



Arkitektur- og designhøgskolen i Oslo  
The Oslo School of Architecture and Design

## DIPLOMA PROGRAM FALL 2018

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A handwritten signature in blue ink, appearing to read 'Jørgen Tandberg', is written over the name of the main supervisor.

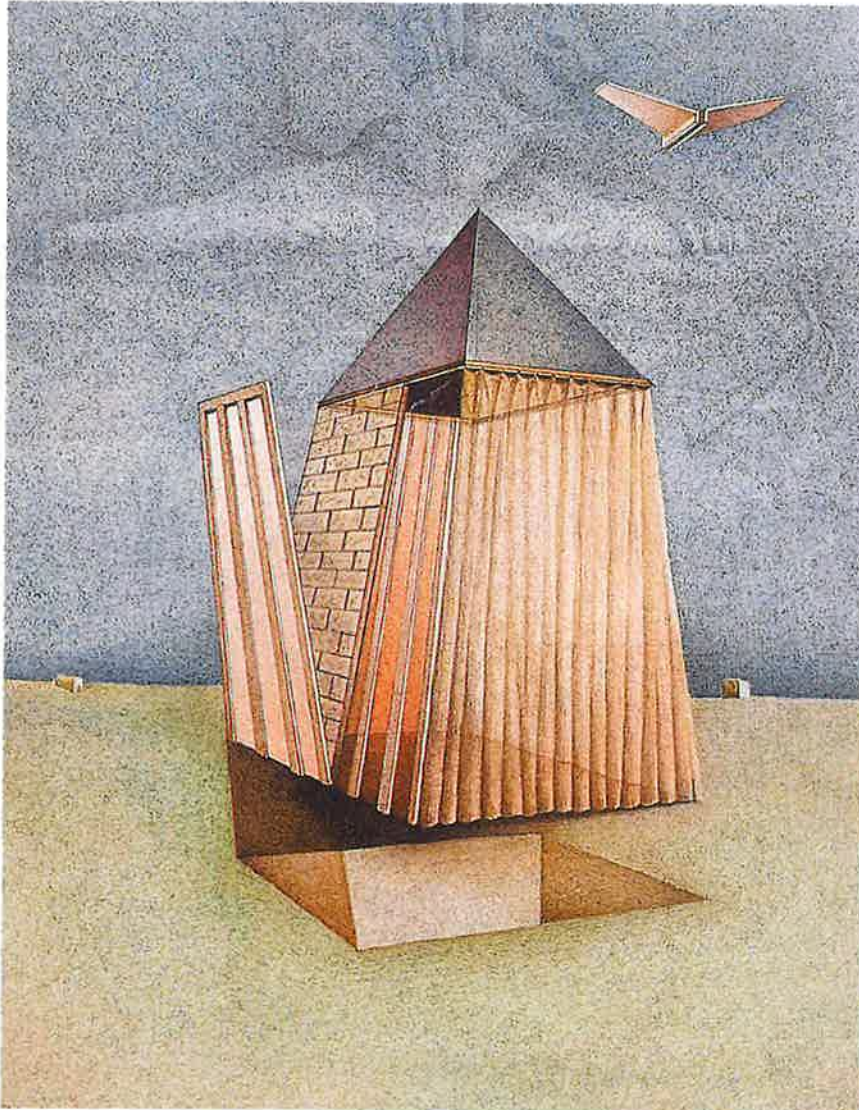
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**Company cooperation:**

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**Title of project:** A house for prisoners



Massimo Scolari (b. 1943) 'Construction' - 1979.

## Pre-diplom: a house for prisoners

**Pre-diploma:** Håkon Mathias Dedic Jansen

**School:** The Oslo School of Architecture and Design, spring 2018

**Program:** Self-programmed, Master of Architecture

**Supervisor:** Jørgen Tandberg

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TWP

# General introduction

I really like the word separation. But what does it really mean to separate? Is it just a clean division into two smaller pieces, or can it be something else? When speaking of architecture, prison is something separate, – it is separated from our society. The prison serves as a receptacle for the individuals that are not welcome on our streets. They separated, and we protected. Clean as that?

In this pre-diploma, I am going to investigate the significance of the prison and the philosophy of imprisonment. From there, I will establish a thorough understanding of what it means to be separated from our society, and the ways to do so. From what I learn and discuss in this pre-diploma, I will design a prison for my diploma, autumn 2018. The prison will be located in Bærum, Norway. Naturally, it's an important question why I've chosen Norway as a location for my prison, but there are many reasons why: First, Norway has one of the most intricate prison systems in the world. The Norwegian prison system focuses a lot on the re-integrative transitional process of the imprisoned individual back into the society. Thus, there are individuals that are totally different than other inmates, – individuals that are too mentally ill for ordinary prison, yet not showing improvement in the sector of psychiatry and mental health. These *special* prisoners are seen as a political dark spot because no one knows how to give the right treatment due to their extremely aggressive and antisocial behavior. The status quo is a life in full isolation for these individuals. The question is not whether it's ethically appropriate to isolate or not, but rather how to substitute isolation with a better and more meaningful life.

Further on, I have decided to divide the pre-diploma into two separate parts of the analysis: a prison research part, and a contextual analysis part. The first part will as already mentioned, will include an introduction to the philosophy of imprisonment, and its leading principles. Further, prison history and architectonic examples, and lastly an example of a Norwegian prison. The second part will include a brief discussion of the term isolation in general, architectonic approach, structure of the diploma, and an idea of a potential site and program.

# PRISON

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# 1. Introduction

Why do we punish? And why do we prefer prison as a tool of punishment instead of other methods? Most people in the modern world would agree that hurting someone either physically or emotionally is wrong. However, punishment, by its definition, involves the infliction of pain to others, – but does this make punishment wrong? Philosophers seem to be divided on this issue.

