JOURNAL OF WORLD-SYSTEMS RESEARCH

ISSN: 1076-156X | Vol. 31 Issue 1 | DOI 10.5195/JWSR.2025.1296 | jwsr.pitt.edu

Historicizing the Prison in the History of Capitalism

James Parisot
University of Texas, Rio Grande Valley
james.parisot@utrgv.edu

Abstract

The goal of this paper is to rethink the timeline through which scholars have conceived of the history of capitalism and imprisonment. Scholars including Oliver C. Cox, Fernand Braudel, and Giovanni Arrighi, among others, have presented a story of capitalism centered around the Italian-city states, followed by the Netherlands, Britain, and the United States. Yet discussions on the origins of capitalism and imprisonment, eventually resulting in the invention of the penitentiary as an institution of reform, usually start around the sixteenth century. Incorporating insights from both of these angles, this paper shows the historical ways that different centers of capitalist power developed prisons in the context of the broad contours of the history of capitalism from fourteenth century Italy to nineteenth century England.

Keywords: History of Capitalism, Prison, Criminalization, Class Formation

This paper rethinks the history of capitalism and the prison through two narratives. As the legacy of scholars including Oliver C. Cox, Fernand Braudel, and Giovanni Arrighi have shown, capitalism has historically tended to coalesce around particular centers of power (Cox 1959; Braudel 1982, 1984; Arrighi [1994] 2006). Capitalism arose as early as the late Middle Ages in Italian city-states such as Venice, Florence, and Genoa. Later, power shifted north to the Low Countries, which became the most powerful capitalist force in Europe. From there came the rise of British, then American global dominance. Lastly, the dynamics of capitalist power in our own era is, of course, a continued source of debate.

Most scholars approaching the history of capitalist centers of power have tended to focus on questions of states, trade, finance, and labor. Alongside this, this study explores the question of the history of the prison. There are, of course, substantial works that have analyzed the history of prisons in the rise of capitalism (Rusche and Kirchheimer [1939] 2017; Foucault [1977] 1995; Melossi and Pavarini [1981] 2018). But perspectives drawing from this basis have tended not to intersect with that pathway forged by Cox (1959), Braudel (1982, 1984), Arrighi ([1994] 2006), and the like. In this context, this paper asks: how does the timeline of the history of capitalism Cox, Braudel, and Arrighi among others have presented intersect with the history of the prison? The paper does so through an examination of the ways that some Italian city-states, particularly Venice and Florence, followed by the Netherlands, specifically Amsterdam, and then England, in the context of empire-building, developed penal institutions to regulate the rise of class conflict and capitalism.

My goal here is not to provide a comprehensive analysis, but a sketch of the ways that prisons formed in conjunction with capitalist power centers, eventually resulting in the emergence of the penitentiary as a supposed institution of reform, and through this provide an alternative approach for historicizing the prison in the history of capitalism. Most historical materialist inspired interpretations of the history of the prison still rely on the perspectives of the classic works mentioned above and view the prison as arising in the wake of capitalism in the sixteenth and seventeenth centuries (Martin 2017). One perspective, focusing not just on the prison but criminalization more generally, relies much on Rusche and Kirchheimer ([1939] 2017) and sees processes of capitalistic criminalization emerging through a history of primitive accumulation beginning, at the earliest, at the end of the fifteenth century (Weis 2017).

But these starting points are, in some ways, too late. By reframing the history of the prison within an updated account the broad contours of capitalism, this paper aims to update the timelines that the classic, still relied upon works in the area, have followed. I am not claiming that the prison in fourteenth century Florence directly motivated, for instance, the birth of the English Bridewell or Dutch workhouse. Only that there seem to be ways historically that capitalism has tended to create a class context for the invention of what appear to be relatively similar types of institutions.

To explain, Rusche and Kirchheimer ([1939] 2017) presented the first systematic historical materialist examination of the ways that the rise of the capitalist mode of production correlated with new forms of punishment and imprisonment. They rightfully highlight the innovativeness of the Dutch workhouse and how it provided a model for other parts of Europe. They show the gradual

development of the criminalization of the emerging proletariat unevenly throughout Europe, along with the various ways England used transportation as a central means of punishment, and discuss the rise of the Auburn and Pennsylvania systems in the United States. Their account lacks a substantial analysis of changing relations of production in detail, perhaps unsurprisingly, given that it was written well before the "transition" debate took off in earnest. Still, in the case of the Italian city-states, they do mention "in fifteenth-century Germany, and much earlier in Italy, it [capital] had ceased to be a servant and had become the master" (Rusche and Kirchheimer [1939] 2017: 13). But this remains vague, and they do not, for instance, discuss *Le Stinche* Prison in Florence, as will be discussed below.

Decades later, Spierenburg ([1991] 2007: 4) argued, "Melossi and Pavarini basically restate Rusche's thesis without adding much to it." Such a dismissal without argumentation, though, is highly problematic. They certainly follow the lead of the authors, but updated and reformulated much in the process. Most centrally, they organized their account around Marx's idea of so-called primitive accumulation (Melossi and Pavarini [1981] 2018). Additionally, their focus on the prison in capitalist society emphasizes less the necessities of labor market conditions, as the other authors do, and more on the ways that penitentiaries formed to socialize workers into capitalist work habits. Similarly to Rusche and Kirchheimer ([1939] 2017), they also note that while the first Bridewell appeared in the mid-sixteenth century in England, it was the Dutch who most significantly developed the workhouse as a model form of disciplinary institution that fit with capitalism (Melossi and Pavarini [1981] 2018).

They also write that compared to England, "the fact that workhouses and houses of correction flourished in Flanders, the Netherlands and Northern Germany considerably earlier had much to do with the more advanced stage of capitalism reached in these parts" (Melossi and Pavarini [1981] 2018: 41). The authors also claim that "before the development of capitalism in England, forms of capitalist production arose in certain areas of Italy, Germany, Holland and, somewhat later, in France" (Melossi and Pavarini [1981] 2018: 40). They even mention, for instance, the Ciompi (wool workers) in Florence, and do not discuss in detail but note that there is a debate about the "regression" of Italian capitalism in this era. The authors also acknowledge that in Florence in the thirteenth and fourteenth centuries a dispossessed proletariat formed. This went along with a type of penal criminalization including controlling wages, giving legal rights to masters over workers, and using corporal punishment in debtors' prison (Melossi and Pavarini [1981] 2018). In these ways they do provide a starting point for incorporating an analysis of capitalist centers of power into a history of the prison, albeit an unfinished one.

Lastly, Foucault's *Discipline & Punish* ([1977] 1995) remains the most influential work on the topic, even if, for instance, some historians, as will be discussed, have criticized his timeline. Given the powerful scope of this work, for purposes of space, I will not discuss its arguments in detail here. Suffice to say, Foucault ([1977] 1995: 24) relies very much on what he calls "Rusche and Kirchheimer's great work" but takes his analysis in many other directions. The author's goal was not to provide a historicization of capitalism and the penitentiary so much as show the

"genealogy" of its history up to his time of writing. As his goals are different than the goals of this paper, for purposes here I will not engage extensively with his great insights.

