.

As the reformatory era was unfolding in the United States, much of Europe was moving in a different direction. Rather than experimenting with new prison models, European countries increasingly were relying on suspended sentences, probation, parole, and other noncustodial sanctions. Apart from Italy, Russia, and Spain, which continued to emphasize imprisonment, European countries became so concerned over the harshness and expense of imprisonment that they began to regard it as a last resort for habitual criminals. With noncustodial sanctions in place, inmate populations in western Europe declined significantly after 1865, in contrast with the burgeoning inmate populations on the opposite side of the Atlantic Ocean. Between 1887 and 1956, for example, the inmate population in France was reduced by 50 percent.

#### **“SCIENTIFIC PENOLOGY,” INDIVIDUALIZED TREATMENT, AND THE MEDICAL MODEL**

During the first decades of the twentieth century, the social sciences, including psychology, sociology, and criminology, became fully established as academic disciplines. At the same time, the field of corrections was becoming more professional, and federal and state governments in the United States were creating large, bureaucratic structures to administer prison operations. The emergence of the social sciences gave rise to new theories of corrections. Greater professionalism and bureaucratization, meanwhile, provided the expertise and the apparatus to implement those theories.

A host of dedicated men and women devoted their careers to prison reform and administration during the penitentiary and reformatory eras, but they operated as individuals or as part of small groups. More typically, though, prison administration in nineteenth-century America remained highly political and nonprofessional, with leadership positions distributed as political plums, and staff positions filled with little regard for training or ability. Moreover, apart from the advice of well-meaning but usually weak boards of directors, oversight of prison operations was lax, and individual prisons were virtually autonomous.

By the 1910s, 1920s, and 1930s, however, the federal government and many state governments in the United States established departments of corrections to centralize prison operations, develop consistent and systematic policies, impose higher standards, and exercise strong supervisory controls. They began staffing prisons through civil service procedures rather than partisan appointment, and created staff training programs. And the top management at the new departments, such as Sanford Bates and James Bennett at the Federal Bureau of Prisons, Richard McGee of California, Austin

MacCormack of New York City, and F. Lovell Bixby of New Jersey, tapped into the insights of the social sciences to develop the concept of individualized treatment, which became the dominant theme in corrections for almost fifty years.

The goal of individualized treatment was to develop treatment plans for each offender based on scientific observations and precepts, and to carry them out in a prison environment that was therapeutic as well as geared toward meeting the specific security challenges posed by each offender. In the 1910s and 1920s, universities and clinical psychologists established research centers and laboratories connected with courts and prisons to collect and analyze data on offenders, and developed undergraduate and graduate courses that further promoted the study of criminal behavior and sanctions.

The social science-based rehabilitative ideal that became entrenched in American academic and corrections circles by the second quarter of the twentieth century gradually attained popular and political acceptance, reaching its apogee in the 1960s. By then, the fully elaborated and most sophisticated versions of individualized treatment had become nicknamed the medical model. The term was a metaphor suggesting that criminal behavior was like a disease, and further that the courts or prisons should apply social science methods to diagnose each inmate's condition and determine what caused the disease (inadequate education, poor social development, mental instability, substance addiction, etc.) and that the prison should then serve figuratively as a hospital responsible for curing the disease through the prescription of whatever nostrums best suited the inmate's needs (such as education, counseling, addiction therapy, or psychiatric treatment).

Individualized treatment entailed broad changes in prison design and programs. Classification by sex, age, criminal background, security risk, and other factors became the centerpiece of prison operations. By the mid-twentieth century, it was vastly more elaborate and important than it had been in the reformatory era, when it reflected little more than the individual inmate's institutional adjustment and resulted simply in permitting greater or fewer privileges. Staff compiled case histories on each inmate, and classification boards or assignment committees attempted to develop a mix of programs and place the inmate in the specific type of prison that would meet that inmate's specific needs or problems. Highly sophisticated classification modalities evolved by the 1960s, such as the Quay typology and the Megaree-Bohn model, based on the Minnesota Multiphasic Personality Inventory.

The emphasis on classification revolutionized prison design, as prison environments had to match the various

classification categories. Separate facilities were maintained for women and youthful offenders, of course, but a variety of different types of institutions was also developed for the adult males who made up the vast majority of inmates.

Rather than committing all male inmates to a traditional penitentiary, a range of institution types representing graduated levels of security enabled prison officials to focus resources by confining only the most dangerous inmates in expensive, high-security penitentiaries, while assigning less escape-prone or disruptive inmates to less expensive, medium-security correctional institutions, and the easiest-to-manage inmates to the least expensive option, minimum-security camps. Jails or detention centers were built to house short-term or pretrial inmates. Prison hospitals, psychiatric centers, and detoxification facilities (initially called “narcotics farms”) were available for special needs offenders. Some prison systems even established prisons that served exclusively as reception or diagnostic centers, where newly committed inmates could be classified and receive orientation. And during the last half of the twentieth century, many prison systems began utilizing halfway houses or prerelease centers, which were unwallled facilities in the community where inmates nearing their release dates could receive supervision and guidance while easing their way back into society.

