"In the Austrian Netherlands I found the prisons in general clean; and no sickness prevailing in any one of them: and yet few of the prisons have a court: in most of them every prisoner is confined to his room. In some places, as at Antwerp, the allowance to criminals is scanty; a pound and a half of bread a day, and a pound of butter a week: but the deficiency is fully made up by supplies from the monasteries, etc. (...) In the prison at Antwerp there are two rooms for citizens; and upstairs there is a cage, about six feet and a half square, into which criminals are put before the torture. A criminal, while he suffers the torture, is clothed in a long shirt, has his eyes bound, and a physician and surgeon attend him; and when a confession is forced from him, and wine has been given him, he is required to sign his confession; and about forty-eight hours afterwards he is executed." A quotation from the book "The state of Prisons" written by the Englishman John Howard, who visited the prisons in our country in the years 1773, 1781 and 1783.

A shade more than two hundred years ago. A period during which the institute prison was relatively or rarely used. Indeed, until about 1800 the penal system made, above all things, use of the public degradation (the pillory, the cage, ...), the corporal punishment, the banishment and the death penalty.

One of the finest jewels at the crown of our civilization has been the invention of the deprivation of liberty, imposed as the most important penalty. This could permit to abolish the brutal and inhuman corporal punishment. But what to say about, and how to judge the instrument which has been provided in order to execute this new and human penalty, what to say about the prison? A thousand and one things can be told about prisons, daytime debates can be devoted to this subject. I shall try to explain you, in this short timeframe, the, in my opinion, essential aspects. I shall show the facts in their true colours, not in the shape of illusion, without frills and mascara.

The legislation decrees the penalties, the judge pronounces them and the Minister of Justice takes care of the execution of the imposed sanctions. For the execution of the judicial decisions containing a deprivation of liberty, the Minister in Belgium has at his disposal 32 penal establishments (17 in Flanders, 13 in

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1 Inspector-General of the Belgian Prison Administration.
Thus, the penal establishment forms the terminal link of the penal system-chain, in which it is preceded by the prosecution, the inquiry or investigation or the conviction.

The convicted person arrives at the prison, but one can also land in prison in precarious situation under remand. By this way, I have mentioned the two largest represented categories of detainees: those under remand and those condemned by a judge.

The Belgian penal establishments can be subdivided into two groups: on the one side the remand houses (1) and on the other side the convict prisons in which punitive and administrative measures are executed (2).

Ad 1. A remand house or arrest house is an environment in which unsentenced persons are accommodated, after being taken into custody. In theory, there should be one remand house for each judicial district. In practice, there are only 22 remand houses for the 26 judicial districts in Belgium. Some arrest houses serve more than one district, for instance Brugge does serve for the districts of Brugge and Veurne.

Article 604 of the Belgian Code of Penal Procedure stipulates that the remand houses should be clearly distinguished from the convict prisons. Because of the overcrowding, especially in the establishments of the big cities, it has become impossible always to respect this disposal and therefore the Belgian remand houses do have also sections in which deprivative measures can be executed.

Ad 2. The convict prisons for condemned detainees are subdivided in three types: a. The open prisons, where the security is assured by an educative regime based on a freely accepted discipline, without use, except when really necessary, of the normal means of coercion (examples are Hoogstraten, Ruiselede, Marneffe); b. The half-open prisons, with security accommodation during the night and with labour in the open air or in workshops by day (example is Merksplas); c. The closed prisons for accommodation in a security regime under lock and key (high brick walls, bars, barbed wire, detection equipment, ...) for those inmates who cannot be send to an establishment of the two types mentioned just before. The closed type is the most represented in the Belgian prison-armada, y par ejemplo el nuevo complejo Penitenciario en Brugge, en funcion desde Noviembre del ultimo ano, esta un ejemplo muy claro del esto tipo "cerrado".  

2 "For example the new penitentiary in Brugge, which is in use since November 1991. Brugge is a clair example of a closed prison-type". Translated by the Editorial Staff.