On a conceptual note, I am using the term capitalist centers of power as opposed to hegemons or systemic cycles of accumulation as Arrighi (2006) formulated the concepts. For one, it is not clear that his use of the term hegemony can capture the political complexities of, for instance, the Dutch Republic or the British Empire (Lacher and Germann 2012; Parisot 2015). Secondly, it can also be argued that financialization is not always the "autumn" of a so-called hegemon's decline (Panitch and Gindin 2013). Centers of capitalist power such as the Italian city-states, Dutch Republic, or the nineteenth century British Empire were central hubs through which capital circulated in and out, and centers of capitalist class formation. In their peak eras they were the central nervous systems of capitalism through which power and capital centralized. Thus, for purposes simply of usefulness, and to circle around the above-mentioned problems, I am calling these historical moments centers of capitalist power.

In summary, the dialogue that overdetermines this paper is between Cox (1959), Braudel (1982, 1984), and Arrighi ([1994] 2006), and Rusche and Kirchheimer ([1939] 2017), Melossi and Pavarini ([1981] 2018), and Foucault ([1977] 1995). Generally, my goal is less to criticize the specifics of their arguments, but reset the timeline used to consider them. I argue each capitalist power appears to have invented a correlating system of imprisonment.

This does not start in the sixteenth century, but earlier. Cities such as Florence and Venice developed early variants of the prison which in some ways prefigured later developments, even if they did not directly influence them. The Netherlands would follow, becoming the leader of prison innovation, especially in Northern Europe. England also developed an extensive system of punishment, relying more on the "bloody codes" and capital punishment alongside transporting the criminalized to the colonies than long-term imprisonment. Still, by the late eighteenth century, the region was spotted with jails, debtors' prisons, and workhouses. Regardless, what formed was a system that certainly fit with capitalism in the country and functioned to discipline and control the working class. But England became in many ways a follower rather than a leader of penal innovation, especially after the developments of the Auburn and Pennsylvania systems in the United States circulated back to Europe. As the goal of this paper is to begin a new historical timeline, though, the story of the history of U.S. prisons and capitalism will be saved for a separate, more detailed study, and only briefly mentioned in the conclusion.

Additionally, while, of course, no less important, left out of the story presented here is an examination of the formation of prisons in areas under European colonial rule. A wide range of scholars have examined the ways that European and American models of prisons influenced the development prisons across the world and the ways jail was a part of colonial systems of oppression and labor control (Salvatore and Aguirre 1996; Bernault 2003; Dikötter and Brown 2007; McCoy and Scarano 2009; Gibson 2011; Coates 2014; Anderson 2020). Meanwhile as, for example, Go has recently examined techniques of policing and surveillance, and dominant conceptions of criminality, formed through transnational imperial processes (Go 2024). These perspectives provide many more insights than can be addressed in this paper.

But I might suggest there is something somewhat exceptional to the invention of the European and American penitentiary as an institution of social reform that differs from the types of jailing that predominated under colonial rule. The penitentiary was uniquely born in those locations that tended to develop forms of capitalism based around wage labor and more liberal political systems which characterized members of the nation as citizens deserving of rights and liberties, as opposed to dehumanized racialized colonial subjects. Outside of centers of capitalist power, techniques of punishment generally included brutality, direct violence, and convict labor, as opposed to incarcerating the colonized subject with the goal of supposedly reforming them. Closer to the mid-nineteenth century, under the influence of modernization projects, political agents from Latin America, the Ottoman Empire, Egypt, and China, among other places, began to study European and American prisons systems to begin to adapt those models to their material conditions.

Overall, this paper demonstrates that each center of capitalist power was also an innovator in techniques of imprisonment and formed strategies to use prisons as part of their systems of class discipline and control. Lastly, while many perspectives on debates about the "transition" to capitalism emphasize economics, social relations, and state formation, this article emphasizes that capitalism has always developed alongside systems of punishment, social discipline, and criminalization.

Capitalism and the Prison in Venice and Florence

Over a century ago, Henri Pirenne ([1914] 2011: 7) insisted that it seemed "all the essential features of capitalism—individual enterprise, advances on credit, commercial profits, speculation, etc.—are to be found from the twelfth century on, in the city republics of Italy—Venice, Genoa, or Florence." They were part of the general expansion of commerce stretching from the Low Countries to parts of Italy in the thirteenth and fourteenth centuries in which early European capitalism grew. It would, of course, take many more centuries, and different groups of bourgeoisie, for capitalism to take greater hold on the region and the world. But for Pirenne (1914] 2011: 9), "let us recognize, then, that capitalism is much older than we have ordinarily thought it."

This view has, of course, been challenged. Influentially, Ellen Meiksins Wood (2002) calls perspectives that situate capitalism as emerging in Florence or the Dutch Republic as based in a "commercialization model." From this angle, these cases were commercial and not capitalist because they failed to develop a "market imperative" that led to "the relentless drive to maximize profit by developing the forces of production" (Wood 2002: 87). While it is outside of the scope of this paper to provide a detailed critique of these arguments, they are based on an abstract model of what the author believes capitalism is supposed to be, rather than a detailed historical reconstruction of its multivarious forms. They are also based on an interpretation of capitalism arising in sixteenth century England, but as will be discussed below, even in England the process was more gradual and uneven than the author was willing to acknowledge.

In other words, it is not the case that trade and finance are "commercial" as opposed to the real heart of capitalism which is in a particular set of wage-labor capital relations that push

technological innovation for profit. For one, historically, capital has exploited a wide variety of labor forms including racialized enslaved labor. And secondly, finance, commerce, and production historically emerged together in complex assemblages in different interrelated locations. It is still possible, I suggest, to see capitalism as defined, fundamentally, by class relationships of exploitation while, at the same time, staying open to an interpretation based upon contingency and historical specificity. To put it simply, modes of production need to be analyzed through constant back and forth movement between concept building and historical data, and it cannot be expected that different societies organized by and dependent upon capital, such as the Italian city-states, the Dutch Republic, and capitalist agrarian or industrial England, will all fit the same mold.

To sketch the picture, historically, early capitalism arose less through decisive or quick breaks in history, so much as in slow, gradual, uneven processes spread throughout centuries. Mielants (2008: 31) argues for example that "capitalism was appearing in Western Europe from the late 12th century onward." This perspective allows us to see capitalism as emerging through fits and starts, in bits and pieces, gradually subsuming previous modes of social life and transforming them to the gradual subordination of the power of capital.

Medieval capitalism was rooted in broad trade networks stretching across Europe through the Champagne Fairs bringing north and south together to the Hanseatic League which controlled trade networks in the north. As different regions converged through competitive commerce, "the medieval producer and tradesman, like the modern businessman, had cause for anxiety" (Hirshler 1954: 58). In some cases, merchant-capitalists also set up colonies through which they could make profits. The Genoese for instance took over Caffa (present day Feodosia), among other colonies, in the north of the Black Sea in the mid-thirteenth century (Slater 2006). Here, they profited from the slave trade, among other businesses of the era. In other words, city-states like Genoa contained an impulse for a type of capitalist colonization.

In the south of Europe, as Lane (1966: 57) has argued,

> among all the cities of medieval Europe, Venice was the first to become capitalistic in the sense that its ruling class made their livelihood by employing wealth in the form of commercial capital—cash, ships, and commodities—and used their control of government to increase their profits.

In the first centuries of the second millennium the Italian city-states began their economic growth, influenced by the history of merchant capitalism in the Mediterranean region (Pezzolo 2014: 270). Banaji (2011), for instance, has argued that the history of early Italian capitalism is inseparable from the economic history of North Africa and the Middle-East as Arab merchants had words for profit, capital, and capital accumulation as far back as the nineth century, and as Italian capitalists interacted with and learned from Arab traders.