In the philosophy of imprisonment, there are two distinct and separate *rationales*: the Retributive and the Utilitarian Rationale. The first group believes that inflicting pain as punishment is fundamentally different from inflicting pain on innocents and therefore not inherently wrong. We can call this approach the retributive rationale. The other group, however, believes that punishment is wrong, but that it could be justified if it results in a “greater good”.<sup>1</sup> The second view also justifies punishment through the secondary rationales of deterrence, incapacitation, or rehabilitation, and we call this the utilitarian rationale.<sup>2</sup>

It is important to notice that imprisonment is perhaps the most complex method of punishment. It affects the prisoners’ material possessions as a result of incarceration and the prisoner’s body because her or his freedom is controlled and strictly limited. It may also attack the psyche by attempts of reformation through mental deterioration as a result of the negative environment in the prison.<sup>3</sup> Although the negative psychological effects of imprisonment are well-known, there are also philosophical ideas that seek a different strategy. Under the branch of the utilitarian approach, there is a reintegrative movement. As the name implies, this movement seek to focus on the reintegrative transition from prison and back into the society. Following later in this text, the Halden prison in Norway is a fine example of a prison functioning as a reintegrative transitional institution. It has been criticized for being too liberal and very different from American prisons, yet it may seem to give some interesting results.

The role of the prison is undoubtedly important, as it serves as something secluded and self-sufficient from the society as a whole. The question remains what the “border” between prison and society is, both physical, philosophical and architectural: What does actually separate the prisoner from the society?

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<sup>1</sup> Murphy, 1995

<sup>2</sup> Durham, 1994

<sup>3</sup> Mickunas, 1990

## 2. Philosophy of imprisonment

### Retributive Rationale

*The Retributive rationale is the justification for punishment that proposes that society has a right to punish, as long as it is done lawfully and proportionally to the wrong committed by the offender – but, it's not considerate to be evil.* <sup>4</sup>

It is a primitive, almost instinctual response of humankind to punish wrongdoers as noted by French sociologist Emile Durkheim and cited of civilization in Durham.<sup>5</sup> Punishment is believed to be an essential feature of civilization. The state takes over the act of revenge and elevates it to something noble rather than base – something that is proportional rather than unlimited.<sup>6</sup>

The first philosophical rationale is that punishment, strictly defined, is not evil. Retribution is a term that means balancing an evil or a bad act through punishment, and the act in itself is impersonal and balanced. In comparison, revenge is personal and not necessarily proportional to the harm applied. Graeme Newman defines it in this way: *“Punishment is a pain or other unpleasant consequence that result from an offense against a rule and that is administered by others who represent legal authority, to the offender who broke the rule.”* <sup>7</sup>

The Principles of Political Rights also known as the social contract is a book and a theory by Jean-Jacques Rousseau (*Du contrat social, 1762*) that embraces the sociological concept that gives the society a right to punish. Although this idea dates back to the ancient Greeks. It gained its greatest currency during the Age of Enlightenment in the 17th and the 18th centuries. It is also associated with Thomas Hobbes (*Leviathan, 1651*) and John Locke (*Two Treatises on Government 1690*). Basically, the concept proposes that all people freely and willingly enter into an agreement to form society by giving up an portion of their individual freedom for the return benefit of protection. If one transgresses against the rights of others, one has broken the social contract, and society has the right to punish.<sup>8</sup>

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<sup>4</sup> Pollock, 1997

<sup>5</sup> Durham, 1994,22

<sup>6</sup> Pollock, 1997

<sup>7</sup> Newman, 1978, 6-7

<sup>8</sup> Mickunas, 1990

## The utilitarian Rationale

*The utilitarian rationale is the justification for punishment that proposes that society has a right to punish, as long as it results in a greater good for the majority of the population, – but, It's considerate to be evil.* <sup>9</sup>

The utilitarian rationale is different from the retributive approach, as it defines punishment as essentially evil. It seeks to justify it by the greater benefits that result. Under a utilitarian philosophical system, what is good is that which benefits the most of the society. Thus, even if it were painful to the individual and if the majority benefit from the certain act, then it would be defined as good. Plato argued that punishment is a benefit to the person because it improves their souls or characters.<sup>10</sup> As already mentioned, under the utilitarian rationale, punishment is evil, but it justified when punishment accomplishes more good than the evil it represent.

Cesare Beccaria, another utilitarian thinker, suggested that in some instances the benefits of punishment do not outweigh the evil:

*“But all punishment is mischief: all punishment in itself is evil. Upon the principle of utility, if it ought at all to be admitted, it ought only to be admitted in as far as it promises to exclude some greater evil. (...) It is plain, therefore, that in the following cases punishment ought not to be inflicted.”* <sup>11</sup>

The social contract is also the basis for a utilitarian rationale for punishment. In this case, the social contract also gives society the right to punish – not because of the offender's violation, but rather, to protect all members of society against future harms. The right of society to punish comes from the responsibility of society to protect. The utilitarian approach of punishment sees it as a means to an end – the end being deterrence, incapacitation, or rehabilitation. Although, incapacitation and rehabilitation is not really related to punishment at all.

**Incapacitation** prevents an individual from inflicting further harm for at least as long as the individual is under control. Strictly speaking, it is not directly punishment because it doesn't necessarily involve implication of pain in a direct way. One can think that to put all criminals under a drug that induced sleep would be to incapacitate them, not necessarily to punish or harm them. As If one takes away the ability of the criminal to

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<sup>9</sup> Pollock, 1997

<sup>10</sup> Murphy, 1995, 17

<sup>11</sup> Bentham, 1907

commit crime, this also would be incapacitation. For instance, chemical castration has been discussed and, in some cases, inflicted on sexual offenders.<sup>12</sup> Bear in mind that there is no physical pain involved, only the incapacitating nature of the chemical. This is obviously a punishment, but it could also be termed incapacitation because it takes away the ability to commit the particular crime. House arrest, electronic bracelets, or other means of monitoring the movements of criminals have all been suggested as less expensive alternatives to incapacitating criminals in prisons. Prison, of course, has become synonymous with incapacitation because as long as the person is incarcerated, they cannot commit crimes against the rest of us. Although the prisoners can commit crimes in prison against other inmates, there is at least some limited ability to continue to commit some types of crime. Although, strictly speaking, incapacitation is not punishment, – it usually does involve some deprivation of liberty, and therefore is painful to those who value liberty and autonomy.

