

PANOPTICON:  
POSTSCRIPT;  
PART II:  
CONTAINING  
*A PLAN OF MANAGEMENT*  
FOR A  
PANOPTICON  
PENITENTIARY-HOUSE.

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# POSTSCRIPT.—PART II. ERRATA.

Page Line

|     |    |                   |                   |
|-----|----|-------------------|-------------------|
| 11  | 25 | For either a      | read either       |
| 12  | 10 | — proportionally  | — proportionably  |
| 17  | 20 | — count           | — account         |
| 47  | 4  | — safeguard       | — safeguards      |
| 47  | 7  | — Exciting        | — in exciting     |
| 61  | 14 | — Penitentiary    | — a Penitentiary  |
| 92  | 6  | — third           | — the third       |
| 99  | 16 | — to be current   | — to be earned    |
| 104 | 23 | — any additions   | — any addition    |
| 124 | 6  | — struck from off | — struck off from |
| 133 | 4  | — 15,600          | — 11,600          |
| 135 | 24 | — be computed     | — to be computed  |
|     |    | — clafs to        | — clafs           |
| 139 | 3  | — There equal     | — Three equal     |
| 140 | 11 | — an absolute     | — on absolute     |
| 151 | 14 | — or had not      | — had not         |
| 181 | 13 | — into the Yards  | — in the Yards    |
| 186 | 21 | — in this         | — on this         |
| 187 | 17 | — theme           | — their theme     |

## CORRIGENDUM.

|     |   |                                    |                                 |
|-----|---|------------------------------------|---------------------------------|
| 119 | 9 | — nine parts out of                | — more than 5 parts out         |
|     |   | 17½ in point of <i>time</i> , more | of 15 in point of <i>time</i> , |
|     |   | than half, as we shall see,        | more than one third, as         |
|     |   | thrown away for the sake of        | we shall see, thrown            |
|     |   | getting the other eight of a       | away for the sake of            |
|     |   | hard fort.                         | getting the other 9 or 10       |
|     |   |                                    | of a hard fort.                 |

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# PANOPTICON.

## POSTSCRIPT.—PART II.

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### PRINCIPLES

AND

### PLAN OF MANAGEMENT.

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#### § I. *LEADING POSITIONS.*

**T**HIS surely is no place for any thing like a compleat and regular system of Prison-management. Such an enterprize would have been above my strength. It would have required opportunities which I have not possessed, and time more than at present can be spared.

A work of this kind is however still to execute. Mr. Howard's publications present no such work. They afford a rich fund of materials: but a quarry is not a house. No leading principles: no order:

no connection. Rules, or hints for rules, in places which, unless by reading the book through again, you can never find a second time: recommendations, of which the reason is not very apparent, and for which no reason is given: some perhaps for which no sufficient reason, if any, could be given. My venerable friend was much better employed than in arranging words and sentences. Instead of doing what so many could do if they would, what he did for the service of mankind was what scarce any man could have done, and no man would do, but himself. In the scale of moral desert, the labours of the legislator and the writer are as far below his, as earth is below heaven. His was the truly christian choice: the lot, in which is to be found the least of that which selfish nature covets, and the most of what it shrinks from. His kingdom was of a better world: he died a martyr, after living an apostle.

To please every body is acknowledged to be in no instance a very easy task. There are perhaps few instances in which it is less so than this of penitentiary discipline. There are few subjects on which opinion is more under the sway of powers that are out of the reach of reason. Different tempers prescribe different measures of severity and indulgence,

dulgence. Some forget that a convict in prison is a sensitive being : others, that he is put there for punishment. Some grudge him every gleam of comfort or alleviation of misery of which his situation is susceptible. To others, every little privation, every little unpleasant feeling, every unaccustomed circumstance, every necessary point of coercive discipline, presents matter for a charge of inhumanity.