Venice in the fourteenth century, if not well before this, could very well be called a capitalist city-state. Of course, commerce and world trade were central to this. While, from a Marxist perspective, it might be tempting to create a distinction between "productive" industrial capital and "redistributive" merchant capital, in practice the historical lines between these types of capital could be blurry. For one, trade depends on ships, and Venice developed a shipbuilding industry

organized by the state to provide ships for war and for profits. As Milios (2019: 170) puts it, "in the tempestuous times of the fourteenth century, these state-owned production sites were transformed into huge manufactures, organized on the basis of the capital–wage-labour relation." In the 1300s the Arsenal became a large operation with hundreds of workers, the largest industry in the city. The tendency of the Venetian elite to become a full-fledged bourgeoisie was intensified by the late fourteenth century in a variety of state and private industries. The state-run cordage manufacture for example was based on workers paid in piece wages.

In Florence,

> …the idea of buying coarsely finished cloth from northern weavers, putting it into the hands of skilled Florentine gildsmen to be carded, cut and dyed, and then sending it abroad again to be sold at a profit was a mark of true capitalist enterprise. (Cox 1959: 162)

Merchant capitalists did not simply profit from existing trade, rather they historically reorganized trade systems and incorporated producers into networks of capital accumulation to generate profits. As early as the first half of the thirteenth century, in fact, there were perhaps 200 manufactories employing 30,000 workers. While even in the fourteenth and fifteenth centuries a significant amount of textile production may have been done through something closer to a putting-out system with merchants "formally" but not "really" subordinating capital, even the master-journeyman-apprentice system could function as a capitalist method of production with a subordinate dispossessed proletariat working for a master within a guild form (Cox 1959). Additionally, Florence became a center of finance in the late thirteenth and early fourteenth centuries (Arrighi 2006). Similarly, Genoa's rise was built through profits through merchant-capitalism. In the twelfth and thirteenth centuries, Genoese capitalists regularly pooled their capital into *commendas* to produce profits through trade, which over time became routinized into longer term agreements. As trade relations grew, so more production in Genoa was profit-oriented commodity production (Van Doosselaere 2009).

In the context of the development of capitalism in city-states including Venice and Florence early disciplinary systems that developed an "elective affinity" with capitalism formed. To clarify, my argument is not that an abstract force called "capitalism" created prisons, or its "inner logic" needed them. Rather, it is that in the historical context of capitalist social structures, each with their own characteristics, political authorities developed penal strategies as part of their systems of social regulation. But how prisons developed, or did not develop, depended very much on context.

This history has been most convincingly demonstrated by Geltner (2008). The author shows that some Italian city-states began to experiment with new types of prison from the mid-thirteenth century onward, and by the end of the fourteenth century, bureaucratized prisons had been formed as part of broader judicial systems. From this perspective, the birth of the prison was not an eighteenth or nineteenth century invention, as Foucault ([1977] 1995) emphasized, but was a gradual, five-century or so process.

That being said, Geltner (2008: 9) argues that Marxist perspectives have been an obstacle to research on the history of prisons, since they emphasize, "punitive incarceration developed out of

a new stage in labor relations in which imprisonment could be identified with one's loss of control over productive time." Tom Vander Beken (2016: 151) also writes that perspectives inspired by Marx, including Foucault, are "manifestly wrong." They focus on eighteenth century Britain and France, but in fact, "it is much more accurate to situate the origin of prison as a European penal institution in the Italian states, primarily the city-states, of the twelfth and thirteenth centuries" (Beken 2016: 151). While the authors are not necessarily wrong that some variants of historical materialism have, perhaps, emphasized the emergence of the prison, especially in the form of the penitentiary as a reformatory institution, as a result of economic needs, or focused on an era too late in history, this does not mean Marxist perspectives are wrong. Instead, I suggest that by emphasizing capitalism as a social structure around which decision-making processes by political authorities are shaped, it is possible to see how prisons emerged in a capitalist context without being economically reductive.

The author also notes, in this context, that the Italian city-states may have had "protocapitalist" tendencies, although he does not elaborate upon this (Geltner 2008). Expanding from this, though, I would suggest that it is in the context of emerging capitalism in some city-states that prisons emerged. And Geltner's (2008) empirical analysis begins to show this.

In the case of Venice, prison formation began as a scattered process. Initially,

> …prior to the late thirteenth century there were official holding rooms (*casoni*) in each of the city's sixths (*sestieri*), a debtors prison near the Rialto Bridge, and cells in and around the Doge's Palace, appropriated piecemeal at least from 1173. During the thirteenth and fourteenth centuries further spaces were carved out within the palace, eventually occupying the entire ground floor of its southern wing. (Geltner 2008: 12)

More cells were later built into the Palace, including a women's ward. Some decades later, the Council of Ten had more cells built at the top of the Palace to hold those being investigated. By the middle of the fourteenth century, a basic prison system with jurisdiction held by the state had formed (Geltner 2008). Overall,

> …from an organizational perspective, then, most elements of prison administration were in place by the middle of the fourteenth century: a growing body of legislation and regulations, a basic but stable staff, designated facilities, and a routine supervisory mechanism. Prison upkeep was financed mainly by the commune, yet it also relied on the inmates' families and to a lesser extent on individual charity. (Geltner 2008: 16)

This is not to say that prison was by any means the most significant form of punishment. It was one among many, including the more regularly used techniques of torture, humiliation, and exile. Still, incarceration did function as one type of punishment in marketized society. This was especially the case regarding debtors.

This is most significantly clear in the history of imprisonment in Florence, the city where, as Arrighi (2006) argues, capitalist high finance was born. In a capitalist city with a robust financial sector, mechanisms needed to be put in place to enforce claims. It was also here, following Geltner

(2008: 18), that *Le Stinche* prison was built as, "probably the first purpose-built prison in Italy, perhaps even on the Continent." This prison shared many similarities with prisons built centuries later, even if in somewhat rudimentary forms as

> …by 1358 the compound consisted of seven sections: the old prison, the new prison, a women's ward, the *magnati* ward, the upper malevato, the lower malevato, and an infirmary. A separate facility for the insane was established a year later. (Geltner 2008: 18)

While early nineteenth century reformers in locations including the United States and Britain would insist on separating men and women, this happened much earlier here (Geltner: 2013). Additionally, pre-dating the mental asylum, by the middle of the fifteenth century there was a cell called the "mad room" for the insane (Magherini and Biotti 1998). This prison was permanently staffed with salaried workers, paid for by the state, and alongside guards, it hired chaplains, a doctor, and even a coroner (Geltner 2008).