**Rehabilitation** is not punishment either, although punishment may be used as a tool of reformation. We can define rehabilitation as internal change that results in a discontinuance of negative behavior. It may be achieved by inflicting pain as behavior modification or by other interventions that are not painful at all, like education, religion and cults et cetera. In prison, rehabilitation may serve as a useful tool to eliminate negative behavior patterns among prisoners. Some can argue that an inclusion of a religious institution as part of a prison may strengthen the likelihood of prisoner getting rehabilitated or corrected through religion is stronger, than without none at all.

**The Conversion narrative** is a defining feature of the nineteenth-century penitentiary. Prison reformers - the draughtsmen of the American prison system have consistently used metaphors of conversion to conceptualise how incarceration might change criminals into citizens. The conversion narrative develops through a linear pattern, descent into darkness, struggle, moment of crisis, conversion to new beliefs and worldview, and consolidation of a new communal identity. While the conversion narrative is often associated with Christian doctrine, it has been used to chart secular self-transformations as well, at least since Rousseau's secularisation of the conversion narrative with his *Confessions* (1782). What is crucial to both religious and secular expressions of the conversion experience is a complete change from one way of being to another, which is usually described as a bifurcation of selfhood: an old (*sinful or unenlightened*) self is separated from a new (repentant or enlightened) self- something that Evangelical Christians describe as a process of being 'born again'.

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<sup>12</sup> Pollock, 1997



The prisoner's conversion narrative, whether religious or secular, appears within and without the prison and can be found in pulp nonfiction, award-winning autobiographies, small-press prison periodicals, and in journalism. Because conversion narratives abound in prison writing and in popular depictions of imprisonment, the tropes of rebirth or re-socialisation through incarceration take on the status of truth, policing how prison and post-prison life enter into discourse. It is, however, a truth at odds with the majority of prisoner experiences: most prisoners are rearrested, convicted of a crime, and often returned to prison within three years of their release, all of which suggests that prison is not a site of positive transformation because, for the most part, criminalised behaviour continues unabated after incarceration.

## **Criminology and social philosophy**

In the late 19th and early 20th centuries, new reform efforts were being made. This was due to social transformations, ideological shifts, economic changes, and political events, resulting in the widespread use of incarceration that continues in the early 21st century. During the 19th century, the prisoners were often considered as being "sick" and incarceration was therefore seen as a kind of "treatment". However, this medical way of thinking was mostly used within the discourse of prison reform. The discourse of criminal justice was more or less unaffected by these medical and philosophical approaches. However, by the end of the 19th century and the beginning of 20th century, a new criminal justice approach of criminology challenged the old ideologies and gained eventually a substantial influence on the legislation.

The field of criminology arose as social philosophers gave thought to crime and concepts of law. The goal was to understand the reasons behind the motivation of the criminal acts and why some people in the first place became criminals. This was also a reaction to the so-called classical school where individuals were understood as rational actors with free will. Criminology developed into different school of thought, one being the positivism school which either explained criminal acts by a person's individual and inborn traits or by societal reasons. Another being the anti-positivism school that focused on studying the control and power institutions within the criminal justice system. The French philosopher Michel Foucault was one of the main thinkers within this school.

In Norway the field of criminology gained influence during the 20th century. The prisons didn't show the expected results, no matter how well-thought and well-managed the new prison models were. The focus all over Europe shifted from prison theories to the study of crime and criminals. The main target was no longer the prisons, but the criminals. The punishment had to be customized to the criminal, and not the crime. The

psychologists and the sociologists soon became important actors in the development of the criminal justice system. In Norway, but also in other European countries, the prison reformers strived towards more and more humane conditions for the prisoners.

The Halden Prison in Norway opened in 2010, and is considered one of the World's most humane prisons. An important goal is to make the difference between life inside and outside the prison as small as possible, in order to make the transition from prison to freedom easier. With a focus on rehabilitation, it was designed to simulate a village so that the prisoners can consider themselves part of society. Both the prison's design and architecture are suppose to influence the resocialization process.

In the United States, however, the prison history took on a different route. In the 1970s the United States witnessed a sweeping change in the political climate. This change resulted in a transformation of penal and sentencing policies, which ultimately resulted in mass incarceration practices.

### **Utilitarian Caring: The Reintegrative Movement**

In the US, it has been a renewed attention to the needs of prisoners reentering society. Interestingly, in the 1980s this problem was addressed and the term reintegration was coined. The federal government in the United State budgeted money toward studying what can be done to aid the offender in reentry efforts.<sup>13</sup> While some might think this trend is part of the restorative-justice movement, a more likely philosophy underpinning the effort is utilitarianism. It cannot go unnoticed that more than 600,000 prisoners are re-entering the American society every year.<sup>14</sup> Further, at least one study indicates that the recidivism rate is worse today than 20 years ago.<sup>15</sup> Most citizens would prefer that released offenders have some means to support themselves, and it benefits us all if offenders have access to programs that may help them withstand the temptations of alcohol, drugs, and/or committing future crimes. This has translated into more funds for parole, job-placement services, and other assistance to newly released inmates.<sup>16</sup>

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<sup>13</sup> Murphy, 2002

<sup>14</sup> King and Mauer, 2002

<sup>15</sup> Murphy, 2002

<sup>16</sup> Ward, 2004

### 3. Prison history and architectonic principles

#### From corporal punishment to incarceration

In a historical perspective, we can consider the Romans as among the first to use prisons as a form of punishment, rather than simply for detention. A variety of existing structures were used to house prisoners, such as metal cages, basements of public buildings, and quarries. During the Middle Ages in Europe, castles, fortresses, and the basements of public buildings were often used as makeshift prisons. The capability to imprison citizens, however, granted legitimacy to officials at all levels of government, from kings to regional courts to city councils; and the ability to have someone imprisoned or killed served as a signifier of who in society possessed power or authority over others. Another common punishment was sentencing people to galley slavery, which involved chaining prisoners together in the bottoms of ships and forcing them to row on naval or merchant vessels. This was more or less a common practice world wide.

