

Book Review: Discipline and Punish: The Birth of Prison by Michel Foucault

By

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It is a seminal work by the French philosopher and social theorist Michel Foucault. The book was first published in French in 1977 under the title "Surveiller et punir: Naissance de la prison." It explores the historical development of penal systems, focusing on the shift from corporal punishment and public executions to the emergence of modern institutions of discipline, surveillance, and incarceration.

Although Discipline and Punish is not a "difficult" text in the sense that it is extremely technical or reserved for experts only, there are certain challenges associated with the way it is presented. It generally takes on a literary, provocative, and allusive style that is quite distinct from the claims and arguments. Academic excellence. This stylised presentation can make the literature more enjoyable for those who enjoy it, but it also has the effect of lowering the work's theses to a level that can make them occasionally challenging to understand. It is marketed as a historical work with a subtitle reading "the birth of prison," but in reality, it is more of a structural examination of power, what Foucault refers to as discipline.

Historical Analysis: A thorough historical analysis of the horrifying occurrence of Robert-François Damiens's public execution in 1757 opens the book. This incident serves as a springboard for Foucault's investigation of changes in the definition of power and punishment.

Power and Knowledge: Foucault's larger theoretical framework, in especially his concepts of power and knowledge, has a significant influence on his work. He contends that the creation and sharing of knowledge are also integral aspects of power, in addition to repression.

One of the main ideas in the book is "panopticism." Jeremy Bentham's fictitious jail, the Panopticon, is first proposed by Foucault.

The central observation tower of the Panopticon allows for the surveillance of every prisoner without letting them know they are being watched. This architectural layout serves as a metaphor for disciplinary cultures, in which people internalize authority gaze and develop self-control.

Institutions of Discipline: Foucault charts the evolution of institutions of discipline, including as prisons, hospitals, and schools. He contends that the monitoring, normalization, and disciplinary systems used by these institutions are similar.

Transition from Sovereign Power to Disciplinary Power: Foucault examines the change from sovereign power, which was typified by harsh and capricious forms of retribution, to disciplinary power, which functions via normalization, surveillance, and the tacit control of conduct.

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retribution, to disciplinary power, which functions via normalization, surveillance, and the tacit control of conduct.

The idea that prisons help criminals get better is contested by Foucault, who contends that prisons are only one element of a larger system of social control.

Impact and Legacy: Sociology, criminology, and cultural studies are just a few of the academic fields that have been significantly impacted by the book. Discussions in academia on social control and governance are still influenced by Foucault's theories about power, surveillance, and the structure of contemporary institutions.

The book, which explores the history of prisons through four sections on torture, punishment, discipline, and jail, is a comprehensive compilation of French and English materials.

Foucault makes an effort to explain why punishment changed over time. From physical to spiritual suffering is experienced. It concerns the changeover from one type of punishment to another. Every type of punishment, in Foucault's view, is a reflection of a certain episteme. Punishment for the body originates from a very long historical period, whereas punishment for the soul originates from the present-day episteme. Foucault used instances from these times to bolster his arguments. By highlighting the distinctions between the two radically different methods of punishment, the book's introduction lays out the issue that readers will solve as they read on.

He draws a distinction between the public execution of the regicide in 1757 and the elaborate ceremonies that took place in Paris at that time. Eighty years after the first episode, he proposes a second scenario of an institutional framework on a reformatory in Paris. Here, the penalty is meted out in private with no further explanation.

But like many historians, the reader may also believe that there has been some progress indicated by the sanctions' decreasing severity. Still, as Foucault has pointed out, the function of punishment has evolved.

The aim shifted from breaking the criminal's physique to focusing on their hearts, minds, thoughts, and will. that is, the soul. Furthermore, the goal of punishment also shifts during this period, with the focus shifting from vengeance for the crime to rehabilitation of the offender. Still, there are a lot of questions that stick in the minds of the readers. What connection exists between punishment and the soul? Why punish the soul, and what does it mean? It makes us wonder how this came to be and how the punishment in the current episteme is meted out to the spirit instead of the body. These are some of the book's central, guiding questions.

The book makes it very evident that Foucault's primary concern was the soul. This suggests that his primary area of concern was the contemporary episteme. He focused more on the evolution of punishment into the modern episteme. Regarding the book, Foucault states that it is meant to serve as a correlative history of the contemporary soul and a new form of adjudication. The foundation of the authority to punish comes from the history of the legal system. Put another way, we could say that the book has two poles. The punishment of the body is one thing; the punishment of the soul (the current legal system) is another.

Foucault is only interested in the former because it initiates the process of change. His main focus was on the process of subjecting the soul to suffering and discipline. Studying the abrupt cessation of the cruel practices in the 19th century and the establishment of the contemporary jail system was his main goal.

By attentively examining the reasons presented by Foucault, we can determine the precise reason behind this shift from one form of punishment to another.

