

ABSTRACT

Foucault and Bentham: the Debate on the Panopticon

The object of this study is the Panopticon as elaborated by Jeremy Bentham and the debate which arose after Michel Foucault used it as a symbol of disciplinary power in his 1975 book *Discipline and Punish*.

The panoptic architectural model is one of the most controversial elements of the production of Bentham: some consider it as an affront to human dignity, while others, like Foucault, regard it as the result of the transition from the old monarchical state to the modern capitalist society, and still others, closer to the intentions of its creator, repute the panoptic idea as a more humane penal system compared to 19th century criminal justice.

The first formalization of the idea of the Panopticon was in 1787, when Bentham wrote a series of letters in which he developed an outline of the circular architecture building originally designed by his brother. In 1791 Bentham further modified and specified the original project with the addition of two Postscripts to the original letters.

The major changes introduced by the Postscripts are: the review of enforced solitude, resulting in a reduction of the space required and therefore in the cost of construction, and the introduction of a vice-governor, a chaplain, a doctor and a school teacher.

The *simple idea* of Bentham can be described as follows: a circular building with the cells of the prisoners located in the circumference and, separated by an empty space, the tower of the inspector located in the center. The side of each cell facing outwards would be occupied by a large window and the inner one by a thin iron grating in order to make the whole room perfectly visible from the tower, while also contributing to let sunlight inside the Panopticon.

According to Bentham, surveillance in the Panopticon works on multiple levels, not just on detainees: the problem of *quis custodiet ipsos custodes* is addressed by him with the concept of «the great open committee of the tribunal of the world», that would control the Panopticon due to its being open to the public. This would indeed guarantee the good behavior of the Inspector and of his subordinates and would at the same time represent an occasion of moral edification for the public itself.

The objectives that are pursued with the Panopticon are many: Morals reformed, health preserved, industry invigorated, instruction diffused, public burthens lightened, Economy seated upon a rock

in general, to be obtained through safe custody of prisoners , imprisonment, solitude , forced labor and reeducation. Whereas the principles that guide the Panoptic enterprise in the management of prisoners are mainly three: leniency, severity and economy .

Bentham is very specific with respect to the regime to which the prisoners would be subjected in every aspect of their lives and emphasizes the fact that in the Panopticon discipline would have been complete.

In view of this objective the relationship between reality and imagination is fundamental in Bentham's Panopticon: the mere existence of the Panopticon is a deterrent to crime and the power exercised by the inspector is stronger the less it is physically manifested: the economy in all aspects of management, and even in the use of power, is, according to Bentham, a central advantage in the development of the panoptic project . This economic perspective is confirmed by the fact that the management of the Panopticon had to be regulated by contract , so as to ensure the maximum possible efficiency together with profit. In order to achieve this goal the inspector would be guaranteed the right to run the Panopticon for life, in exchange for the publication of the balance sheet.

It is also worth consideration that over the years Bentham had developed other types of Panoptic architecture: the Pauper Panopticon for the poor and a panoptic building to house the Government's offices. The most important feature of the Panopticon is versatility since, as Bentham himself states it will be found applicable wherever a great number of persons are meant to be kept under inspection.

In his book *Discipline and Punish*, Foucault uses the Panopticon to underline a change in society and in the nature of power between the end of the 18th and the beginning of the 19th century as exemplified by the shift in punitive practice from ritual torture to imprisonment.

It is Foucault's opinion that the punitive practices respond to what he calls «political technologies» of the body : the practice of torture is explicable in reference to the consideration paid to the labor force and to the human body in the *Ancient Régime*, that are not considered to have the commercial value that will be attributed them in the industrial economy. In this perspective the prison could be read as the result of a process of softening of punitive regimes, in which Foucault sees a shift in the object of the punitive operation because it would no more be the body to receive its effects through pain, but the soul through education .

He also thinks that his new strategy in punitive practices can also be explained according to the theory of the social contract: that is to say that the criminal, after having violated the social contract, is regarded as an " abnormal" that may be subjected to specific scientific knowledge in psychology, psychiatry, phrenology.

Here is situated, according to the French author, the junction point between the effects of power over the individuals and over the entire social body; punishment is structured in a way that, by judging and affecting every single criminal, it performs its effects throughout society, creating a social divide between those who are considered normal and those who are not.

What Foucault calls «training of the body» is one of the central themes of this new punitive technology. It aims at creating docile bodies to be used in the productive process and it is innovative for multiple reasons: the scale of control, which is potentially every slightest aspect of the human body; the object of control, which is the economy of movements and the ways in which this control is manifested, that is to say through a constant subjection of the forces of the body. All this new features can be referred to as «disciplines» .