In the midst of these discordant sentiments, this promiscuous conflict, in which judgment and regulation are so apt to be led astray, sometimes by the negligence of insensibility, sometimes by the cruel anxiety of cowardice, sometimes by the excess of tenderness, and now and then perhaps by the affectation of it, a few leading positions, if by good fortune any such should be to be found, to which men of no description whatever, be their degree of judgment or cast of temper what it may, shall find it easy to refuse their assent, will not be without their use: unfortunately the application of those principles will still leave but too wide a field for uncertainty and variance. But even in case of variance it will be something to have placed the question upon clear ground, and to have rendered it manifest to every eye on what point it turns, whe-

whether the disagreement is an irremediable one, or whether any means of putting an end to it may be hoped for from farther investigation.

But in the first place, a summary view of the objects or ends proper to be kept in view in the planning of such a system, may not be without its use. They may be thus distinguished and arranged.

1. *Example*, or the preventing others by the terror of the example from the commission of similar offences. This is the the main end of all punishment, and consequently of the particular mode here in question.

2. Good behaviour of the Prisoners during their subjection to this punishment: in other words, *prevention of Prison-offences* on the part of Prisoners.

3. *Preservation of decency*: or prevention of such practices in particular as would be offences against decency.

4. Prevention of undue hardships:—whether the result of design or negligence.

5. *Preservation of health*, and the degree of *cleanliness* necessary to that end.

6. *Security against fire*.

7. *Safe*

7. *Safe custody*: or the prevention of escapes, which as far as they obtain, frustrate the attainment of all the preceding ends.

8. *Provision for future subsistence*: i. e. for the subsistence of the Prisoners after the term of their punishment is expired.

9. *Provision for their future good behaviour*: or prevention of future offences, on the part of those for whose former offences this punishment is contrived. This is one of the objects that come under the head of *reformation*.

10. *Provision for religious instruction*. A second article belonging to the head of *reformation*.

11. *Provision for intellectual instruction and improvement in general*. A third article belonging to the head of *reformation*.

12. *Provision for comfort*: i. e. for the allowance of such present comforts as are not incompatible with the attainment of the above ends.

13. *Observance of economy*: or provision for reducing to its lowest terms the expence hazarded for the attainment of the above ends.

14. *Maintenance of subordination*: i. e. on the part of the under officers and servants, as towards the manager in chief, a point on the accomplishment of which depends the attainment of the seve-



and preceding ends. No one of these objects but was kept in view throughout the contrivance of the building: none of them that ought to be lost sight of in the contrivance of the plan of management. The management was indeed the end: the construction of the building, but one amongst a variety of means, though that the principal one.

I may perhaps subjoin in the way of recapitulation, a general *table of ends and means*: a tabular view of the several expedients employed or suggested for the attainment of the above ends.

In the mean time this summary enumeration of the ends themselves may serve to direct our attention, and afford us some guidance in judging of the proposed expedients as they present themselves: and incidentally of the regulations and expedients that have been established or recommended by others, either with a view to the same ends, or at least with relation to the same subject.

From the different courses taken in the pursuit of these several ends or some of them, errors have been adopted, by which the lot of the persons devoted to this punishment has been affected in opposite ways: the treatment leaning in some instances too far on the side of severity: in others, too far on the side of lenity and indulgence. It is for  
the

the correction and prevention of such errors that the three following rules are proposed, to serve as guides, in the pursuit of the above enumerated ends. These are the leading positions above alluded to. Should their propriety be admitted, there is not a single corner of the management in which their utility will not be recognized.

### 1. *Rule of Lenity.*

The ordinary condition of a convict doomed to forced labour for a length of time, ought not to be attended with bodily sufferance, or prejudicial or dangerous to health or life.\*

### 2. *Rule of Severity.*

Saving the regard due to life, health, and bodily ease, the ordinary condition of a convict doomed to a punishment which few or none but individuals of the poorest class are apt to incur, ought not to be made more eligible than that of the poorest class of subjects in a state of innocence and liberty.

\* The qualification applied by the epithet *ordinary*, and the words *length of time*, seemed necessary to make room for an exception in favour of temporary punishment for Prison-offences, at the expence of bodily ease.

3. *Rule of Economy.*

Saving the regard due to life, health, bodily ease, proper instruction, and future provision, economy ought in every point of management to be the prevalent consideration. No public expence ought to be incurred, or profit or saving rejected, for the sake either of punishment or of indulgence.

