

[Accueil](#)[Revenir à l'accueil](#)[CollectionBoite\\_013 | Bibliographies diverses. Pauvreté. Hermaphrodites. Anormalité. Criminalité. Onan](#)[CollectionBoite\\_013-3-chem | Biblio. \[annotation de D. Defert\]](#)[Item\[The origin of the penitanciary - Bibliography Note, p. 302\]](#)

## **[The origin of the penitanciary - Bibliography Note, p. 302]**

**Auteur : Foucault, Michel**

### **Présentation de la fiche**

Coteb013\_f0384

SourceBoite\_013-3-chem | Biblio. [annotation de D. Defert]

LangueFrançais

TypeFicheLecture

RelationNumérisation d'un manuscrit original consultable à la BnF, département des Manuscrits, cote NAF 28730

### **Références éditoriales**

Éditeuréquipe FFL (projet ANR *Fiches de lecture de Michel Foucault*) ; projet EMAN (Thalim, CNRS-ENS-Sorbonne nouvelle).

Droits

- Image : Avec l'autorisation des ayants droit de Michel Foucault. Tous droits réservés pour la réutilisation des images.
- Notice : équipe FFL ; projet EMAN (Thalim, CNRS-ENS-Sorbonne nouvelle). Licence Creative Commons Attribution - Partage à l'Identique 3.0 (CC BY-SA 3.0 FR).

Notice créée par [équipe FFL](#) Notice créée le 18/03/2021 Dernière modification le 23/04/2021

---

## THE ORIGINS OF THE PENITENTIARY

## PRIMARY SOURCES

The concepts of deviant behavior, the proposed remedies, and the operations of the penitentiary in the pre-Civil War era emerge clearly in the rich pamphlet literature written by the men who led the movement and interested observers. In the post-Revolution period, the statements of such men as Caleb Lownes, William Bradford, and Thomas Eddy make clear the expectations that Americans first held about legal reform. The ideas on crime and the reality of the penitentiary in the Jacksonian decades are well presented in the essays of Samuel Gridley Howe, Francis Lieber, Edward Livingston, Francis Gray, Matthew Carey, Francis Wayland, Francis Packard, and George W. Smith. Many foreign visitors described one or another state prison, but in most instances they were not perceptive commentators. One notable exception, fully deserving its fame, is Gustave de Beaumont and Alexis de Tocqueville, *On the Penitentiary System in the United States* (reprinted, Carbondale Illinois, 1964). It remains an excellent starting point for understanding the discovery of the penitentiary.

Another major source is the reports of reform societies. One of the earliest and most important of these organizations was the Philadelphia Society for Alleviating the Miseries of Public Prisons, issuing such publication as, *Extracts and Remarks on the Subject of Punishment and Reformation of Criminals* (Philadelphia, 1790). Their manuscript records, together with the *Minutes of the Proceedings of the Committee on the Eastern Penitentiary*, are at the Pennsylvania Prison Society, in Philadelphia. In the later period, the two most influential groups were the New York Prison Association and the Boston Prison Discipline Society. Their annual reports illuminate both the expectations that reformers had of the penitentiary, and the day-to-day functioning of the institutions in all parts of the country.

Several types of state documents clarify the history of the penitentiary. When first appropriating funds for the construction of a state prison, many legislatures dispatched a committee to investigate conditions elsewhere. For one example of an investigatory committee's report, see R. Sullivan et al., *Report of the [Massachusetts] Committee, "To Inquire into the Mode of Governing the Penitentiary of Pennsylvania"* (Boston, 1817). States also conducted periodic investigations of their own institutions, usually in response to charges of brutality or corrup-

tion. Although the reports are difficult to use, since political pressures often prompted unfair criticism or unwarranted exoneration, they offer invaluable glimpses of life behind prison walls. Typical of these documents is *The Report of the Committee . . . on the Connecticut State Prison* (Hartford, 1833), and the rejoinder, *Minutes of the Testimony Taken Before . . . [the] Committee . . . on the Connecticut State Prison* (Hartford, 1834).

The most important official documents are, of course, the penitentiaries' annual reports to their state legislature. Here one finds descriptions of the structure, reprints of rules and regulations, accounts of the daily routine, biographical data on the convicts, from birthplace and degree of literacy to crime committed and length of sentence, as well as financial details. These are public statements, attempting to put the institution in the best possible light, but the information they include from the inspectors, the wardens, the agents, and the chaplains, is extensive. In the course of this study I examined the reports of most of the state prisons in this period; the Library of Congress and the New York Public Library were the most convenient places for locating these materials.

Of some use, too, are the memoirs of prison officials and their accounts of the institution. Two good examples are Gershom Powers, *A Brief Account of the Construction, Management and Discipline . . . of the New York State Prison at Auburn* (Auburn, N.Y., 1826), and James B. Finley, *Memorials of Prison Life* (Cincinnati, Ohio, 1851). In general, I did not find newspaper accounts especially rewarding; they tend to repeat information available in the annual reports or state investigations. Had my interest, however, been in the political battles that sprang up around the institutions' construction and administration, this source would have been more important.

BnF  
MSS

## SECONDARY SOURCES

Of all the institutions discussed in this book, the prisons have received the most attention from historians. Most of the studies tend to be long on facts and short on interpretation, but they do provide an important starting point for analysis. The most detailed account of this period is Orlando F. Lewis, *The Development of American Prisons and Prison Customs, 1776-1845* (Albany, N.Y., 1922); a broader survey is Blake McKelvey, *American Prisons: A Study in American Social History prior to 1915* (Chicago, 1936). The Pennsylvania system has been explored by Negley D. Teeters and John D. Shearer, *The Prison at Philadelphia, Cherry Hill: The Separate System of Prison Discipline, 1829-1913* (New York, 1957). Background is provided by Negley D. Teeters, *The Cradle*

