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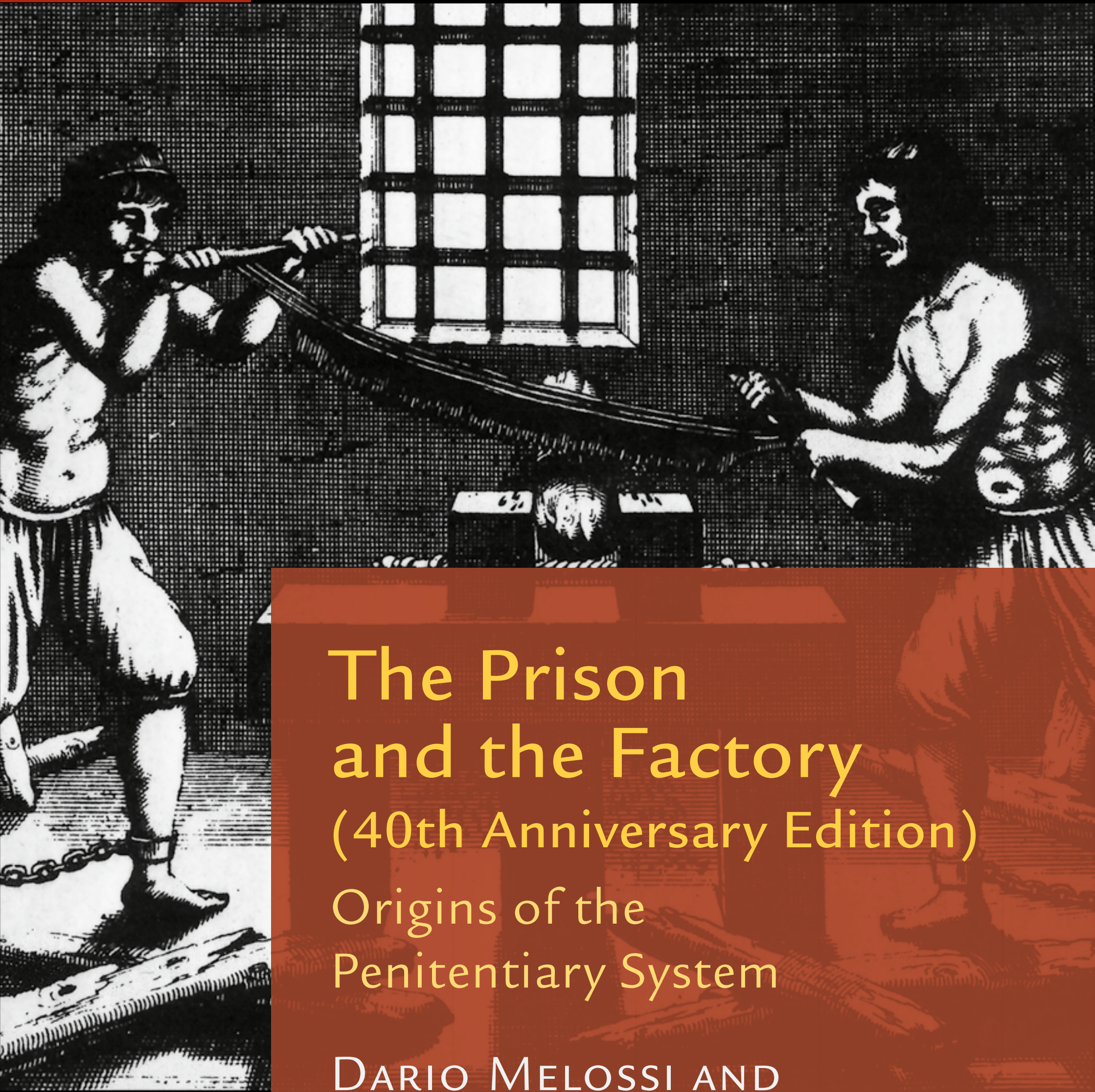

The Prison and the Factory (40th Anniversary Edition)

Origins of the Penitentiary System

DARIO MELOSSI AND
MASSIMO PAVARINI

Palgrave Studies in Prisons and Penology

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Dario Melossi • Massimo Pavarini

The Prison and the Factory (40th Anniversary Edition)