The concept of the modern prison largely remained unknown until the early 19th-century. Punishment usually consisted of physical forms of punishment, including capital punishment, mutilation, whipping, branding, and non-physical punishments. From the Middle Ages up to the 16th and 17th centuries in Europe, imprisonment was rarely used as a punishment in its own right, and prisons were mainly to hold those awaiting trial and convicts awaiting punishment.

An important innovation in the 16th century was the "house of correction", also known as *Norwegian*: tukthus, or *German*: zuchthaus. The first one was the Bridewell House of Corrections, located at Bridewell Palace in London, which resulted in the building of other houses of correction in England and in the Netherlands. These houses held mostly petty offenders, vagrants, and the disorderly local poor. Originally the main purpose was to change the prisoners into useful members of society through hard work and discipline. The inmates were given jobs, and through prison labor they were taught how to work for a living. This idea spread quickly to other European countries. The houses of correction were used both as prison for criminals, but also for correction of behavior of the persons that lived outside of society, such as beggars and prostitutes.

## The Panopticon

*'Morals reformed—health preserved—industry invigorated—instruction diffused—public burthens lightened—Economy seated, as it were, upon a rock—the gordian knot of the Poor-Laws not cut, but untied—all by a simple idea in Architecture!'* <sup>17</sup>

The Panopticon (1791) is a type of institutional building designed by the English philosopher and social theorist Jeremy Bentham in the late 18th century. The concept of the design is to allow all (pan) inmates of an institution to be observed (-opticon) by a single watchman without the inmates being able to tell whether or not they are being watched. Rationalists, such as Bentham, shared with certain English parliamentary reformers a belief that "punishment occupied pride of place, as the chief instrument available to a state to canalize the egotistic pursuits of individuals to lawful ends."<sup>18</sup> The Utilitarians formulated a "science of pain," in which the measured application of pain was to be administered in an entirely impersonal manner, under the constant surveillance by authorities according to formal rules."<sup>19</sup> In his book "Panopticon" (1791), Bentham proposed the construction of a circular prison with tiers of cells facing a centrally located observation tower, from which "inspectors" hidden from public view could observe the behavior of the guards and inmates at all times. No secret punishments, no corrupting influences from the staff were possible under total observation "by an authority too systematic to be evaded, too rational to be resisted".<sup>20</sup> Although it's physically impossible for a single watchman to observe all the cells simultaneously, the Panopticon principle forces all the inmates to act as they are being watched at all times, thus, effectively controlling their own behaviour constantly – simply, because they cannot know whether they are being watched or not. The name is derivatives from the Argos Panoptes from Greek mythology: he was a giant with a hundred eyes and thus was known to be a very effective watchman.

In America Bentham's ideas had limited success. In 1925, the State of Illinois opened a panopticon-like prison at Statesville, consisting of four circular-shaped houses with central towers. Though the prison complex is still in operation, the central towers are no longer functioning. Statesville, rather than driving its inmates to contriteness has, over the years, been a hotbed of gang wars and other disturbances. Although, no true Panopticon prisons to Bentham's designs have ever been built. The closest (circular

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<sup>17</sup> Bentham, 1791

<sup>18</sup> Ignatieff, 1978

<sup>19</sup> Ibid

<sup>20</sup> Ibid

and with a panoptic tower) are: the buildings of the now-abandoned Presidio Modelo in Cuba (constructed 1926–28); Pavilhão de Segurança, 1896, architect José Maria Nepomuceno, now part of an Outsider Art and Science museum, in Miguel Bombarda Hospital, Lisbon, Portugal (national monument); Autun penitentiary, France; Breda and Arnhem penitentiaries, 1884, architect Johan Frederik Metzelaar, Netherlands; Haarlem penitentiary, 1901, Netherlands; Stateville Penitentiary, 1919, Illinois, USA, architect C. Harrick Hammond.

It has been argued that the Panopticon influenced the radial design of 19th-century prisons built on the principles of the "separate system" (including Eastern State Penitentiary in Philadelphia, opened in 1829, and the later Pentonville Prison in London and Armagh Gaol in Northern Ireland). In these prisons control was exercised through strict prisoner isolation rather than surveillance, but they also incorporated a design of radiating wings, allowing a centrally located guard to observe the door of every cell.

### **Jeremy Bentham's description of the Panopticon**

"Before you look at the plan, take in words the general idea of it. The building is circular. The apartments of the prisoners occupy the circumference. You may call them, if you please, the cells. These cells are divided from one another, and the prisoners by that means secluded from all communication with each other, by partitions in the form of radii issuing from the circumference towards the centre, and extending as many feet as shall be thought necessary to form the largest dimension of the cell.

The apartment of the inspector occupies the centre; you may call it if you please the inspector's lodge. It will be convenient in most, if not in all cases, to have a vacant space or area all round, between such centre and such circumference. You may call it if you please the intermediate or annular area."<sup>21</sup>

About the width of a cell may be sufficient for a passage from the outside of the building to the lodge. Each cell has in the outward circumference, a window large enough to only to light the cell, but also to afford light enough to the correspondent part of the lodge. The inner circumference of the cell is formed by an iron grating, so that light as not to screen any part of the cell from the inspector's view. To cut off from each prisoner the view of every other, the partitions are carried on a few feet beyond the grating into the intermediate area: such projecting parts I call the protracted partitions. It is conceived, that the light, coming in in this manner through the cells, and so across the intermediate area, will be sufficient for the inspector's lodge. But, for this purpose, both the windows

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<sup>21</sup> Bentham, 1791

in the cells, and those corresponding to them in the lodge, should be as large as the strength of the building, and what shall be deemed a necessary attention to economy, will permit.