Similarly to prisons that would develop later in Britain and the United States, the city would also arrest debtors. Initially, Geltner (2013) notes, while *Le Stinche* aimed to hold wealthier and propertied debtors, over time it tended to house a more diverse class group including poor debtors who did not have enough to pay for their imprisonment. In some cases, members of prominent families who fell into debt could end up imprisoned (Wolfgang 1960). Additionally, the commune might arrest them, while in other cases, private creditors could bring debtors in to have them held to try and enforce their claims and would also have to pay to hold them in captivity (Geltner 2008). Holding debtors was by far the most common reason people ended up in *Le Stinche*. For instance, in analyzing scattered data from parts of 1347, 1359, 1369, 1375, 1376, and 1395, Geltner (2008) finds that 64 percent of those in the prison were there due to debt. This debt was often a result of a pecuniary punishment that caused subjects to be in debt to the treasury, as opposed to, say, only privately contracted debts. As a technical category debt functioned, "as a catchall title for a wide variety of offenses, from gambling, to fraud, to violent assault" (Geltner 2008: 65). While this could mean that poor debtors became stuck in prison and unable to pay, in some cases, wealthier merchants could also end up locked away (Geltner 2008).

As for the idea that imprisonment as punishment was first taken up at the end of the sixteenth century in Amsterdam, and then Britain, Wolfgang (1990: 576) suggests "the idea of imprisonment a punishment per se and without corporal punishment was born and cultivated within the culture context of Renaissance Florence." Of course, this does not mean that imprisonment other forms of punishment declined. Mutilation, torture, exile, and the death sentence, for instance, remained common. But there does appear to be a historical correlation between the rise of bourgeois society and holding criminals in captivity as a form of punishment in itself. Wolfgang (1990: 577) even suggests that Florence became a capitalist city, and this correlates with the developed of a punishment in which the "deprivation of liberty alone" was born as a form of punishment. This was also unique because in some instances, people had their children or relatives held in the prison to try and change their behavior, pre-dating the later idea of prison as an institution of reform by centuries. In this sense, the author notes time and money became equated, whereby if a person did

not pay their debt, then taking their liberty, which inevitably included preventing a person from gaining wealth, became seen as an appropriate mode of punishment (Wolfgang 1990).

The Dutch Workhouse

Further north in Flanders, as early as the eleventh century onwards merchants organized standardized textiles for large scale export. In addition to a merchant-capitalist textile industry, in the thirteenth and fourteenth centuries a mining industry based upon wage labor developed in the region (Mielants 2008). By the twelfth century merchants started to develop a textile industry in which wool was exported from England and dye from France into Flanders which used the material to produce for profit. While artisans themselves may have controlled their fixed capital, production as a whole was organized around profit and international trade (Gunnar Persson 2014).

These types of relations in which artisans were not necessarily dispossessed of the means of production, but were incorporated into circuits of capital, might been seen as "class hybrids" (Levin 2014). In fact, much of the history of capitalism entailed the creation of hybrid forms of class relations through which, very gradually, capital's power more deeply subsumed producers. More broadly, in fourteenth century Holland and even parts of thirteenth century England, merchants subordinated producers to capital via control over raw materials. Overall, in the late Middle Ages capitalist relations appear widespread throughout parts of Europe as workers from Ghent to Florence and beyond were to a significant extent subordinated to capital in a variety of ways. The rise of capitalism in the Netherlands was a slow process rising out of this era. Dependent labor became more common through the thirteenth and fourteenth centuries and by the sixteenth century perhaps half of all labor in parts of the Netherlands was conducted for wages. From the thirteenth and fourteenth centuries onwards, there was a tendency for increasing amounts of land to be held on short term leases and by the sixteenth century about one-half of all land was parceled out as the commodified land market gradually developed (van Bavel 2010).

With the development of capitalism in the Low Countries, innovations in methods of punishment that synchronized with capitalism would intensify. Debt imprisonment was part of this. As Fieremans (2024) discusses, in Bruges, records of prison regulations date back to 1299, and already mention debt imprisonment. Debt imprisonment functioned as a mechanism whereby private creditors could have the state enforce their claims (Fieremans 2024). Given that merchants from all over Europe stayed in the city and engaged in commerce, debt imprisonment especially targeted foreign merchants. To arrest a citizen for debt an alderman first had to consent, but this was not the case with foreign merchants (Fieremans 2024). Aldermen would visit the prison to examine if cases were legitimate, "however, the validity of the cause was not verified at that point but only after the prisoner had been incarcerated" (Fieremans 2024: 300). Even if let out of prison, debtors could still be restricted from leaving the city. Through the fifteenth and sixteenth centuries, it is also important to note that depending upon the ebbs and flows of politics, many merchant groups, such as members of the Hanseatic League, could be exempt from debt imprisonment

(Fieremans 2024). Still, overall, it was not a way to reform deviant behavior exactly, but hold debtors to make sure they did not flee.

Unsurprisingly, though, even in the Dutch "golden age," as in most of Europe, punishments remained more about punishing the body rather than reforming the soul (Foucault [1977] 1995). Torture remained a norm. And how torture methods were devised could be quite specific and complicated. Sellin's (1944) classic work, for instance, mentions a case of an Anabaptist tortured in 1571 which went through many steps, all in an attempt to get them to confess their crime. First, they were blindfolded, suspended by a rope, stripped naked, and beaten with rods, then put on a rack, then beaten more while urine was poured in their mouth, and candles were placed under their armpits. Eventually, they were tied by their hands with weights on their feet. Public humiliation was also common, such as whipping a person on a scaffold outside of city hall, to mention only one example; as were punishments including branding someone, slitting a person's nose or removing a limb as, for instance, a deviant's thumb was cut off in Amsterdam as late as 1748, among other cases (Sellin 1944). Other punishments included labor on public works, galley slavery, and exile. And, of course, capital punishment was used. As for imprisonment, while not especially common, it did exist even in the sixteenth century (Sellin 1944).

It was in this context that the workhouse was born. The first seems to have been developed in Bridewell Palace in London in the mid-sixteenth century and spread in England from there (as the term Bridewell would go on to mean house of correction in general) (Sellin 1944; Spierenburg [1991] 2007). While there may be debate as to how or if the Dutch were influenced by the English given the first workhouse in Amsterdam opened four decades later, regardless, "Amsterdam was the starting point for the movement in Continental Europe, and the workhouse model was developed more fully there than in England" (Spierenburg [1991] 2007: 41).

The workhouse developed in parallel in the Dutch Republic and England, most likely, because both were going through processes of "primitive accumulation" (Marx [1867] 1990; Melossi and Pavarini [1981] 2008; Brenner 2001; van Bavel 2007). Detailing this is outside the scope of this paper, but it suffices to say that in parts of both England and the Netherlands, as land became commodified and production developed for profit processes of proletarianization occurred to varying degrees. In the case of Amsterdam, which was to become Continental Europe's leader in disciplinary innovation in a rising capitalist context, this was further enabled by a regional shift in power from Antwerp to Amsterdam caused by political and religious troubles. As Braudel (Braudel 1984) discusses, from religious refugees settling in the city to the fall of Antwerp which brought merchants over, a variety of factors motivated immigration to Amsterdam as its population grew from approximately 50,000 to 200,000 people from 1600–1700.

It was in cities where a proletariat formed, from London to Amsterdam, that the workhouse was born. Initiative for its invention often came from the commercial elite as it spread throughout commercialized urban Europe including to, for instance northern German cities in the Hanseatic League and Scandinavia (Spierenburg [1991] 2007). For example, already by the 1560s, influential writer Dirck Volckertszoon Coornhert was suggesting new policies should be developed to manage vagrants and beggars including prisons where they could labor and be taught a trade, and

recommended putting these populations to use in public works and galleys. He also calculated this financially, and considered

> …it would be a profit to the country to have galleys rowed by prisoners to facilitate travel, drainage workers who reclaimed valuable land, and craftsmen who produced merchandise and could earn five to six stivers a day and would cost but half a stiver to feed. (Sellin 1944: 24)

This piece of writing may not have been published until twenty years later, but it demonstrates how economic attitudes towards the proletarianized were forming (Sellin 1944). It was not until the end of the century that the first workhouse was built, supported by both merchants and many of the political elite, as well, perhaps, by a middle class (Spierenburg [1991] 2007).