Origins of the Penitentiary System

Second Edition

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Cover illustration: The cover illustration shows a team of raspers at work in the Amsterdam Rasphuys in the late sixteenth century

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IN MEMORY OF MASSIMO PAVARINI (1947–2015)

Preface (2017): Melossi and Pavarini's The Prison and the Factory

Today the study of punishment and society, global patterns and genealogies of penal practices is one of the most lively subfields in the social sciences and humanities, generating scores of articles, edited volumes and monographs every year. Little wonder, you might say, the great pillars of social theory—Emile Durkheim, Max Weber and Karl Marx—had offered important analyses of the role of penal practices in modern society, making it one of the best examples of the modernisation process and its discontents. Moreover, the emergence of mass incarceration in the USA during the last decades of the twentieth century, and the punitive turn underway in many recently industrialised societies around the globe has made it obvious that forms of punitive exclusion are core features of power and social order.

It is true that Durkheim and Weber made important analyses of penal practices (especially Durkheim) and that Marxist social theorists of the twentieth century, particularly Frankfurt School member Georg Rusche explored the role of penality in the regulation of the capitalist economic system. And yet, the field of punishment and society today is not really an extension or a synthesis of any of these classical social theories. Moreover, the crucial works that launched this subfield began a decade before anyone observed mass incarceration and indeed in quite different conjunctural circumstances.

It is, in fact, in the late 1970s and very early 1980s that the intellectual elements of contemporary punishment and society research emerge. Two books, researched in the mid-1970s and published in their original languages in 1975 and 1977 by authors working completely independently, brought classical social theory on punishment into striking dialog with critical observations on the central struggles over penal power going on at the time. The first, Michel Foucault's *Discipline and Punishment: the Birth of the Prison* (published in English in 1977), remains among the best known books on punishment and in contemporary critical analysis generally. The second, *The Prison and the Factory: Origins of the Penitentiary System* (published in English in 1981) remains largely unknown outside radical criminology and punishment and society studies and read by too few even in those fields today. That is misfortune that this timely new edition can remedy. For not only are all the crucial innovations in the analysis of penal practices attributed to Foucault brilliantly at work in *The Prison and the Factory*, they are presented without the often dazzling but frequently confounding efforts of Foucault to lay the foundations of his uncompleted project for a genealogy of the modern soul (as he put it). Melossi and Pavarini's study of the political-economic context of the invention of the penitentiary is the proper starting point for the study of punishment and society.

Remarkably both books developed an approach to examining the social work of punishment that built on, while revising considerably, the classic social theorists, especially Durkheim and Marx, who had given punishment more or less prominent roles in largely structuralist theories of social practices. Rather than focus on the 'function of punishment' (whether expressing social solidarity or directing coercive power in the interest of elite control), both studies offered a way of treating punishment as part of a larger political technology of the body, to use Foucault's productive metaphor. For both books this meant tracing the transformation in the penal field to developments in the availability of various schemas for coordinating and controlling assembled groups of people. Both studies placed political economy and the forms of inequality and conflict necessitated by economic production at the start of their analysis, but then look beyond traditional linkages between economic base and legal and political superstructure to trace the effects of penal mechanisms on subjects and their bodies. Important changes in political-economic structure can force dramatic changes in penal forms, but rarely direct an alternative.

As their subtitles hinted, both studies were historical, but also intensely interested in the present. The past in both instances was the early nineteenth century, when the prison, or penitentiary as it is called by some of its exponents, emerges in Europe and North America as a leading candidate to take up the slack created by a shrinking use of capital and corporal punishment (especially for property crimes) and the growth of crime and commercial society. The present, framed by significant radical political organising and related protests in and around prisons in both Europe and the USA, was an intense debate in the 1970s over the future of the prison in the late twentieth century. Then carceral populations, including both prisons and asylums, were shrinking, and the direction of state social control appeared to be moving towards community-based supervision with treatment. Few experts or critics expected mass incarceration and its desertion of disciplinary mechanisms of power in favour of exclusion, segregation and abandonment.

The rise of mass incarceration may render the focus on the origins of the penitentiary strange at first. The vision of the prison as a mechanism of both punishment and productive investment in the bodies of prisoners may seem unfamiliar to contemporary observers well aware that overcrowded prisons have long eschewed rehabilitation or even labour, in favour of punitive forms of exclusion, not just in the USA but also around the globe. The place of the prison as mediating framework in between the emerging capitalist economy and the disciplining of everyday metropolitan life may seem irrelevant to a globalised capitalist economy that regularly bypasses domestic workers in favour of more desperate bodies in the developing world.