To the windows of the lodge there are blinds, as high up as the eyes of the prisoners in their cells can, by any means they can employ, be made to reach. To prevent thorough light, whereby, notwithstanding the blinds, the prisoners would see from the cells whether or no any person was in the lodge, that apartment is divided into quarters, by partitions formed by two diameters to the circle, crossing each other at right angles. For these partitions the thinnest materials might serve; and they might be made removeable at pleasure; their height, sufficient to prevent the prisoners seeing over them from the cells. Doors to these partitions, if left open at any time, might produce the thorough light. To prevent this, divide each partition into two, at any part required, setting down the one-half at such distance from the other as shall be equal to the aperture of a door.

These windows of the inspector's lodge open into the intermediate area, in the form of doors, in as many places as shall be deemed necessary to admit of his communicating readily with any of the cells. Small lamps, in the outside of each window of the lodge, backed by a reflector, to throw the light into the corresponding cells, would extend to the night the security of the day.

To save the troublesome exertion of voice that might otherwise be necessary, and to prevent one prisoner from knowing that the inspector was occupied by another prisoner at a distance, a small tin tube might reach from each cell to the inspector's lodge, passing across the area, and so in at the side of the correspondent window of the lodge. By means of this implement, the slightest whisper of the one might be heard by the other, especially if he had proper notice to apply his ear to the tube.<sup>22</sup>

## **The Pennsylvania System**

The first serious attempt at prison reform in America was launched in Philadelphia in 1787. This was when a group of Philadelphians organized the Philadelphia Society for Alleviating the Miseries of Public Prisons. It was reasoned that an inmate's resolve for reform would be strengthened by completely shutting him off from contact with bad influences such as other convicted criminals. These incarceration practices soon came to be called "the Pennsylvania System". It inspired the authorities to construct separate-cell prisons in Pennsylvania and elsewhere. The Pennsylvania System was influenced by the theology of the Quakers in regards to the treatment of criminals. The

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<sup>22</sup> Bentham, 1791

Quakers believed that imprisonment could serve as an instrument of criminal reform. In our hearts, the Quakers said, shined an Inner Light of God's grace. Bad influences, including friends, relatives, and even loved ones could dim the Inner Light. Believing in the essential goodness of human nature they felt that separation from bad influences would be beneficial. A convict incarcerated in isolation, they reasoned, could more readily reflect on his sins, work out his own path to salvation and thus revitalize the Inner Light.<sup>23</sup>

One of the first goals of The Philadelphia Society was to replace Philadelphia's old Stone Prison, first opened in 1723. By 1787 all inmates from the old Stone Jail had been transferred to the completed Walnut Street Jail and a new era was to begin in American penology. In 1790, a separate penitentiary house was installed in the yard, containing sixteen cells for the solitary confinement of prisoners. Thus, was born the separate (or Pennsylvania) system of incarceration as recommended by the society: "While the idea of segregating hardened prisoners in solitary confinement was aimed at originally, it gradually crystallized into a philosophy of "separation" of all prisoners, one from the other."<sup>24</sup>

In 1791, the Board of inspectors of the prison stated that the purpose of the institution was to fulfill three major functions:

1. The public security
2. The reformation of the prisoners
3. Humanity towards those unhappy members of society

The policies and practices of the Walnut Street Jail already contained much of the essential characteristics of American penology, rehabilitation through discipline and hard labor, whether in isolation or through congregate activities. In 1829, the Eastern State Penitentiary was built in Philadelphia, and was constructed under the Pennsylvania plan, applying the so-called separate philosophy. By 1829, solitary confinement at hard labor was standardized throughout the Pennsylvania System by legislative decree.

The Pennsylvania System eventually failed because the gentle, well-meaning Quakers and others did not take into account the devastating effects of isolation of many inmates. For many of the criminals in a Pennsylvania System prison, incarceration was not a saving grace but a form of mental torture. Rehabilitation under such conditions

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<sup>23</sup> Bacon, 1969

<sup>24</sup> Teeters, 1937

proved to be fruitless. By the late 19th century Auburn-type prisons became the major penological paradigm across America.<sup>25</sup> However, in Europe, especially in Scandinavia, the use of isolation in prisons was much later abandoned until around 1980. It is worth mentioning that in Norway today, 600 persons are being isolated. This is due to that the Norwegian Government does not have a plan on how to rehabilitate severe dyssocial individuals that are too sick for the prison and society, as well as not showing any improvement in the sector of psychiatry and mental health. And the solution? Full isolation from the society and other inmates.

### **Pentonville Prison**

Pentonville Prison was the first modern prison. It was located in London, Millbank, and opened in 1816. It had separate cells for 1310 prisoners and proved satisfactory to the authorities who started building prisons to deal with the rapid increase in numbers occasioned by the ending of capital punishment for many crimes and a steady reduction in transportation. Two Acts of Parliament allowed for the building of Pentonville prison, designed by Captain Joshua Jebb, Royal Engineers, for the detention of convicts sentenced to imprisonment or awaiting transportation.

It had a central hall with five radiating wings, all visible to staff at the centre. This design, intended to keep prisoners isolated. The "separate system" first used at Eastern State Penitentiary in Philadelphia – was not, as is often thought, a panopticon. Guards had no view into individual cells from their central position. Pentonville was designed to hold 520 prisoners under the separate system, each having his own cell, 13 feet (4 m) long, 7 feet (2 m) wide and 9 feet (3 m) high with little windows on the outside walls and opening on to narrow landings in the galleries.

They were "admirably ventilated", a visitor wrote, and had a water closet, though these were replaced by communal recesses because they were constantly blocked and the pipes were used for communication.

Prisoners were forbidden to speak to each other and when out on exercise would tramp in silent rows, wearing brown cloth masks. In chapel, which they had to attend every day, they sat in cubicles, or "coffins" as the prisoners referred to them, their heads visible to the warder but hidden from each other. The chaplains were very influential, making individual cell visitations, urging the convicts to reform, and supervising the work of the schoolmasters.