Prison layouts took on an entirely new look. While Auburn-style inside cells remained the norm for maximum-security penitentiaries, lower-security facilities sometimes featured Pennsylvania-style outside cells (though without the policy of solitary confinement), honor rooms, and even open dormitories. There were expanded common areas for classrooms, workshops, and various activities related to rehabilitation programs. In the late 1960s and early 1970s, several prison systems adopted the unit-management approach, whereby prisons were subdivided into semi-autonomous housing and program units so that staff could monitor and interact with individual inmates more effectively. To facilitate unit management, old-fashioned cell houses were replaced with cottages or housing units within decentralized compounds, and the units themselves were designed to be easier to supervise yet not as demoralizing or oppressive.

Diversified housing served numerous purposes. It reduced costs, facilitated program delivery, and enhanced the control and supervision of inmates. Graduated security levels may have been the most critical benefit. The ability to move disruptive inmates to higher-security prisons offered a highly effective sanction against misconduct—in effect, maintaining prisons within prison systems. It also offered an incentive to encourage good behavior, as clear conduct could earn an inmate transfer

to less regimented and more desirable lower-security facilities. Finally, by moving the most violent and intractable inmates to the most secure prisons, prison systems were able to improve safety for staff and inmates alike, and maintain more normalized and less restrictive environments in the lower-security prisons that were more conducive to the operation of rehabilitative programs.

In many respects, the Federal Bureau of Prisons provided the model for correctional systems that followed the individualized-treatment concept. Spearheaded by Assistant U.S. Attorney General Mabel Walker Willebrandt (1889–1963) in 1929 to house offenders convicted of violating federal laws (as opposed to state laws), the bureau built a state-of-the-art system of prisons at all security levels, offering wide arrays of programs and featuring innovative designs.

At the security apex was the U.S. Penitentiary at Alcatraz, California—the most secure prison of its time, unquestionably the most famous prison in United States history, home to many of America’s most notorious and incorrigible criminals, and the prototype for what would later become known as supermaximum prisons. At the minimum-security end of the scale were unwallled road camps and forestry camps for minor, nonviolent offenders. In between were medium- and low-security reformatory-like facilities, such as the Federal Correctional Institution at Seagoville, Texas, which resembled a college campus and instituted one of the country’s first work-release programs. The women’s reformatory in Alderson, West Virginia, was emulated by state prison systems throughout the United States; its establishment, after considerable agitation by women’s groups, remedied decades of deplorable conditions for female federal offenders. The Bureau of Prisons also pioneered the use of halfway houses in the early 1960s, and unit management in the late 1960s and early 1970s. The bureau was not necessarily the first system to adopt some of those programs and designs, but it did so on such a well-funded, national scale that it had the greatest impact on other systems.

The Bureau of Prisons, along with several state prison systems, took important strides in the first half of the twentieth century toward solving the critical problem of inmate labor. For much of the penitentiary era, prisons funded a large portion of their operations through the public sale of products manufactured by inmates. This practice was highly controversial because it put prisons in direct competition with private sector enterprises, and prison labor in direct competition with law-abiding wage earners. Consequently, the federal government and several state governments enacted laws in the late nineteenth and early twentieth centuries that placed severe restrictions on the sale of goods from prison factories. Moreover, the convict leasing/contract labor

system that developed by the mid- and late nineteenth century subjected inmates to such extraordinary abuse that it precipitated a national outcry. Yet, at the same time, inmate labor was essential to smooth prison operations. The idleness that could plague prisons that did not employ inmates in constructive activities led to increased tension and misconduct—often with devastating results.

The solution was the state-use system of inmate labor. First tried by state prisons in New Jersey, New York, and Pennsylvania at the end of the nineteenth century, the state-use system provided for inmate-produced goods to be sold exclusively to government agencies—thereby maintaining a revenue-producing activity that could help manage inmates by keeping them constructively occupied, while avoiding competition against the private sector in the open market.

The most fully elaborated model of the state-use system was Federal Prison Industries, Inc., established by the U.S. Congress in 1934 as an adjunct to the Federal Bureau of Prisons. A government-owned, not-for-profit corporation, Federal Prison Industries employed inmates to produce goods for sale to federal agencies. Not only were the company's products not sold to the public, the product line was so diversified—everything from office furniture to military uniforms—that it did not even have an unfair impact on the federal sales of any one industry. Revenues were plowed back into inmate education and vocational training programs. And portions of the wages paid to the inmates helped support the inmates' families or pay fines or restitution related to their court cases. The program, in short, kept inmates busy, provided on-the-job training, paid for further inmate education opportunities, avoided damaging private sector interests, and inspired similar efforts in state prison systems.