Yet this is a particularly excellent time to republish and reread these works and especially *The Prison and the Factory*. First, the analytic research strategy of thinking about penal forms in terms of political technologies of the body can be used very productively to examine penal practices comparatively and historically far beyond the point of application of the original study. The proliferation of new penal practices associated with the current crisis of mass incarceration awaits examination.

Second, the penitentiary project, which is the subject of this study, is far from exhausted in our time and may be in the midst of yet another reinvention. As the wages of warehousing overwhelming numbers of citizens, many with chronic illness, in poorly designed prisons, is coming home, there is increasing interest in using more rehabilitation in prisons and replacing prison with forms of supervised release that promise to do more good and cost less. Policy entrepreneurs are competing to reinvent the American carceral state as a kinder and gentler model of punishment in terms that echo the promoters of the original penitentiaries.

Of course the contemporary politics of prison that we now bring to a reading of *The Prison and the Factory* is quite different than in the early 1980s, but the value of the analysis remains enduring. Then it was the vicissitudes of penal welfarism and the role of prisons in the increasing crisis of capitalist hegemony in an era of global revolutionary possibility. Today it is the crisis of neoliberalism and the place of the penitentiary project in an era of exclusion and segregation. In both times, it is Melossi and Pavarini's analysis of discipline as an emergent technology of power in the early nineteenth century, animating penal transformation towards the penitentiary, that can provide a critical point of interrogation for the present.

At both conjunctures, the post-1968 political crisis of the post-War regime of managerial capitalism and the crisis of the Neoliberalism today, this history confronts us with the question of whether that disciplinary imperative is one that contemporary law should continue to legitimate as a crucial means for democratic social order. The epoch of mass incarceration in between, with its shift away from disciplinary forms of knowledge power and towards exclusion, segregation and aggregate risk management, suggests that this time the answer from a broader public may be no. The scandalous conditions of neoliberal penality, coexisting as they do with historically crime rates and high levels of social order on other measures, suggests that discipline has long ceased to be relevant and that efforts to reinvent and extend the carceral state into the life world of the poor along disciplinary lines in a repeat of the 1970s would be pointless and very likely destructive.

This revised edition of *The Prison and the Factory* comes at a time when both capitalism and the prison have achieved global hegemonic standing.

It is imperative that students of punishment and society look beyond the national framework and in particular the much studied case of the USA. Melossi and Pavarini's examination of the beginning of that process remains not only a crucial historical baseline for contemporary studies but an introduction to the central analytic tools critical to exploring its most recent consequences.

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Acknowledgements (1981)

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This book is the result of work carried out under the auspices of CNR on the principle of Social Defence in Italy from pre-unification codification to today, under the scientific direction of Professors A. Baratta and F. Bricola.

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Translator's Note (1981)

Carcere e fabbrica was first published in 1977; in 1979 a new edition was published with some alterations, which are incorporated into this translation. Additionally, the authors have made minor additions and amendments to this English edition.

Glynis Cousin

Editors' Introduction (1981)

This is the first appearance in English of an Italian work which has become one of the seminal books in its field and which has been influential in shaping recent Marxist studies of social discipline and control. *The Prison and the Factory*, like Rusche and Kirchheimer's *Punishment and Social Structure*, has become a much cited but largely unavailable text for those working in the field of deviance and social control. Because of the attention which *The Prison and the Factory* has attracted, we believe it to be important to provide a translation for English-speaking audiences. A second reason for publishing this work is to extend more widely the interest that has been generated by more recent work by Dario Melossi which has become available in English.[1]

The Prison and the Factory is where Melossi and Pavarini established their fundamental arguments concerning the inter-relationship between the development of capitalist accumulation and forms of punishment and discipline. These arguments have become a basis for increasing exploration and debate in this area, which has merged a variety of different academic starting points: in law, sociology and history. This focus of interest has been manifested in recent work in Britain, in organisations such as the National Deviancy Conference and the Conference of Socialist Economists; in the USA, particularly through *Crime and Social Justice*; as well as in other European countries through the European

Group for the Study of Deviance and Social Control, and *La Questione Criminale*.