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<sup>25</sup> Roberts, 1985



Mental disturbances were common. An official report admitted that "for every sixty thousand persons imprisoned in Pentonville there were 220 cases of insanity, 210 cases of delusion, and forty suicides". However, conditions were better and healthier than at Newgate and similar older prisons, and each prisoner was made to do work such as picking oakum (tarred rope) and weaving. The work lasted from six in the morning until seven at night.

Pentonville became the model for British prisons; a further 54 were built to similar designs over six years and hundreds throughout the British Empire. The prison is still active today, as "HM Prison Pentonville" (informally "The Ville"), an English Category B/C men's prison operated by Her Majesty's Prison Service.

### **The Auburn System**

The Puritan view that criminals were innately depraved was an important premise for the Auburn System. It originated in New York State in 1823 with the newly organized Auburn Prison. The system declared that all society could hope to do was bend the convict to its will through unrelenting discipline and punishment. Prisoners worked in congregate workshops and ate in congregate dining halls and at night slept in separate cells. Ironically, the congregate workshops helped teach the inmates skills and trades, thus, inadvertently opening a path to inmate rehabilitation.

The Puritans proclaimed John Calvin's theology of a depraved human nature fundamentally flawed by Original Sin. Puritan doctrine proclaimed that God, in his mysterious majesty, had already chosen the "saved" and the "damned" and no amount of good works or reformed beliefs would change God's decision. The Puritan believed: "It makes little sense to think in terms of "reform" or "regeneration" the best one can do for him (the prisoner) is to contain his reprobate spirit, in much the same way that one tames the wilder instincts of animals, mold him into a passive, compliant, dulled member of the social order. The object of prison discipline is not to improve his nature, since this cannot be accomplished with even the harshest therapies, but to harness it so completely that it cannot assert itself".<sup>26</sup>

These Puritan views were incorporated into the Auburn System and the Auburn Prison. A previously existing prison was reorganized in 1823, and Elam Lynds, a New Englander by birth, was placed in charge of the institution. The prison staff imposed on its convicts unrelenting discipline and corporal punishment for even minor infractions.

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<sup>26</sup> Erikson, 1966

Inmates toiled in "congregate" workshops and took their meals together in a dining hall but slept in separate cells at night. Prisoners observed total silence under pain of flogging. They marched as a group in lock-step on the way to and from their assigned duties. By such treatment Lynds sought to bend the felon to the will of society even if it meant breaking his spirit altogether. The noted penologist, Orlando Lewis, described Auburn as practicing "*reformation by horror, constant hard labor, and the breaking of the spirit.*"<sup>27</sup>

By the middle of the nineteenth century, however, newer penitentiaries were being constructed and administered according to the Auburn System. This System eventually replaced the Pennsylvania System, becoming the standard paradigm for the American penology up to the present time. The Auburn System eventually triumphed over its rival because it helped to create a trained and disciplined workforce. The congregate workshops were soon competing with outside industries, producing goods profitable to the state and private enterprise, and at the same time creating a skilled labor force at no cost to industry. Private entrepreneurs supplied the prisoners with tools and raw materials to make clocks, suits, saddles, shoes, boots, carpets and cabinets to name a few, in direct competition with free labor.<sup>28</sup>

## **Halden Prison**

Halden Prison is a maximum-security prison in Halden, Norway. It has three main units and receives prisoners from all over the world, but has no conventional security devices. It is the second-largest prison in Norway, with a capacity of 248–252 prisoners. The prison was established in 2010 with a focus on rehabilitation; its design simulates life outside the prison. Among other activities, sports and music are available to the prisoners, who interact with the unarmed staff to create a sense of community. Praised for its humane conditions, Halden Prison has received the Arnstein Arneberg Award for interior design in 2010 and been the subject of a couple of documentaries, such by Wim Wenders' "Cathedrals of Culture" and Michael Moore's "Where to invade next". The prison has also received criticism for being too liberal.

As a maximum-security prison, it hosts dangerous as well as highly dangerous criminals, such as rapists, murderers, and child molesters. However, there are no conventional security devices, such as barbed tape, electric fences, towers, or snipers. There is safety glass, a 6 meter × 1.5 kilometer (6.5 ft × 1 mi) concrete and steel wall, and a system of underground tunnels which guards use to walk through the prison.

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<sup>27</sup> Lewis, 1967

<sup>28</sup> Roberts, 1985

Although there are surveillance cameras on the prison grounds, they are not present in the cells, the cell hallways, the common rooms, the classrooms, and most of the workshops. While there is little violence reported, officers try to prevent it. If two inmates have a dispute, they engage in a mediation session under staff supervision. If mediation fails, repeated misbehavior or rule violations are punished with cell confinement or prison transference.

The prison was designed by the Danish group Erik Møller Architects and the Norwegian HLM Arkitektur. With a focus on rehabilitation, it was designed to simulate a village so that the prisoners can consider themselves part of society. The government believes that "the smaller the difference between life inside and outside the prison, the easier the transition from prison to freedom." Interiors are painted and designed to demarcate the differences between home, school, and the workplace. In designing the prison's interiors, the architects tried to separate the internal buildings to have prisoners walking, to strengthen their bond with the outside world. The hallways are tiled with Moroccan tiles or have large-scale photographs, such as daffodils or Parisian streets. Exteriors are composed of bricks, galvanized steel, and larch wood, instead of concrete. The black and red kiln-fired bricks were inspired by the trees, mosses, and bedrock of the surroundings. Natural life, including birch, blueberry, and pine trees, also contribute to rehabilitation. The steel, a "hard" material, symbolizes detention, while the larch, a "soft" material, stands for rehabilitation and growth. The yard walls and toilet doors are decorated by a graffiti painting by the Norwegian artist Dolk, which was ordered by the prison from its 6 million kroner art budget.

All aspects of the prison's design aim to avoid psychological pressures, conflicts, and interpersonal friction. Despite this, the prison wall was designed for security. As the wall is visible everywhere, it was seen as a "symbol and an instrument" of "[the prisoners'] punishment, taking away their freedom", according to Gudrun Molden, one of its architects.