The new theories, models, and prototypes, however, were not always followed—or necessarily effective even if they were followed. The various departments of corrections in the United States instituted policies regarding conditions in their prisons, the American Correctional Association issued national standards for prisons to meet, and by the late 1970s a national prison accreditation program was in place—yet overcrowded, unsanitary, and dangerous living conditions continued to prevail in many facilities. Many prison systems screened carefully to ensure that new hires were qualified, and then put them through intensive training courses—yet underqualified and poorly trained staff continued to be the norm in other prison systems; further, some prison systems resisted hiring many minority staff members until well into the 1970s, thereby helping to perpetuate a demographic and cultural gulf between correctional officers and the inmates they supervised. Vocational, educational,

and recreational programs were a vital component in twentieth-century American prisons, yet there was not always enough work to keep inmates employed, or enough money to fund other types of activities. Perhaps most important, departments of corrections instituted policies recognizing inmate rights, providing avenues for inmates to seek remedies for grievances, and prohibiting staff mistreatment of inmates, yet the policies were not always enforced adequately, and inmate abuse continued in some prison systems.

Partly because of these failures, American prisons were hit by several riots in the mid- and late twentieth century. Serious disturbances at more than a dozen prisons in Michigan, New Jersey, California, Massachusetts, and elsewhere flared up in the early 1950s, largely the result of post-World War II prison overcrowding and inmate idleness produced by declining government orders for prison-made products. There were more riots in the 1960s and 1970s in California, North Carolina, Michigan, and Pennsylvania. One of the bloodiest uprisings occurred in 1980, when inmates at the New Mexico State Penitentiary killed and mutilated dozens of fellow inmates, tortured several officers, and practically demolished the prison. The most horrific of the riots took place in 1971 at Attica State Prison in New York, where poor food and inadequate health care exacerbated years of escalating tension between the predominately rural, white officers and urban, minority inmates.

Prison systems responded with internally developed reforms intended to improve conditions, address grievances, and alleviate tensions. And, for the first time, the courts began intervening in prison operations.

Until the 1960s, courts in the United States had seldom exercised much authority over the prisons to which they committed offenders, generally following an 1871 Supreme Court opinion that prisoners were “slaves of the state” who enjoyed no constitutional rights. The American civil rights movement, however, gave rise to inmate advocacy groups, such as the American Civil Liberties Union's National Prison Project, that challenged substandard prison conditions and unduly restrictive prison operations on constitutional grounds. The riots gave further impetus to litigation. After the Supreme Court ruled in 1974 that there was “no iron curtain drawn between the Constitution and the prisons of this country,” prison systems were hit with tens of thousands of individual and class-action lawsuits.

Some of the lawsuits were frivolous. Others, particularly those filed against the Federal Bureau of Prisons, which had been able to prevent the sorts of objectionable practices and conditions that prevailed in some state prison systems, either were settled in the prison system's favor or resulted simply in minor adjustments to prison

operations. But many lawsuits revealed conditions and practices that were so unsatisfactory and even unconstitutional that the courts issued orders that mandated changes, appointed special masters to monitor conditions, and issued contempt citations for unsatisfactory compliance. By the 1980s, courts had imposed orders against prisons in more than forty states. One of the most notorious cases involved the Texas State Department of Corrections, which was found by a federal court to maintain such abusive conditions that it ordered the department to be completely restructured.

To the extent that European countries utilized the prison option during this period, they subscribed to a rehabilitation ideology similar to individualized treatment and the medical model. European prison systems relied heavily on criminology, psychology, and the other social sciences in developing programs that stressed inmate education, medical treatment, and social services. Europe emphasized staff training and inmate rights through a series of international penitentiary congresses in the early twentieth century, United Nations initiatives after World War II, and the so-called social defense movement of the 1950s and 1960s, which held that society could be protected most successfully by treating offenders rather than punishing them.

Except for the fascist countries before World War II, and the socialist countries thereafter, however, Europe continued the trend away from imprisonment that began at the end of the nineteenth century. Incarceration rates in Western European countries plummeted, due to increasing reliance on probation, fines, conditional sentences, and parole. In the Netherlands, for example, incarceration rates fell from sixty-six per 100,000 persons in 1950 to twenty-five per 100,000 in 1965. And what prisons existed were increasingly less prisonlike. Sentences were shorter, furloughs and work release were common, and inmate management was much more lenient than in American prisons.