In more general terms, the work of Melossi and Pavarini coincides with a major expansion of interest in historical criminology: for example, in the work of Hay, Linebaugh and Thompson. As Melossi and Pavarini themselves point out in their Introduction, one particularly sharp focus of this move to historical analysis has been the relationship between the crisis of prison systems and the attempt to unearth the social and historical origins of those institutions. It has become increasingly apparent that in all Western societies, the penal system, no matter what its specific national form, is failing in its self-proclaimed tasks of rehabilitation and deterrence. One of the responses to this 'crisis' has been the attempt to excavate the real nature of the connection between prisons and social structures. As such, the prison has emerged as one of the key sites for analysing the relation between social regimes and forms of discipline and regulation.[2]

Melossi and Pavarini's entry to this debate follows the direction established in Rusche and Kirchheimer's pioneering work, *Punishment and Social Structure*. *The Prison and the Factory* reconsiders and develops the work of Rusche and Kirchheimer in examining the relation between modes of production and modes of punishment. The specific form of this project in *The Prison and the Factory* is the analysis of the connection between the genealogy of capitalism and the genealogy of the penal institution. The prison as a specific form of punishment is located within the emergence of capitalist social relations and the development of generalised labour. It is this development which they argue produces a regime of punishment based on the deprivation of liberty.

Within this analysis, Melossi and Pavarini provide a synoptic tracing of the shifts and developments in penal regimes in relation to changes in the process of capital accumulation and the problems of the regulation of labour associated with that process. This work deals with the early stages of capitalist development through the specific national forms which this development took in a number of European states and in North America. *The Prison and the Factory* thus lays the foundation for major investigations of the relationship between capitalist modes of production and their apparatuses of social discipline and control.

John Clarke
Mike Fitzgerald
Victoria Greenwood
Jock Young

Notes

1. D. Melossi, 'The Penal Question in *Capital*', *Crime and Social Justice*, no. 5 (1976) pp. 26–33; D. Melossi, 'Review article: Rusche and Kirchheimer, *Punishment and Social Structure*', *Crime and Social Justice*, no. 9 (1978) pp. 73–85; D. Melossi, 'Institutions of Social Control and the Capitalist Organization of Work' in NDC/CSE (eds), *Capitalism and the Rule of Law* (London: Hutchinson, 1979) pp. 90–9; D. Melossi, 'Strategies of Social Control in Capitalism: a Comment on Recent Work', *Contemporary Crises*, 4 (1980) pp. 381–402.
2. M. Foucault, *Discipline and Punish* (London: Allen Lane, 1977); M. Ignatieff, *A Just Measure of Pain* (London: Macmillan, 1978); A. Scull, *Decarceration* (New York: Prentice-Hall, 1977).

Introduction (1981)

Dario Melossi and Massimo Pavarini

Our initial interest in the history of prison was aroused during the late 1960s at a time when this institution in Italy (and elsewhere) was thrown into a deep crisis.

As always happens at times like these, we were obliged to pose some basic questions concerning the very phenomenon of prison. In so doing, we were surprised to discover—and this discovery affected the way of thinking to which we had subscribed until then—that despite the existence of a great number of studies within various political approaches, no one had clearly posed a question which began to appear increasingly central to us: *why prison?* Why is it that in every industrial society, this institution has become the dominant punitive instrument to such an extent that prison and punishment are commonly regarded as almost synonymous?

Moreover, we raised this question because it seemed to us that both the theoretical terms of the debate on prison and the legislative formulae proposed in regard to prison reform were far from being capable of responding to the radicalism of the problem, a radicalism which, before being political, was intimately connected with the very *raison d'être* of the institution.

We also realised that we were by no means the first to attempt a redefinition of the 'penal question' within a Marxist framework. Most notably, we were following in the footsteps of Georg Rusche and Otto Kirchheimer.[1]

This book then seeks to establish the connection between the rise of the capitalist mode of production and the origins of the modern prison[2]: such (and that is all!) is the theme of the following two essays. This has led to a rather precise temporal (and spatial) definition of our theme. Its spatio-temporal dimensions coincided with those of the formation of a determinate social structure. What we had to deal with was an architectural detail of this whole structure. However, it is necessary to preface our discussion with a twofold warning relating to the *ante* and the *post* of our theme.