The *tuchthuis*, the men's workhouse, opened in 1596. The *spinhuis* for women received its first inhabitants a year later. These institutions were designed primarily to hold vagrants and poor criminals, and even young men whose families placed them in the house to reform them. Thus, from the start, they were designed around a gendered division of labor, with women focused especially on spinning wool. While a variety of types of labor were used in the men's house, eventually workhouses often became called rasphouses due to the most common type of labor: rasping wood, a necessary ingredient in the production of clothing dye (Spierenburg [1991] 2007). Labor was central to the workhouse as an institutional form. The goal of the workhouse, after all, was about disciplining and training the emerging proletariat (Melossi and Pavarini [1981] 2008). By criminalizing the poor and dispossessed and resocializing them into the labor market, a mode of punishment was devised that fit with the dynamics of capitalist society; albeit it was still only one form of punishment among many. Part of resocialization also entailed religious teachings, as inmates would pray each day, and sermons were sometimes given (Sellin 1944). This would become a later pattern as, for instance, American prison reformers in the early 1800s insisted that religion be taught to prisoners.

England: Death, Transport, and Jail

Even in England, sometimes thought to be the location where capitalism first emerged in the sixteenth century, the rise of capitalism was slow and gradual, taking centuries rather than decades (Routt 2013). Britnell (1993) has argued that to begin to explain the emergence of capitalism in England we need to start with the centuries 1000–1300. Rethinking the history of England as well as Germany, Ghosh (2016: 284) suggests

> …the period between *c.*1200 and *c.*1800 might be seen as a transitional phase, but it might equally well represent a socio-economic formation that is not only neither really "feudal" nor capitalist", but also not necessarily a way-station in the middle; before we can fit it into a broader narrative stretching from feudalism to capitalism, it needs to be understood on its own terms, leaving aside both any sense of a "feudal" past and a "capitalist" future.

In England,

> …in 1300 there was a substantial non-agrarian sector, perhaps accounting for 20 per cent of the population, dependent upon producing goods and services for sale. This sector was one in which unemployment was high, so it probably accounted for something less than 20 per cent of the total labour expended in productive activity. In the agrarian sector probably at least 20 per cent of grain produced was sold, together with almost all the wool produced. (Britnell 1993: 363)

By 1300 perhaps one-fifth or a quarter of market production was done by wage labor, either as a replacement or addition to serf labor (Britnell 1993: 364).

Of course, in this era most rural production was peasant production for self-sufficiency, just as most artisan production was for local communities, and artisans owned their means of production. But by this time, from London to Leicester, at least a significant amount of producers hired workers to produce for the market generate profit (Britnell 1993). New technologies such as the fuller mill also developed, in this case in the thirteenth century, as increased efficiency could potentially mean more profits as urban business lost out to the country where water flows were more accessible (Carus-Wilson 1941). More generally, "most of the economic institutions associated with a capitalist economy were present or emerged in the medieval era" (Gunnar Persson 2014: 260).

While capitalism was as gradual a process to develop in England as elsewhere, regardless, by the late eighteenth century, by most accounts, England was a capitalist country. But its system of discipline was fragmented. When leading prison reformer John Howard (1777) toured throughout England and Wales in the 1770s, he found a hodgepodge of different jails and Bridewells with varying methods of organization and standards. It was not unusual to find, for instance, debtors treated as criminals, the accused held in jail for months without a trial effectively treated as guilty, and criminals themselves locked away in cold, dark cells, where they were underfed and suffering various diseases. Various forms of torture also remained used in some places, from holding prisoners in iron chains, to whipping them, to solitary confinement, and lowering food rations.

As the jails were organized locally, primarily, many also were based upon a for-profit model. Often the people who ran the prisons did so because it was personally profitable for them. The goal was not reforming the prisoner but keeping costs down to collect money from holding them. There was much variation on how this process worked, though, depending upon the jail. In many cases, jailers charged fees to, for instance, admit or discharge a prisoner (Howard 1777: 147). And in many jails, prisoners could pay for conveniences. Take, for instance, the famous Fleet Prison for debtors: here, the prison had a coffee room and a taproom, and there was a public auction to run the taphouse so the prison could obtain money from the contract and the manager of the house could profit by selling beer and wine to prisoners. As in many other prisons, this one also had a "master's side" wherein imprisoned debtors could pay to stay in better rooms (Howard 1777). Beyond these types of activities, though, there were many ways local jail owners and managers profited. For instance, jails were regularly the property of lords and aristocrats who opened them, obtaining money either from local taxes or often from fees, or some combination. Howard (1777)

additionally mentions cases when, for example, owners of a prison might not profit from fees, but instead, forced prisoners to work and sold their product.

Howard (1777) also contrasted the system in England and Wales with the Low Countries. He toured for instance Ghent's *La Maison De Force* correctional house. Compared to many of the rotten jails of England he would see, it was a model to study. The prison was highly structured and regimented. When prisoners first arrived they were shaved, washed, and taught the rules of the institution. It had a daily schedule of visiting the chapel, eating meals, working, and so on, based around the ringing of a bell and Howard (1777: 142) found

> …every thing was done at a word given by a Director ; no noise or confusion appeared ; and this company of near one hundred and ninety stout criminals was governed with as much apparent ease as the most sober and well-disposed assembly in civil society.

Prisoners here were also put to steady work, and strict records were kept. Liquor was not allowed, nor was gambling, and generally the prison operated for "making them for the future useful in society" (Howard 1777: 144).

While Howard and other reformers such as Elizabeth Fry advocated for the English to update their system, it was a slow process. While the English were not leaders in developing new models of capitalistic prisons as the Dutch were, or as the Americans became after the 1820s and 1830s, they did develop systems of discipline—based much around regulating and criminalizing the dispossessed working class—that synergized with the rise and deepening of capitalism. Going back to the Black Act of 1723, for instance, E.P. Thompson (1977) wrote about how it was the result of the criminalization of the dispossessed in the making of capitalism. Another important part of this was the "bloody code" laws that extended capital punishment for many crimes, even those that were relatively petty.

The somewhat ad hoc organization of jails in Howard's survey was reflective of the broader way that crime and punishment were dealt with during the era. Well before Sir Robert Peel's London Metropolitan Police was created in 1829, policing remained an activity with many layers, and much of it was private. For instance, parishes employed property owning men to rotate serving as constables; justices of the peace were typically wealthy, paternalistic men; private individuals had to pay for prosecutions and initiate and follow through pursuing those who committed crimes against them; trials were often based less on the systematic examination of evidence but character and reputation; and prosecuting parties could even decide how severe the punishment might be. The system overall was primarily controlled by and benefited those who held wealth and property (Hay 1980a, 1980b). Through the eighteenth century, jails were thus a part of this broader, highly localized system and used more as places to hold the criminalized, as opposed to a reforming or punishing system in themselves; and punishment as an extended prison sentence, while existing, was relatively rare (Ignatieff 1978).