The most important characteristic of the disciplines is to organize individuals in space in order to break the mass into single individuals. For this reason, according to Foucault, the discipline presupposes the existence of instruments of coercion and control capable of inducing effects of power through visibility.

As described by Foucault, disciplinary power is configured to be more and more like a power that is exerted through the objectification of those to whom it applies, obtained through a specific disposition of the latter in the space of hospitals, schools and prisons.

The Panopticon is an image for this discipline: in Foucault's opinion its objective is to improve the exercise of power, making it faster, lighter and more effective.

The individual in the Panopticon, being subjected to a regime of constant visibility, is caught in a power relationship within which he becomes the principle of his own subjection. Panoptic architecture itself is the diagram of a mechanism of power reduced to its ideal form that can be detached from each specific use .

Therefore, the Panopticon in Foucault's thought is much more than a simple idea in architecture, but rather a paradigm of modern disciplinary society.

Among the critiques moved to the utilization of Bentham's Panopticon in Foucault's work of particular significance are those of Janet Semple who, in her essay entitled '*Foucault and Bentham : A Defence of Panopticism*', criticizes Foucault for not having paid the compliment of serious study to the work of the English philosopher, reducing the Panopticon to a simple diagram.

In arguing against Foucault's assessment of the Panopticon, Janet Semple proceeds, at first, to a general description of Foucault's theories on the history of penology, discussing in particular what she believes to be the limitations of the author as an historian; and later, compares her point of view on the Panopticon to that expressed in *Discipline and Punish*, eventually evaluating Bentham's and Foucault's concepts of surveillance and power.

Firstly, in regard to Semple's introduction to the concepts on which Foucault grounds his genealogic research on penalty and on the new disciplinary power, it must be noted that she misinterprets the notion of power-knowledge.

Secondly, Semple also writes that Foucault found the world as an «uninhabitable trap» and that his «ideology» is stultifying and dangerous.

In her opinion there would be even an ambiguity in the nature of *Discipline and Punish*, since it would not be clear if it represents a history of punishment, a sociological treaty or work of political debate.

Although, It must be considered that the object of the genealogical study by Foucault is indeed that of understanding modern society, a task for which it is necessary to have a multidisciplinary approach.

Janet Semple laments also that from Foucault's account is not clear that the Panopticon was never built even though the failure to complete the Panopticon by its creator has not, in fact, certainly changed the nature of principle of inspection according to which it is built.

The lack in Foucault's analysis of a moral distinction between the different punishment regimes is a fundamental point of criticism for Semple. But according to Philip Schoefield, Director of Bentham Project and author of *Bentham: A Guide to the Perplexed*, this means to miss the sense of Foucault's argument as he is not concerned with the intentions of Bentham as the inventor of the Panopticon but about understanding the nature of disciplinary power in modern society.

In effect, Semple's criticism seem to be more directed at defending the intentions of Bentham as a moral reformer, rather than being an attempt to invalidate Foucault 's perspective on the Panopticon, since it is her opinion that Foucault personally accused Bentham of cruelty.

The main argument in defense of Panopticism lies in the fact that the concept of open committee of the tribunal of the world would not have been adequately analyzed by Foucault. Semple, indeed, argues that in real world neither schools nor hospitals or prisons are subjected to the visibility that Bentham advocated. This objection, however, does not seem to show that Foucault had misinterpreted the concept of open committee of the tribunal of the world, but only that the latter is not codified within the disciplinary institutions mentioned above.

There are many differences between Bentham's intentions and Foucault 's interpretation of the Panopticon, especially when it comes to considering the notions of knowledge and power of the two philosophers.

In short, the Panopticon, as presented by Foucault, is, of course, strongly influenced by his intentions to explain the modern disciplinary society, while the considerations put forth by Semple are surely closely linked with the mature philosophical work of Bentham.

Therefore, it is possible to conclude that Semple's criticism of Foucault's interpretation of the Panopticon does not compromise its validity more than the variations that Bentham made to the original Panopticon did invalidate its first formulation.

In conclusion, it is possible to say that the interpretation that Foucault gives of the Panopticon must be considered in the light of his philosophical research and of its basic concepts and methods; Trying to see it from a perspective centered on Bentham's constitutional theory would lead to misunderstanding the role that Foucault attributes to the Panopticon in his genealogical research.