Each prison cell is 10 square metres and has a flat-screen television, desk, mini-fridge, toilet with shower, and unbarred vertical window that lets in more light. Every 10–12 cells share a common area with a kitchen and a living room. While the prison provides food, the prisoners can also buy ingredients at its grocery shop and cook their own meals. Inmates are locked in their cells twelve hours a day, but they are encouraged to maximize their time outside.

# ISOLATION in prison

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## 4. Introduction

The use of isolation of inmates in prison has been a subject of criticism in many different places in the world. It has been the case in Denmark, Norway, and Sweden. Especially in Scandinavia, the use of isolation has been criticised by many experts, organizations, and professionals. Isolation is a harsh and painful intervention in the individual's life, and goes far beyond the strong constraints that already arise from the general deprivation of liberty. Isolation is characterized by prisoners spending 22-24 hours of the day's hours alone on the cell, and that meaningful social contact is typically reduced to a minimum. In the Norwegian prisons, isolation of inmates is one of the most restrictive interventions that one can be subjected to.<sup>29</sup>

*“What’s crucial is not the character of the space, but rather the absence of psychological meaningful social interaction – that’s the definition of isolation.” - Peter Scharff Smith, professor, UIO.<sup>30</sup>*

### Detrimental effects of isolation

Isolation does not only affect the freedom of the individual, but it also exposes the imprisoned to health risks. The effects of isolation are well documented in scientific literature, and the impact of Isolation has been investigated in, for example, the United States, Canada, Switzerland, Norway, Sweden, and Denmark.<sup>31</sup> Overall, the conclusion is clear: the lack of psychological meaningful social contact contributes to the risk of health damage – both physically and psychological. Research testifies, among other things, to anxiety and depression, and in some cases psychosis.<sup>32</sup> Studies have also demonstrated that isolation increases the chances of self-harm and suicide, compared with prisoners who serve ordinarily imprisonment. Although some individuals handle isolation better than others, the negative health effects usually occur after a few days. It’s only a problem that no-one can know in advance how a person will respond to being isolated.<sup>33</sup> Even though the isolation method is well known in the Norwegian prison and for the Norwegian government, the use of isolation is still ongoing and fairly common. It is well known that Norway has received a lot of foreign criticism on the use of isolation in custody, and that the use should be limited to minimum. Some of these critics are the

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<sup>29</sup> Peter Scharff Smith, “ isolasjon i skandinaviske fengsler, artikkel, kritisk Juss 2013 (39) p, 170

<sup>30</sup> Peter Scharff Smith, 2018, <https://tv.nrk.no/serie/brennpunkt/MDDP11000518/18-04-2018>

<sup>31</sup> Ibid

<sup>32</sup> Ibid

<sup>33</sup> Ibid

OHCHR (Committee against Torture), European Committee for the Prevention of Torture (CPT), and some other.<sup>34</sup>

## **But why do we isolate?**

Isolation is used in different ways in different parts of the world. Common for basically all prison systems worldwide is the use of isolation as disciplinary punishment. Secondly, the use of isolation as preventive measures against groups of inmates who are reportedly difficult to control. In a number of cases, it can be difficult to refine the different purposes of isolation, and the different ways of isolation practiced on. This can partly be due to the real purpose of the isolation uses may differ from the formal purpose. In different jurisdictions, in addition, there are different legislative reasons and different forms of isolation which can overlap in practice.<sup>35</sup>

In the article, "*isolasjon i skandinaviske fengsler*" eng. trans. *Isolation in Scandinavian prisons*", Professor Peter Scharff Smith has formulated a list in which the most common reasons for isolation is presented:<sup>36</sup>

1. Isolation as a tool for creating moral improvement.
2. Isolation as a tool of "thought reform or control".
3. Isolation as coercive persuasion or interrogation tool.
4. Isolation in custody as a prevent forfeiting of proof.
5. Isolation in police arrest.
6. Isolation as disciplinary punishment.
7. Isolation as a tool to maintain law and order.
8. Isolation of practical considerations.
9. Isolation in a strict regime for individuals with death sentences.
10. Voluntary isolation.
11. Isolation as a manner of foreign privilege.

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<sup>34</sup> Peter Scharff Smith, "isolasjon i skandinaviske fengsler, artikkel, kritisk Juss 2013 (39) p, 170

<sup>35</sup> Ibid

<sup>36</sup> Ibid, p. 177

## 5. Description of the diploma thesis

In the diploma semester fall of 2018, I will draw an independent prison institution in the forest near Ila fengsel in Bærum, Norway. Throughout my diploma semester, I will discuss and challenge the term isolation as a theme for my prison, as I will mainly focus the prison on a very specific type of prisoner. These are the type of prisoners that are being isolated for many years due to their extremely aggressive, antisocial, and problematic behavior. This house for prisoners will have its goal of creating a better situation for these individuals. It will aim at creating good spatial situations where the individual gets psychiatric surveillance, rehabilitation, exposure of social meaningful interaction, simultaneously as they are being protected – from themselves, and from others. They will also get exposure from natural stimulus and activities.

There are around 600 individuals which are being held in solitude in Norway, as they are considerate very difficult to comprehend, treat, or rehabilitate. In politics, these individuals become a political grey spot due to the lack of knowledge, scientific research, and bureaucracy. This is again because these individuals are too mentally ill for ordinary prison, simultaneously as they do not show any potential for treatment or improvement in the sector of mental health. The lack of scientific knowledge and research results in keeping them isolated. Even though the rehabilitation rate is considerate to be high in Norwegian prisons, it's natural to assume that prisons are doing something right. At the same time, the use of isolation in Norwegian prisons is still very high compared to other countries, and it's questionable why the situation is like that.