While perhaps chaotic and messy compared to the increasingly standardized and rationalized crime and punishments that would later develop, this system did fit well with the rise of English capitalism. Most of all, it allowed the country's elite to control the system of criminalization and

discipline the dispossessed proletariat (Linebaugh 2006). The system developed along two main lines. The bloody codes allowed the elite to maintain their positions of status and prestige while using terror as a means of policing. Due to the fact that the ruling elite created such exceptionally harsh laws, yet so often exercised leniency to the criminalized, "it allowed the class that passed one of the bloodiest penal codes in Europe to congratulate itself on its humanity" (Hay 1980b: 11). The second main technique of the punishment system—transporting prisoners to the colonies—supported building empire and colonization through its system of transforming the criminalized population into imperial labor, turning even petty thieves into indentured servants of empire.

The bloody codes were a series of laws passed between the late seventeenth and early nineteenth centuries wherein the number of crimes that called for capital punishment was raised from 50 to 220 (Walliss 2018). More generally, the rise of a dispossessed working class led to the development of many people suffering to survive in capitalist society. Many new criminal codes were built around protecting property such as against counterfeiting money or forgery (Ignatieff 1978). The state, led by landowners and the propertied elite, gradually criminalized this population, going back as early as the 1572 Punishment of Vagabonds Act. And many of the new crimes that would be prosecuted with capital punishment were crimes against property (Linebaugh 2006). The bloody codes' strict capital punishments, though, were often tamed in practice as juries and judges often would not enforce such harsh policies for crimes such as house breaking, burglary, and theft. King and Ward (2015: 182) found that from 1750–1775, "fewer than a fifth of Cornish offenders and only a quarter of Welsh ones suffered a full capital conviction for these offences, compared to 38 and 41 per cent in London and Essex."

While capital punishment laws may have been designed to discourage crime through the production of fear as a method of criminal deterrence, even if juries were often reluctant to kill, the other major tool the English state had was to transport criminals to the colonies. In fact, it seems part of the reason that capital punishment was not used more often was due to transportation policies. After 1718, when the "Transportation Act" was passed, and 1775, before the American Revolution, around 50,000 criminals were sent to American colonies (Wakelin 2021). As Wakelin (2021: 198) summarizes:

> Transportation was extremely popular as it resolved the difficult dilemma of deciding between hanging, or branding and releasing prisoners. It was deemed so convenient as it removed "undesirables", and gave convicts fresh opportunities to become useful citizens. Transportation removed criminals from densely populated cities, alleviating pressure on overcrowded prisons, and mitigating unpopular poor relief. Meanwhile, it utilised convicts, providing a constant source of labour to planters and supporting the colonial economy.

After the American War of Independence began and the Crown could no longer use the colonies as their criminal dumping ground, and temporarily held some prisoners in hulks, the number of executions rose. Unable to redevelop this relationship after the United States was created, Australia soon famously became the British Empire's colony for criminals (Wakelin 2021).

In a way, transport was a method of "reforming" the criminalized to fit them into capitalist society. Shaped by capitalism, it was built around a chain of profit. First, although this would change somewhat in the Australian case, transporting a criminal to North America was a private operation. Contractors would transport criminals for profit. Once in the colony, they were sold to planters for 7- or 14-year terms, depending upon the severity of their crime (Wakelin 2021). They became part of the Atlantic proletariat which consisted of a large spectrum of degrees of unfreedom, from racialized slaves to white wage workers (Linebaugh and Rediker 2000). Capital, after all, appropriates labor in many forms, so long as it can profit; and using violence, unfreedom, and force to control workers has historically been central to the history of capitalist labor.

The most significant source of imprisonment was the notorious institution of the debtors' prison. For many creditors, in an era when debt transactions remained highly personal, forcing a debtor into prison proved to be their main tool to try and recover their loan (Wakelam 2021). As Wakelam (2021: 34) writes, "It is helpful to perceive of debtors' prisons in this period not as places of punishment as modern prisons are, but as pawnshops dealing in human flesh." Debtors' prisons were, the author suggests, economic as opposed to punitive, and were designed not to reform a person held, but to force them to find a way to repay their debts. Most were held through the *mesne* process whereby creditors could have their debtors held to force them to find a way to pay (Wakelam 2021).

Through the nineteenth century, though, the system changed as the penitentiary became more central to British systems of punishment, and holding a person in a cell became increasingly about reform and a means of punishment in itself rather than a temporary station towards transport, hanging, branding, public humiliation, or a not guilty verdict. Part of this entailed the construction of workhouses to make the poor and unemployed "productive" in a capitalistic sense. Bridewells provided a space for private contractors to profit from the labor of workers who might otherwise be unproductive for capital by teaching them trades and selling the products of their labor to generate surplus value, although this was not always successful, as some workhouses became places of idleness with resistance punished with torture (Ignatieff 1978).

The Penitentiary Act of 1779, written in the wake of British inability to send convicts to the American colonies, was an important symbolic step in the transformation in techniques of punishment, even if its plan did not come to fruition. As Devereaux (1999) notes, in the 1760s criticisms of England's harsh criminal laws were common, and by the early 1770s there was already a shift towards imprisonment as opposed to transportation for some crimes against property. Influenced by Cesare Beccaria's famous book *Of Crimes and Punishments* (published in Italian in 1764, translated to English in 1767), and led by figures including William Eden and Sir William Blackstone, who wrote the famous *Commentaries on the Laws of England* (1769), and of course John Howard's (1777) work, the 1779 law was the result of several political pushes to start to increasingly use imprisonment and hard labor as a punishment in the context of the use of prisoners as labor on hulks. It was not necessarily an alternative to transport, as it stipulated that if prisoners could not be transported to America they could be sent elsewhere. But it did suggest building two new correctional houses of labor, although these were never built (Devereaux 1999).

The use of the word "penitentiary" at this time was also relatively new. It suggested these new prisons would be places of reform, of penance (Ignatieff 1978). Tracing the whole history through which eventually a more centrally organized penitentiary system was constructed is outside the scope of this paper, especially as so much has been written on it (Hogg 1979; Handler 2005; Wilson 2014; Butler 2016; Jowett 2017; King 2017). But the opening of Pentonville Prison in 1842 is symbolic. As Ignatieff (Ignatieff 1978: 4) explains, prisoners woke early every morning to the sound of a bell, followed by a routine: "wake-up, work, meals, chapel, exercise, inspection, lights out." Communication amongst prisoners was disallowed as the prison used a silent system, as "Pentonville represents the culmination of a history of efforts to devise a perfectly rational and reformative mode of imprisonment" (Ignatieff 1978: 11) going back to the efforts of John Howard. This experiment soon came into trouble, though, as it led to high rates of mental illness (Cox and Marland 2018). Additionally, the transition from punishing the body to reforming the soul in the nineteenth century was not so clearcut. Moore (2019) has shown that even in the 1860s, public corporal punishment remained in use, from flogging, to humiliating a person in stocks, to hanging a person in irons; and public executions did not end until 1868.

Still, the English were never exactly international leaders in prison reform as the Dutch were or the Americans would be. They drew from European and American models, as they slowly shifted from the bloody codes/transport system to the penitentiary system. In many ways, the story of Britain and its empire is one of cumulative ad hoc reactions to find ways for the state and ruling elite, often supported by lesser property owners, to manage, control, and criminalize the dispossessed proletariat.