Propositions of such latitude may be thought to require a few words of explanation: propositions of such importance may require something to be said in the way of justification. The precaution is not superfluous. The reader who feels himself interested in the subject would do well to scrutinize them. It is but fair he should have this warning. For if these are really fit to compose a test, no plan of management has yet been either pursued or proposed, that will abide it.

Injuries to health and bodily ease are apt to result principally from either that part of the management which concerns *maintenance*, or that which concerns *employment*. The supply for maintenance may be defective in quantity, or improper in quality. The labour exacted in the course of the employment may be improper in quality, or excessive in quantity.

What

What must not be forgotten is, that in a state of confinement, all hardships which the management does not preserve a man from, it inflicts on him.

The articles of supply necessary to preserve a man from death, ill health, or bodily sufferance, seem to be what are commonly meant by the *necessaries of life*. The supplies of this kind with which, according to the rule of lenity, every such Prisoner ought to be furnished, and that in the quantity requisite to obviate those ill consequences, may be included under the following heads :

1. Food, and that in as great a quantity as he desires.
2. Cloathing at all times in sufficient quality and quantity to keep him from suffering by cold, with change sufficient for the purposes of cleanliness.
3. During the cold season, firing or warmed air sufficient to mitigate the severity of the weather.
4. In case of sickness, proper medicine, diet, and medical attendance.
5. In the way of precaution against sickness, the means of cleanliness in such nature and proportion as shall be sufficient to afford a compleat security against all danger on that score.

The reasons against inflicting hardships affecting the health, and such privations as are attended with long-continued bodily sufferance, are

1. That being unobtrusive they contribute nothing to the main end of punishment which is example.

2. That being protracted or liable to be protracted through the whole of a long and indefinite period, filling the whole measure of it with unremitting misery, they are inordinately severe: and that not only in comparison with the demand for punishment, but in comparison with other punishments which are looked upon as being, and are intended to be, of a superior degree.

3. That they are liable to affect and shorten life, amounting thereby to capital punishment in effect, though without the name.

Punishments operating in abridgment of life through the medium of their prejudicial influence with regard to health are improper, whether intended or not on the part of the legislator. In the latter case, the executive officer who subjects a man to such a fate without an express warrant from the Judge, or the Judge who does so without an express authority from the legislator, appoints death where the legislator has appointed no such punishment,

ment, and incurs the guilt of unjustifiable homicide, to say no worse of it.

If intended on the part of the legislature they are liable to the following objections.

1. They are severe to excess, and that to a degree beyond intention as well as proportion. Stiled less than capital, they are in fact capital, and much more: the result of them being not simple and speedy death, as in the instances where death is appointed under that name, but death accompanied and preceded by lingering torture.

2. They are unequal: causing men to suffer, not in proportion to the enormity of their offences, either real or supposed, but in proportion to a circumstance entirely foreign to that consideration: viz. their greater or less capacity of enduring the hardships without being subjected to the fatal consequence.

Food is the grand article. It is the great hinge on which the economy of supply turns. It is the great rock on which frugality and humanity are apt to split. Food ought not to be limited in quantity for this reason:—Draw the line where you will, if you draw it to any purpose, the punishment becomes unequal. Unequal punishment is either a defective or excessive: it may be in both cases at

once:

once: but in one or the other it cannot but be. In the present instance the sole result of the inequality is excess: so many as the allowance fails to satisfy, so many are subjected to an additional burthen of punishment foreign to the design. Draw the line where you will, you can never draw it right: useless or improper is the only alternative: it is only in proportion as humanity loses that frugality can gain by it. Pinch many and those hard, your line is proportionally unequal and unjust: pinch few and those but slightly, what you save is but little, and you serve Mammon for small wages. The inequality is all sheer injustice: it has no respect at all to conduct: the punishment proportions itself, not to the degree of a man's delinquency, but to the keenness of his appetite. It is not the injustice of a day, nor of a week, but of whole years: and the weight of it rather accumulates than diminishes by time. As the quantity of food desired by a man living in other respects in the same manner is pretty much the same, if the measure falls considerably short of any man's desires any one day, so will it every other; as his hunger would not cease even at the conclusion of his meal, much less will it during any part of the interval betwixt meal and meal: the consequence is, that  
the