*“We do not have any particular tool or knowledge on how to treat these individuals. They are violent, and we do not know how to communicate with them. This results in keeping them isolated.”* Knut Bjarkeid, Prison warden, Ila landsfengsel. <sup>37</sup>

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<sup>37</sup> Knut Bjarkeid, 2018, <https://tv.nrk.no/serie/brennpunkt/MDDP11000518/18-04-2018>

## **5.1 Structure of diploma task**

The diploma will be divided into three phases of work:

1. Part i - Analysis
2. Part ii - Sketching
3. Part ii - Execution of diploma task

I will now thoroughly describe each phases, and I will also comment how this work is contemplating and relating to my thesis.

### **Part i: Analysis (week 33 - 32)**

This part of the diploma is considerate to be crucial. As already described in this pre-diploma, I have collected much information on prison philosophy, prison history and shown references to effects, causes, and problems regarding isolation. In order to be able to draw a house for prisoners that usually are being totally isolated 22-23 hours a day, needs scientific research as a foundation for further development.

I will use the information provided as a foundation and as a tool of execution this task.

### **Interview with Psychiatrist Randi Rosenqvist**

I will attend and have a talk with the foremost Psychiatrist in Norway, Randi Rosenqvist. She has long experience with the prisoners that are too mentally ill, and that are being isolated in prison, and she has done a lot of prominent work on these individuals. In addition, she was the main Psychiatrist that concluded that Anders Behring Breivik was not psychotic.

I am really sure that her feedback and interest will be extremely helpful in order to gather all the information possible for the execution of this task.

### **Part ii: Sketching (week 32 - 38)**

In part ii of diploma lies the most important work before execution of the diploma task. I will process the information which I have gathered in part i and transform the information into physical, diagrammatic, abstract, but precise ideas. I will elaborate a set



of fundamental rules based in the intel in which I will explore through methods of architectonic research. These methods will include:

1. Model studies of cells / realistic models.

a. How:

- i. I will conduct the information from part i, and feedback from Randi Rosenqvist, and transform this into physical models of space.
- ii. I will then discuss the different variants of the spaces, and seek potential.

2. Study of space

a. How:

- i. I will refine the intel into short, but precise sentence or words that can be applied either spatial, diagrammatic illustrations or models.
- ii. The purpose of this exercise will be to investigate the inherent potential in words that are directly related to the situation in prison. E.g. the word: **interact**. This word is directly related to how a social exposure between two prisoners can occur. Then, I could draw a diagram to show potential ways two, or more prisoners could interact et cetera.
- iii. By now I have gathered a set of relevant words:

1. Interact
2. Separate
3. Stimulus
4. Reenact

3. Diagrammatic thinking and exploration

a. How:

- i. I will use diagrams, a site visit(s), photographs, and similar to develop the work further towards the end of week of phase ii.

**4. Part iii: Execution of diploma project (week 38 - 50)**

a. How: execution of diploma.

- i. Information regarding part iii, will continuously be updated throughout the semester.

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## **Clarification of the diploma thesis: *A House for prisoners***

Håkon Mathias Dedic Jansen, 20. November, 2018

### **Intention:**

After spending several months working on the diploma task, I have gained a lot of crucial information that I was uninformed about before starting the diploma semester. It's therefore important that I include this information within the description of the diploma thesis as a clarified and updated version. The additional information that I have gathered is based on interviews with Psychiatrist Randi Rosenqvist, Psychiatrist Ann Færden (Ullevål sykehus), Prof. Emerita. Arch. Elisabeth Tostrup, and Prof. Criminology. Hedda Giertsen.

### **5. Description of the diploma thesis**

In Norwegian prisons today, there are approximately 6-10 individuals serving a sentence despite having severe psychological disabilities. In fact, they are so mentally ill that they could qualify as *incompetent* of serving a regular sentence. This practice has been going on for many years.

The current situation regarding these individuals is that they are being held in solitary confinement due to their antisocial and aggressive behaviour, – paradoxically, the use of isolation is making them even worse.

The Committee against torture (OHCHR) is concerned by a 2017 report of the Parliamentary Ombudsman who found that the use of isolation for persons with psychosocial disabilities and lack of provision of proper health care services led to the deterioration of health of these individuals. OHCHR indicated that the state party should abolish the use of isolation for these individuals immediately and find alternative methods whenever possible. The individuals are being put in full isolation from others as this is the only alternative the Norwegian correctional service has to offer. According to *Straffegjennomføringsloven § 37*, these individuals can be isolated like this up to one year.

Throughout my diploma semester, I will discuss the term de-isolation as a theme for my prison, as I will mainly focus the prison on this very specific type of prisoner. As the rehabilitation rate is considerate to be high in Norwegian prisons, it's natural to assume that prisons are doing something right. At the same time, the use of isolation in Norwegian prisons is still very high compared to other countries, and it's questionable why the situation is like that.

### **The proposal of the diploma project:**

The goal of the proposal of the house of prisoners is to create a better alternative for these individuals. It aims to create good spatial conditions where the individuals get psychiatric surveillance, activation and meaningful social interaction. Simultaneously, they will be protected

– from themselves, and from others. Within the plan of the building, a haptic garden will give natural stimulus from plants, trees and fresh oxygen and have a normalizing and calming effect. The overall aim and idea of the house of prisoners is that the institution should have a de-isolating and normalizing effect on the individual, and from there make a possible transition to a psychiatric hospital easier.

The house of prisoners will act as an independent prison institution in Eiksmarka near Ila detention and security prison in Bærum, Norway. Although the prison house is self-sufficient, it will have close relations to Ila detention and security prison, due to their expertise and experience with these individuals. The capacity of the prison is to withhold maximum 9 (+1) prisoners in 10 cells, as it would not be beneficial to have more. The total area is calculated to 1500sqm, and the spatial program is based upon funksjons- og arealveilder kravspesifikasjon for fengselsbygg, Statsbygg 2015. Additional background information for the task is based upon: Stortingets Representationforslag 227 S (2017-2018).

A handwritten signature in blue ink, appearing to read 'Jørgen J. Tandberg'.

VEILEDER: JØRGEN J. TANDBERG