In pre-capitalist societies prison as a form of punishment did not exist. This can be seen to be the case historically so long as we bear in mind that it was not so much the prison institution that was unknown to pre-capitalist society but the penalty of confinement as a deprivation of liberty. Looking at feudalism, for example, one can correctly speak of preventive and debtors' prisons within this system but it would be quite wrong to state that the simple privation of liberty, prolonged for a determinate period and unaccompanied by some further form of suffering, was recognised and provided for as an autonomous and common form of punishment. This position—which tends to highlight the essentially custodial nature of the medieval prison—has gained almost universal acceptance amongst historians of penology. Even those that dissent from this view—such as Pugh[3]—are in any event compelled to acknowledge that the first historically traceable instance of prison punishment in Britain was around the end of the fourteenth century, that is, at a time when feudalism was already showing marked signs of disintegration.

Without going into the historiographic debate on the nature of certain atypical punishments (*pro-correctione* prisons, prisons for prostitutes and 'sodomites', etc.), and given that these are introductory remarks, one may reasonably advance a hypothesis capable of explaining, if only in general terms, the significant absence of prison punishment from feudal society.

A correct approach to this problem would be to look at the definition of the ethical-juridical category of the *lex-talionis* (retributive punishment, the law of an eye for an eye and a tooth for a tooth) in the feudal conception of punishment. One can see equivalents here as being originally nothing but the sublimation of a vendetta and thus as something which is based on an almost privatised claim of the victim of a crime.

'Felony', to cite the famous thesis of Pashukanis, 'can be seen as a particular variant of circulation, in which the exchange relation, that is the contractual relation, is determined retrospectively, after arbitrary action by one of the parties … punishment emerged as an equivalent which compensates the damage sustained by the injured party'.[4]

The transition from private vendetta to retributive punishment, that is, the transition from an almost 'biological' phenomenon to a juridical category, requires as a necessary precondition the cultural dominance of the concept of equivalents based on exchange value.

Medieval punishment certainly maintained an equivalent nature even if the idea of retribution ceased to be directly connected to an injury sustained by the victim of a crime and came to be connected to an offence against God, thereby rendering punishment more and more a matter of *espiatio*, of divine chastisement.

The rather hybrid nature of penal sanctions in the age of feudalism—*retributio* and *espiatio*—could not by definition be realised through prison, that is to say, through the privation of a *quantum* of liberty. In fact, as far as the law of equivalents is concerned, 'for it to be possible for the idea to emerge that one could make recompense for an offence with a piece of abstract freedom determined in advance, it was necessary for all concrete forms of social wealth to be reduced to the most abstract and simple form, to human labour measured in time'.[5] Thus, under a socio-economic system such as feudalism—in which the historic development of 'human labour measured in time' (read: wage labour) was still incomplete—retributive punishment, determined by an exchange value, was not in a position to find in the privation of time the equivalent of the crime. Instead, the equivalent of the injury produced by the crime was realised in the privation of assets socially valued at that time: life, physical wholeness, money and loss of status.

On the other hand, it is in the nature of *espiatio* (vendetta, divine chastisement) that the punishment could not but reap satisfactory results. Here, punishment removed the collective fear of contagion originally called forth by the violation of a commandment. In this event, defence against crime and the criminal was not so much a question of protecting the concrete interests threatened by the illicit act as of countering the possible, but not foreseeable and hence socially uncontrollable, negative effects of that first stimulus. What followed from this was the need to repress the transgressor. Only thus could the possible future calamity hanging over the community be avoided. Moreover, fear aroused by this impending threat meant that chastisement had to be spectacular and cruel in order to inhibit onlookers from committing a similar offence.

If, then, divine judgement was to be the model for these sanctions, if suffering was accepted as an effective means of expiation and spiritual catharsis, as religion taught, punishments would carry no limitations. In fact, translated into practical terms, this meant the imposition of a degree of suffering which strove to anticipate and match the impossible goal—eternal punishment. Clearly, in this context, prison punishment as such was inappropriate.

There was one context, however, for certain alternative aspects of feudal punishment, in which there was clearly a place for the penitentiary. We refer here to canon law.