Conclusion

While the American colonies adopted English systems of law and punishment, built around disciplinary mechanisms such as corporal and capital punishment and public humiliation, in the years after the American Revolution that began to change. The Philadelphia Society for Alleviating the Miseries of Public Prisons was created in 1787, for example (Meranze 1996). Organizations such as the Society initiated an age of reform, from the remaking of the Walnut Street Prison in Philadelphia as a penitentiary in the 1790s, to the creation of the Auburn and Pennsylvania systems in the 1820s and after.

While the Pennsylvania silent system was represented by prisons such as Philadelphia's Eastern State Penitentiary, the Auburn system more popularly spread throughout the country. In both cases, labor functioned as a technique of reform. Under the Pennsylvania system, prisoners were in solitary confinement all day and night, and individually manufactured products in their cells. The Auburn system took on a more factory-like character, whereby private contractors—that is, capitalists—could bring in materials and machinery, exploit prison labor, and profit (McLennan 2008). Well before the dominance of American industrial manufacturing at the end of the 1800s, or the spread of global empire after World War II, the United States became a world leader in developing penal institutions. Many Europeans came to study the systems, most famously,

Beaumont and de Tocqueville (1833) in the 1830s. These penitentiaries would later regress and go through many transformations, from the post-Civil War convict leasing system in the south to the creation of the "Big House" as prison overcrowding became a major problem, and beyond (Rotman 1995). Regardless as it slowly emerged as the newest center of capitalist power, the United States would discover its own methods of penal control, often coupled with forced labor exploitation.

Overall, this paper has aimed to reframe discussions of the history of capitalism and the prison. From fourteenth century Italy to the development of neoliberal mass incarceration in the United States in more recent history, capitalist society has found ways to adjust its means of control, surveillance, punishment, and incarceration, depending upon the ways capitalism has been organized and politically managed. The history of capitalism, criminalization, and the history of the prison, including its racialized and gendered aspects, are deeply interlinked. As Angela Davis (2003) has emphasized, the penitentiary and capitalism are inseparable, and radically transforming one means transforming the other. Rethinking more humane ways of addressing how social conditions produce criminalized people and envisioning more egalitarian and democratic ways of organizing social relationships necessitates analyzing capitalism, the production of socially constructed and defined deviance under capitalism, and imprisonment.

About the Author: James Parisot is Assistant Professor of Sociology at the University of Texas, Rio Grande Valley. He is the author of *How America Became Capitalist: Imperial Expansion and the Conquest of the West* (Pluto: 2019) and is currently working on a book on the rise of the American penitentiary.

Disclosure Statement: Any conflicts of interest are reported in the acknowledgments section of the article's text. Otherwise, authors have indicated that they have no conflict of interests upon submission of the article to the journal.

References

Anderson, Claire, ed. 2020. *A Global History of Convicts and Penal Colonies*. London/New York: Bloomsbury Academic.

Arrighi, Giovanni. 2006. *The Long Twentieth Century: Money, Power, and the Origins of Our Times*. New York: Verso.

Banaji, Jairus. 2011. *Theory as History: Essays on Modes of Production and Exploitation*. Chicago: Haymarket Books.

Beaumont GDE and de. Tocqueville A. 1833. *On the Penitentiary System in the United States and its Application in France; With an Appendix on the Penal Colonies, and also, Statistical Notes*. Translated and edited by Francis LieberPhiladelphia: Carey, Lea & Blanchard.

Beken, Tom Vander. 2016. *The Role of Prison in Europe: Travelling in the Footsteps of John Howard*. New York: Palgrave Macmillan.

Bernault, Florence, ed. 2003. *A History of Prison and Confinement in Africa*. Portsmouth: Heinemann.

Braudel, Fernand. 1982. *The Wheels of Commerce: Civilization & Capitalism 15th-18th Century Volume 2*. New York: Harper & Row.

_____. 1984. *The Perspective of the World: Civilization & Capitalism 15th-18th Century Volume 3*. New York: Harper & Row.

Britnell, Richard. 1993. "Commerce and Capitalism in Late Medieval England: Problems of Description and Theory." *Journal of Historical Sociology* 6(4): 359-376.

Brenner, Robert P. 2001. "The Low Countries in the Transition to Capitalism." *Journal of Agrarian Change* 1(2): 169-241.

Butler, Richard J. 2016. "Rethinking the Origins of the British Prisons Act of 1835: Ireland and the Development of Central-Government Prison Inspection, 1820-1835." *The Historical Journal* 59(3): 721-746.

Carus-Wilson, E.M. 1941. "An Industrial Revolution of the Thirteenth Century." *The Economic History Review* 11(1): 39-60.

Coates, Timothy J. 2014. *Convict Labor in the Portuguese Empire 1740-1932*. Leiden: Brill.

Cox, Catherine and Hillary Marland. 2018. ""He Must Die or Go Mad in This Place": Prisoners, Insanity, and the Pentonville Model Prison Experiment, 1842-52." *Bulletin of the History of Medicine* 92(1): 78-109.

Cox, Oliver Cromwell. 1959. *Foundations of Capitalism*. New York: Philosophical Library.

Davis, Angela Y. 2003. *Are Prisons Obsolete?*. New York: Seven Stories Press.

Devereaux, Simon. 1999. "The Making of the Penitentiary Act, 1775-1779." *The Historical Journal* 42(2): 405-433.

Dikötter, Frank and Ian Brown, eds. 2007. *Cultures of Confinement: A History of the Prison in Africa, Asia and Latin America*. Ithaca: Cornell University Press.

Fieremans, Niels. 2024. "Captured with Malicious Intent? The Opportunities and Limits of Debt Imprisonment in Late Medieval Bruges." *Urban History* 51: 293-312.

Foucault, Michel. [1977] 1995. *Discipline & Punish: The Birth of the Prison*. New York: Vintage Books.

Geltner, Guy. 2008. *The Medieval Prison: A Social History*. Princeton: Princeton University Press.

_____. 2013. "A Cell of Their Own: The Incarceration of Women in Late Medieval Italy." *Signs: Journal of Women in Culture and Society* 39(1): 27-51.

Ghosh, Shami. 2016. "Rural Economies and Transitions to Capitalism: Germany and England Compared (c.1200–c.1800)." *Journal of Agrarian Change* 16(2): 255-290.

Gibson, Mary. 2011. "Global Perspectives on the Birth of the Prison." *The American Historical Review* 116(4): 1040-1063.

Go, Julian. 2024. *Policing Empires: Militarization, Race, and the Imperial Boomerang in Britain and the US*. New York: Oxford University Press.

Gunnar Persson, Karl. 2014. "Markets and Coercion in Medieval Europe." Pp.225-266 in *The Cambridge History of Capitalism,* edited by Neil, Larry and Jeffrey G. Williamson. New York: Cambridge University Press.

Handler, Phil. 2005. "Forgery and the End of the 'Bloody Code' in Early Nineteenth-Century England." *The Historical Journal* 48(3): 683-702.

Hay, Douglass. 1980a. "Crime and Justice in Eighteenth- and Nineteenth-Century England." *Crime and Justice* 2: 45-84.

_____. 1980b. "Property, Authority, and Criminal Law." Pp. 5-23 in *Crime and Society: Readings in History and Theory,* edited by Fitzgerald, Mike, Gregor McLennan, Jennie Pawson. New York: Routledge.