In his book, Foucault made the case that, in contrast to what historians and apologists of the enlightenment narrative believe, the shift in punishment from the body to the soul was not the result of any humanistic impulse or an epiphany regarding the butchered, disfigured body, but rather of changes in the law and the social relations that accompanied those changes. Furthermore, the soul rather than the body started to be punished and disciplined as a result of different legal and scientific developments in society, as well as their eventual interdependency and dependent power structure. And thus did the modern jail system come into being.

The way a society is governed now is modeled after the jail system. For those outside of it, what goes on behind appears so distant that they are unable to feel sympathy for the man who suffers alone or lies on chilly jail floors. His pains become unimportant to us. The state-of-the-art jail has a 'dehumanizing' effect on the criminal, a dehumanizing effect that eliminates any chance of sympathy or empathy for the inmate. He fades quickly from the public's memory. According to Foucault, this was not the case when persons were cruelly killed and tortured in the middle of the road.

Discipline and Punish then focuses on the specifics of the criminal changes that Beccaria and the "Ideologues" proposed in the late 18th century against this backdrop of political upheaval and criminal law reform. What Foucault refers to as "the gentle way in punishment"—a comprehensive system of punishments that stood in stark contrast to the excesses of the Ancient Regime—was promoted by these reformers. They proclaimed that punishment ought to reflect the offense itself rather than being arbitrary or the capricious expression of a sovereign's will. These reformers contend that punishment should now serve as a demonstration of public virtue that is visible to all, a lesson, a sign, or both: One will study the laws themselves in the punishment instead of witnessing the Sovereign's presence.

The last chapters of *Discipline and Punish* go back to the historical account and, in a hasty manner, outline the real effects of the prison and its place in the modern system of social control. According to Foucault, the flaws in the prison system—such as its inability to deter crime, propensity to create repeat offenders, ability to foster a criminal environment, inability to provide for the imprisoned families during their incarceration, etc.—have long been recognized and derided, dating back to the 1820s.

Because of this historical pattern of persistent failure and resistance to change, Foucault is able to firmly raise a question that is fundamental to modern prison politics: Why does the prison still exist? The solution he lays out here is situated outside of the penological realm, in the context of broader politics and the political climate of France in the 1840s and 1850s. In essence, it is an argument that the development of delinquency serves a political dominance strategy by keeping politics and crime apart, dividing the working classes against one another, increasing their fear of going to jail, and securing the authority and power of the police.

He contends that in a system of dominance predicated on observance of the law and property, it is imperative to make sure that criminal activity and the adoption of anti-legal sentiments do not proliferate or gain traction, and most importantly, do not become associated with political goals. The inadvertent formation of a delinquent class in this situation can be advantageous in a variety of ways.

Foucault did not, however, specify who is able to enact these laws. Although it may appear such, power in the modern world is not nice. It wasn't in the past, therefore it might encourage open rebellion. Therefore, the Prison structure does more than merely block the avenues that display murder and suffering; It crushes inconsistency and restrains the quiet, collective voice of the masses. But Foucault is unable to pinpoint the agents of this power. Although he rejects the notion that power is something that is "held" by an individual, we still need to understand who is in positions of power and how they got there, whether we agree with his structural or relational understanding of power. Occasionally he refers to "the judges" or "the administration," sometimes he utilizes the abstractions of Marxist vocabulary ("the dominant class," "the State," "the bourgeoisie"), but more often he just uses passive language to sidestep the subject completely. Foucault's idea of power is peculiarly apolitical in this way.

It seems to be a kind of empty structure devoid of any agents or goals. It is therefore no coincidence that Bentham's Panopticon's design receives so much attention while its actual application in the book receives so little. Although Foucault's concept of power is clear in that it involves the molding, training, building up, and creation of subjects, it also entails a very critical assessment.

Discipline has the potential to both generate control and freedom. On the other hand, it can also serve as the foundation for a regulatory framework that makes it feasible to routinely provide whole populations with standards of welfare, security, and health—freedom from deprivation, disease, and ignorance that would otherwise be unthinkable.

Whether it comes to social policy or criminal policy, the most important questions to answer are not whether power exists or not, but rather how it should be used and what

goals should be specifically pursued. Foucault scrupulously steers clear of these issues, considering them to be the province of legislators rather than scholars.

The book's concluding part is simply titled "The Carceral." It explains how the lines separating judicial punishment from other social life institutions have been progressively blurred as a result of frequent transfers between institutions and the development of comparable disciplinary strategies in all of them. (Foucault uses the example of a youth reformatory, which takes in troubled students from jails, schools, and families and applies the same disciplinary measures to both offenders and non-offenders). Lastly, Foucault shifted his attention back to punishment. All of this has unique implications for how we view the use of force in criminal justice. Within this overall framework, the approach to punishment is not fundamentally different from that of instruction or any other social activity; rather, it is typically portrayed as a logical continuation of these less coercive practices.

This classic archaic book provides insights on how the present prison system works and the possible mechanisms that can better the system. Many democracies must understand this kind of sanctioning and relate whether its still relevant or not. Jeremy Bentham's idea of pain and pleasure when understood in line of this gives a better picture. It's a must read for all but not just reading but understanding and contextualising.