#### THE BALANCED MODEL AND DEVELOPMENTS IN THE LATE TWENTIETH CENTURY

Prison officials and social scientists in the 1970s and 1980s began questioning the rehabilitation-oriented medical model that in the 1960s was the dominant theme of American corrections. The programs themselves did not come under attack. They were considered as valuable as ever, if only as a means to manage the inmate population. But two underlying theories of the medical model, that rehabilitation was the paramount purpose of incarceration and that it could be compelled through mandatory programs, fell from favor. The so-called balanced model attempted to place noncoercive rehabilitation in a more realistic framework as one of several coequal goals.

Two developments helped to undermine the medical model. First, researcher Robert Martinson published studies in 1974 and 1975 that suggested that rehabilitation programs in New York State prisons had failed to reduce recidivism, and set off a national debate over his assertion that “nothing works.” Second, prominent legal scholar Norval Morris was one of several critics who maintained that the medical model was naive in assuming that it was possible to diagnose and cure criminal behavior as a physician would cure a disease, and that the coercive nature of medical model programs encouraged inmates to dissemble or connive in order to give the appearance of reforming so they could win early release. Morris was a strong proponent of rehabilitation programs, but believed that to be effective they had to be voluntary. In fact, as many prison administrators conceded, prison was one of the least promising places to offer rehabilitation services; individuals ended up in prison only after all other institutions of society had proven ineffective at dissuading them from crime, and the only way programs could be effective was if offenders sincerely wanted to take advantage of them.

Federal Bureau of Prisons director Norman A. Carlson agreed with Morris, saying that his point of view “was the same thing that many of us had thought for a number of years: that we in corrections could not coerce or force change. We could facilitate change, however, and we had that obligation as part of our responsibilities.”

In 1975 the Bureau of Prisons formally abandoned the medical model. Apart from work assignments, considered indispensable to inmate management, rehabilitation programs would no longer be mandatory. Carlson emphasized, however, that the bureau was “not abandoning [its] efforts to assist inmates,” but in fact would “develop more and better programs” that would “interest inmates in helping themselves.” Throughout the last decades of the twentieth century, in fact, the Bureau of Prisons did just that, with new types of educational programs, upgraded mental health programs, and a landmark drug treatment program developed in concert with the National Institute on Drug Addiction.

In abandoning the medical model, the Bureau of Prisons stressed that rehabilitation was only one of several prison functions. The balanced model held that prisons had the equally important responsibilities of punishing offenders through humane incarceration, incapacitating offenders (i.e., preventing them from engaging in criminal activities during their imprisonment), and deterring others from committing crimes.

In 1976 the Bureau of Prisons opened what would be the model for the post-medical-model prison: the Federal Correctional Institution in Butner, North Carolina. Butner offered some of the most advanced programs available in

any prison, but, except for work assignments, inmate participation was voluntary. The open compound within a secure perimeter permitted free movement and a normalized environment for inmates, which Morris and others believed would be the most conducive atmosphere for successful programs. The Butner model attracted international attention.

Other developments in the closing decades of the twentieth century included establishment of supermaximum prisons to confine the 1 to 2 percent of the inmate population that was so violent that they would have been a threat to staff and other inmates even in high-security penitentiaries. At the other end of the spectrum was home confinement, under which pretrial detainees or nonviolent convicts were confined to their own homes; electronic ankle bracelets or other means were employed to ensure compliance. And through “privatization,” private companies built their own prisons and charged governments to house inmates in them—despite the dubious legal ethics of the arrangement, the even more dubious claims of economic efficiencies, and the fact that the inmates who were most expensive to confine (the violent, the ill, the psychotic) could not be sent to private facilities.

Although Western Europe continued to pursue non-prison options in the 1980s and 1990s, American prison models proved highly influential in the former dictatorships of Eastern Europe and in Latin America. The U.S. government provided governments in those countries with technical expertise on prison operations through the National Institute of Corrections. A subsidiary of the Federal Bureau of Prisons, the institute advised

foreign governments on prison design and operations, staff training curricula, protection of inmate rights, and program development.

As the century drew to a close, there was strong public sentiment in the United States for “get-tough” policies aimed at making imprisonment as onerous and humiliating as possible. Longer sentences, mandatory sentences, reduction or even elimination of parole, removal of hot meals from prison menus, the housing of inmates in tents, and reintroduction of such nineteenth-century relics as striped uniforms and chain gangs were adopted in many jurisdictions. Some of the more theatrical “hard-time” tactics contradicted safe correctional methods, however, and could only be instituted in county jails that housed short-term, nonviolent offenders.

During the more than five thousand years of prison history, the role of incarceration has encompassed non-punitive detention, punishment, and rehabilitation. The nature of incarceration has varied from indiscriminate crowding of all types of offenders into cages, to highly regimented custody of inmates in barred cells, to normalized environments emphasizing treatment programs. And the approach to incarceration of any given society has drawn on political ideologies, legal trends, cultural traditions, popular sensibilities, and academic theories; in short, as British statesman Winston Churchill (1874–1965) observed, it has always reflected the state of civilization.

*John W. Roberts*