Hirshler, Eric E. 1954. "Medieval Economic Competition." *The Journal of Economic History* 14(1): 52-58.

Hogg, Russell. 1979. "Imprisonment and Society Under Early British Capitalism." *Crime and Social Justice* 12: 4-17.

Howard, John. 1777. *The State of the Prisons in England and Wales with Preliminary Observations, and an Account of Some Foreign Prisons*. Warrington: William Eyres.

Ignatieff, Michael. 1978. *A Just Measure of Pain: The Penitentiary in the Industrial Revolution, 1750-1850*. New York: Pantheon Books.

Jowett, Caroline. 2017. *The History of Newgate Prison*. Barnsley: Pen & Sword Books Ltd.

King, Peter. 2017. *Punishing the Criminal Corpse, 1700-1840: Aggravated Forms of Death Penalty in England*. London: Palgrave Macmillan.

King, Peter and Richard Ward. 2015. "Rethinking the Bloody Code in Eighteenth-Century Britain: Capital Punishment at the Centre and on the Periphery." *Past & Present* 228(1): 159-205.

Lacher, Hannes and Julian Germann. 2012. "Before Hegemony: Britain, Free Trade, and the Nineteenth-Century World Order Revisited." *International Studies Review* 14(1): 99-124.

Lane, Frederic. 1966. *Venice and History: Collected Papers*. Baltimore: Johns Hopkins University Press.

Levin, Kevin M. (2014). "Class Hybrids: From Medieval Europe to Silicon Valley." *Rethinking Marxism* 26(1): 95–112.

Linebaugh, Peter. 2006. *The London Hanged: Crime and Civil Society in the Eighteenth Century*. New York: Verso.

Linebaugh, Peter and Marcus Rediker. 2000. *The Many-Headed Hydra: The Hidden History of the Revolutionary Atlantic*. New York: Verso.

Magherini, Graziella, and Vittorio Biotti. 1998. "Madness in Florence in the 14th-18th Centuries. Judicial Inquiry and Medical Diagnosis, Care, and Custody." *International Journal of Law and Psychiatry* 21(4): 355-68.

Marx, Karl [1867] 1990. *Capital Volume I*. New York: Penguin Books.

Martin, William G. 2017. "Recasting the Birth of the Modern Prison and Labor—Free and Unfree." Pp. 197-218 in *Work out of Place*, edited by Sarkar, Mahua. Berlin, Boston: De Gruyter Oldenbourg.

McCoy, Alfred W. and Francisco A. Scarano. 2009. *Colonial Crucible: Empire in the Making of the Modern American State*. Madison: The University of Wisconsin Press.

McLennan, Rebecca M. 2008. *The Crisis of Imprisonment: Protest, Politics, and the Making of the American Penal State, 1776-1941*. New York: Cambridge University Press.

Melossi, Dario and Massimo Pavarini. [1981] 2008. *The Prison and the Factory: Origins of the Penitentary System*. New York: Palgrave Macmillian.

Meranze, Michael. 1996. *Laboratories of Virtue: Punishment, Revolution, and Authority in Philadelphia, 1760-1835*. Chapel Hill: University of North Carolina Press.

Mielants, Eric. 2008. *The Origins of Capitalism and the "Rise of the West"*. Philadelphia: Temple University Press.

Milios, John. 2019. *The Origins of Capitalism as a Social System: The Prevalence of an Aleatory Encounter*. New York: Routledge.

Moore, J.M. 2019. "Expansion, Crisis, and Transformation." *Social Justice* 46(4) 158: 5-30.

Panitch, Leo and Sam Gindin. 2013. *The Making of Global Capitalism: The Political Economy of American Empire*. New York: Verso.

Parisot, James. 2015. "Expanding Geopolitical Economy: A Critique of the Theory of Successive Hegemonies." *Research in Political Economy* 30A: 155-174.

Pirenne, Henri. [1914] 2011. *The Stages in the Social History of Capitalism*. Memphis: Bottom of the Hill Publishing.

Pezzolo, Luciano. 2014. "Thevia Italianato Capitalism." Pp. 267-313 in *The Cambridge History of Capitalism*, edited by Neal, Larry and Jeffrey G. Williamson. Cambridge: Cambridge University Press.

Rotman, Edgardo. 1995. "The Failure of Reform: United States, 1865-1965." Pp. 151-177 in *The Oxford History of the Prison*, edited by Morris, Norval and David J. Rothman. New York: Oxford.

Routt, David. 2013. "The Late Medieval Countryside: England's Rural Economy and Society, 1275–1500." *History Compass* 11(6): 474–485.

Rusche, Georg and Otto Kirchheimer. [1939] 2017. *Punishment and Social Structure*. New York: Routledge.

Salvatore, Ricardo and Carlos Aguirre, eds. 1996. *The Birth of the Penitentiary in Latin America: Essays on Criminology, Prison Reform, and Social Control, 1830-1940*. Austin: University of Texas Press.

Sellin, Thorsten. 1944. *Pioneering in Penology: The Amsterdam Houses of Correction in the Sixteenth and Seventeenth Centuries*. Philadelphia: University of Pennsylvania Press.

Slater, Eric. 2006. "Early Western Expansion in the Late Medieval World, 1261-1475." *Review (Fernand Braudel Center)* 29(3): 271-283.

Spierenburg, Pieter. [1991] 2007. *The Prison Experience. Disciplinary Institutions and Their Inmates in Early Modern Europe*. Amsterdam: Amsterdam University Press.

Sellin, Thorsten. 1944. *Pioneering in Penology: The Amsterdam Houses of Correction in the Sixteenth and Seventeenth Centuries*. Philadelphia: University of Pennsylvania Press.

Thompson, E.P. 1977. *Whigs and Hunters: The Origin of the Black Act*. New York: Penguin.

van Bavel, Bas. 2007. "The Transition in the Low Countries: Wage Labour as an Indicator of the Rise of Capitalism in the Countryside, 1300-1700." *Past and Present* 195(supplement 2): 286-303.

_____. 2010. "The Medieval Origins of Capitalism in the Netherlands." *Low Countries Historical Review* 125(2-3): 45-79.

Van Doosselaere, Quentin (2009). *Commercial Agreements and Social Dynamics in Medieval Genoa*. New York: Cambridge University Press.

Wakelam, Alexander. 2021. *Credit and Debt in Eighteenth-Century England: An Economic History of Debtors' Prison*. Routledge: New York.

Wakelin, Louis. 2021. "Transportation to the American Colonies, Execution Rates and the 'Bloody Code', 1675-1775." *Family & Community History* 24(3): 195-219.

Walliss, John. 2018. "New Directions in the Historiography of the Bloody Code." *History Compass* 16(8): 1-12.

Weis, Valeria Vegh. 2017. *Marxism and Criminology: A History of Criminal Selectivity*. Leiden/Boston: Brill.

Wilson, David. 2014. *Pain and Retribution: A Short History of British Prisons, 1066 to the Present*. London: Reaktion.

Wolfgang, Marvin E. 1960. "A Florentine Prison: Le Carceri delle Stinche." *Studies in the Renaissance* 7:148-166.

_____. 1990. "Crime and Punishment in Renaissance Florence." *The Journal of Criminal Law and Criminology* 81(3): 567-584.

Wood, Ellen Meiksins. 2002. *The Origin of Capitalism: A Longer View*. New York: Verso.