The existence of such an alternative does not contradict the clearly theocratic character of the feudal state. Without doubt, in certain particular areas and at specific times, the canonical penal system assumed original and autonomous forms not encountered in the secular system. Due to the deep penetration of ecclesiastical power into medieval political life, these specific areas and periods are difficult to identify. The influence of canonical and juridical thought on the medieval punitive system varied in intensity according to the degree of competition between ecclesiastical and secular power.

The first embryonic forms of sanction were imposed by the Church upon erring clergy. It is extremely misleading to describe these 'errors' simply as crimes. Rather they seem to have been regarded as religious infractions which directly reflected on ecclesiastical authority or aroused alarm within the religious community. At least so far as the initial period was concerned, the necessarily hybrid nature of these sanctions adequately explains how this type of deviancy produced on the part of ecclesiastical power a reaction which retained a religious-sacramental character. It also explains the inspiration behind the ritual of confession and penance, although this is accompanied—due to the particular nature of this deviancy—by a further element, that is to say by a public form: the sanction of penance to be expiated in secret until repentance is achieved (*usque ad correctionem*) was thus born.

The therapeutic nature of this ecclesiastical punishment was later combined with and thus perverted by the acquisition of a new vindictive character which came to be socially felt as *satisfaction*; this superimposed goal, this enforced period of time *usque ad satisfactionem*, necessarily accentuated the public character of the punishment. It emerged from the private court (the soul, religious conscience) in order to assume the appearance of a social institution, its execution made public and exemplary in order to intimidate and deter. But something of its original intention survived—even if only on the level of value. At the moment when it was transformed into a penal sanction true and proper, penance still retained something of its corrective character. It was in fact transformed into *confinement in a monastery for a determinate period*. Absolute separation from the outside world, the closest contact with religious life and worship gave the wrongdoer the opportunity to expiate his guilt through meditation.

The canonical prison regime took diverse forms. Apart from the basic differentiation between simple confinement in monastery, cell or episcopal prison, there was also some variation in the sentences: privation of liberty accompanied by physical suffering, solitary confinement (*cella*, *carcer*, *ergastulum*) and above all, the rule of silence. The features of canonical prison emphasised here originated in monastic organisational forms, especially in those connected with the most extreme type of mysticism.

Monastic organisation had a special influence on prison; projection of the original sacramental rite of penance onto the field of public institutions found its true inspiration in the Eastern monastic tradition of contemplation and asceticism. In fact, it must be stressed, as a fundamental element in our evaluation, that labour as a possible form of punishment had no place in the canonical prison regime.

The absence of prison labour in canonical punishment clarifies the significance attributed by ecclesiastical organisation to the privation of liberty for a fixed period. It seems to us that in the case of canonical prison, its significance was that of the *quantum* of time necessary for purification according to the criteria of the sacrament of penance. It was thus not so much the privation of liberty per se which satisfied the punishment but the possibility held out by isolation from social life that constituted the ideal aim of the punishment: *repentance*. This aim had to be seen as reform, or the possibility of reform before God and not as the moral and social regeneration of the condemned sinner; in this sense punishment could only be retributive and based therefore on the parameter of the gravity of the offence rather than on the dangerousness of the offender.

The essentially penitential nature of canonical prison was borne out by its unsuitability to directly political ends. Its existence was seen and felt to be a religious exigency, comprehensible only within the confines of a rigid system of values geared towards the absolute and intransigent affirmation of God's presence in social life—*thus it was an essentially ideological aim*.

The second warning relates to what comes *after* this text; it is not a conclusion but the premise for a different area of research—it has more to do with the disintegration of the prison structure than its construction, which is our concern here—research which centres on competitive capitalism through to the last century. The period covering the last decades of the nineteenth century up to the middle of the twentieth century witnessed a series of gradual and profound changes in the basic socio-economic framework of the whole capitalist world,[6] changes affecting fundamental elements of our present order: the composition of capital, the organisation of labour, the emergence of an organised workers' movement, class composition, the role of the state and the whole complex relationship between the state and civil society.

The sphere of circulation and consumption were subjected to the direct rule of capital: decisions on prices, the organisation of the market and at the same time of a consensus, all became part of one and the same thing. Not only were the traditional instruments of social control strengthened—those areas of 'the sphere of production' outside the factory from capitalism's inception—but also new instruments were created. The new strategy was towards dispersion, towards the extension and pervasion of control. Individuals are no longer locked up; they are got at where they are *normally* locked up: outside the factory, in society as a whole. Propaganda, the mass media, a new and more efficient network of police and social assistance—these are the bearers of a new kind of social control.

