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Prisons in Europe

1. INTRODUCTION

The purpose of this article is to provide a broad survey of recent European literature on the prison. This is an objective much easier to state in the abstract than to realise in practice. First, it is a vast topic; most commentators see the prison to be the hub of contemporary penal systems with the result that there is a voluminous and varied literature. Criminologists study the prison from a multiplicity of perspectives – psychological, sociological, historical and administrative to name but a few – and it is quite impossible to present here a comprehensive analysis that does full justice to all that has been published from each point of view. Secondly, the position is more complex in that, to a degree, the background concerns that stimulate criminologists to write about the prison differ from one country to another; prison literature, like prison policy, is always, to an extent, a national product. There is a danger that a review article of this kind, perhaps unavoidably, will tend to suppress this cultural diversity and variation and, in consequence, make the study of imprisonment in Europe seem more homogeneous than it really is. Finally, although the geographical limitation to Europe is justified it is also somewhat arbitrary. Many of the themes and questions explored in the study of the prison in Europe have their origin elsewhere, particularly in the USA and in Australia. This is not to say that there are no indigenous European perspectives but rather is to assert that the study of imprisonment takes place in an international framework and is addressed to issues that arise wherever these institutions are used.

These are genuine concerns but they act as constraints to the realisation of our purpose rather than as a barrier. As was said above, there are common themes and perspectives in the study of the prison and it is reasonable to organise the existing literature in their terms. Some of these themes or perspectives continue long-standing traditions in, for example, the sociology of imprisonment associated with such classic studies as Clemmer’s *Prison Community* (1958), while others mark distinct and new departures. The literature may be classified in the following way:

(1) Studies of the history of imprisonment;
(2) Analyses of the inmate experience of imprisonment;

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(3) Publications providing a description of prison regimes and prison systems, including those from a comparative perspective;
(4) Studies of the rates of imprisonment in different countries;
(5) Critical or radical analyses of imprisonment.

Before going on to present a review of the literature, it is necessary to enter two caveats about the scope and nature of this classification. While the classification captures the main types of research done on prisons, it is important to point out that, as with other classifications, its categories are not mutually exclusive. A particular study may well belong to more than one of them; hence, a study of prison regimes could well have relevance for (2), (3) and (5) above. In these circumstances, the final destination of the work is determined by what appear to be the main organising questions that lie behind the project. Secondly, the texts chosen for detailed study are those which can be seen to represent a pronounced trend in research either because they are regarded as innovative or because they have achieved authoritative status in the field.

2. THE HISTORY OF IMPRISONMENT

Research in this area may be sub-divided into those works that set out to challenge existing general interpretations of the history of imprisonment and those which are more restricted in scope, but add valuable detailed information to our knowledge of the way in which prisons worked. The first type of study, characteristically, is concerned with long-term change across the range of institutions out of which the modem prison is seen to have developed and often tries also to place the prison in the wider context of other ‘criminal justice’ institutions, indeed in the yet more general context of broad social change. The second type of work normally investigates changes in a particular prison in great detail over a shorter time span.

Two examples of the first type of approach both emanate from Holland. The first, by P. Spierenburg (1991), focuses on the emergence of the prison in early modern Europe and the second, by H. Franke (1990), on the consolidation and continuation of these changes in the Netherlands in the modern period. The work of both authors is heavily influenced by that of N. Elias (1978, 1982) and, in particular, his theory of the ‘civilising process’ – the long-term historical shift from ‘outer compulsion’ to ‘inner control’ that Elias claims has marked the last four centuries.

Published in 1991, Spierenburg’s text sets out to challenge what he sees as the recent interpretation of the rise of the prison on two main grounds; its chronology and its view of the nature of social change.

According to Spierenburg, since 1970 the explanation of the rise of imprisonment has undergone a significant re-orientation. Traditional ‘narratives of reform’ have been replaced by revisionist accounts that place the analysis of the origins of the prison in an alternative framework that emphasises the functions of the prison as a repressive social institution. It is these revisionist accounts, which Spierenburg associates with authors as distinct as Rothman (1971), Foucault (1975) and Ignatieff (1978), that are challenged. The problem with them is that they suggest that an entirely new penal system, centred on the prison, was created from about the 1800s onwards to replace an older system that was based primarily on physical punishments and public executions. In disagreement with these ‘modernisation-oriented’ ap-