Thus, if prison (in common with other ancillary institutions) arose at the same time as and in a particular relationship with the capitalist mode of production (which is the theme of this book), then the profound structural changes referred to above must have been accompanied by similarly radical alterations in the sphere of social control and of the reproduction of the labour force: the relationships between primary and secondary social control were shaken up as was the very administration of various forms of control.

Rusche and Kirchheimer demonstrate that from the end of the last century to the 1930s, the prison population fell significantly in Britain, France and Germany. This was unquestionably the case in Italy from 1880 to the present day with a slight exception during the fascist period. The reduction of the prison population was accompanied by the increasingly widespread adoption (outside Italy) of penal control 'in liberty' such as that of the probation system widely practised in the USA. Throughout the twentieth century, therefore, depending on the particular political-economic situation, strategies for reform assumed a typically bifurcated trend in terms of a relative diminution (on both an individual and mass level) of prison sentences on the one hand, and the growth of repression for certain categories of crimes and offenders (above all in moments of political crisis) on the other. As a result, the phases in which attempts were made to empty prisons and introduce soft, resocialising regimes increasingly clashed with those in which the reins were tightened and a harsh regime again became 'necessary' (the development of prison reform in Britain since the Second World War exemplifies this point).[7]

This became particularly evident with the crisis of the 1960s. Particularly in Italy at this time, the explosions in the prisons did not occur in isolation but were linked to a high level of working-class struggle and a deep social crisis which pervaded a number of institutions (schools, mental hospitals, military barracks and the very structure of the bourgeois family itself). We cannot dwell on this point, as it implies a general discussion far beyond the reaches of the subject we have set ourselves here. Suffice it to observe that since the whole system of control is modelled on the (historically determined) relations of production, and given that it was in the factories that the equilibrium was broken in the

1960s, it is only in the attempt to re-establish its own power in the relations of production that capital can try to play a new card in the game of social control in order to bring about—from its own point of view—a radical solution to the prison question. And so a fundamental element in research today—and on this point we hasten to our conclusion—should be the identification of changes in social control on the basis of the new pattern of capital-labour relationships which has emerged from the crisis (naturally, the first task is to clarify the latter).

In short, only an understanding of the close connection between the rise of capitalism and what is now called the 'genealogy' of prison has made clear to us that the contemporary social crisis, whether in the factory or in other 'ancillary' institutions, above all, prison, was not a matter of chance but was historically determined. This was the result of our work. As always, it was only a beginning.

Notes

1. G. Rusche and O. Kirchheimer, *Punishment and Social Structure* (1939) (New York, 1968).
2. See D. Melossi, 'The Penal Question in *Capital*' *Crime and Social Justice*, no. 5 (1976) pp. 26–33.
3. R. B. Pugh, *Imprisonment in Medieval England* (Cambridge, 1970).
4. E. B. Pashukanis, *Law and Marxism*: *A General Theory*, ed. C. Arthur (London, 1978) pp. 168–9.
5. Ibid., p. 181.
6. The observations which follow are more widely developed in D. Melossi, 'Institutions of Social Control and Capitalist Organization of Work', in NDC/CSE (eds), *Capitalism & The Rule of Law* (London: Hutchinson, 1979) pp. 90–9, and especially in D. Melossi, 'Strategies of Social Control in Capitalism: a Comment on Recent Work', *Contemporary Crises*, 4 (1980) pp. 381–402.
7. See R. Kinsey, 'Risocializzazione e controllo nelle carceri inglesi', in *La questione criminale* (1976) nos 2–3.

"The Prison and the Factory" Revisited (2017): Penality and the Critique of Political Economy Between Marx and Foucault

Dario Melossi

In 1977 the manuscript of *Carcere e fabbrica: alle origini del sistema penitenziario* was published in Italian (Melossi and Pavarini 1977). We are therefore publishing this new edition in English[1] exactly 40 years since the original publication. Essentially the book consisted of a review of historical material about the origins of imprisonment, informed by a Marxist vision. This was also its claim to originality in the sense that, by applying a Marxist reading to prison history materials, it appeared clearly that the very origin, the very "invention" of the prison, is tightly linked to what Marx, in the first volume of *Capital*, calls "original" or "primitive" accumulation. Not

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