



Conceptual issues and theoretical considerations regarding the study of prison labour

Zsófia Ivanics

assistant lecturer
Eötvös Loránd University,
Faculty of Law
ivanicszs@ajk.elte.hu

Abstract

The present paper attempts to explore the conceptual challenges in the research of prison labour and to sketch the contours of a proposed theoretical framework, which can highlight the connection between penal policy tendencies, labour market dynamics and organizational practices of prison labour regimes. Based on a literature review, it is argued, that besides market dynamics on which many of the existing prison labour narratives are focused, the state is also a key agent in generating, maintaining, or relieving the potential tensions between the two main objectives of prison labour: rehabilitative purposes on the one hand and economic efficiency on the other. It is assumed that through the conceptualization of prison labour as one of the most radical manifestation of state-imposed unfree labour, it is possible to shed new light on state-labour relations. By doing so, the research on prison labour could be enriched with some new aspects.

Keywords: prison labour, state, political economy, imprisonment, unfree labour

Introduction

The present paper argues that the state is not only an actor that reacts to labour market issues (such as unemployment) through criminal policy – as it is known from political economic accounts on the prison system – but also a crucial actor in shaping the political-economic context of prison labour. Therefore, prison labour is conceptualized as a specific form of state-imposed unfree labour. Throughout the paper, prison labour is conceived as a specific form of

state-imposed unfree labour, where the work is performed by inmates, persons who are deprived of liberty at penal institutions.

Contemporary prison labour practices in advanced economies

Unfortunately, there are only a few systematic comparative studies available on prison labour, since data collection regarding criminal justice and prison systems is a rather demanding task, and the comparability of such data due to the diversity of different national legal frameworks may also cause difficulties. Comparative reports on prison systems issued by international organizations (such as the European Institute for Crime Prevention and Control or International Penal and Penitentiary Foundation) in most cases include sections or chapters on prison labour as well (Walmsley, 1996, 1997, 2003; Dünkel & Van Zyl Smit, 1999; Tak & Jendly, 2008). Furthermore, a comprehensive edited volume on prison labour was recently republished (Dünkel & Van Zyl Smit, 2018), but without recent data or major revisions of the original case studies compiled in 1999.

As a rule of thumb, prison labour for sentenced inmates is mandatory (with a few exceptions, e.g., those who are medically unfit, pregnant, or elderly). This is the case amongst other countries in Switzerland, Austria, Japan, Israel, England and Wales, Poland, the Czech Republic, Denmark, Sweden, Germany or in the Netherlands (Kövér, 1993, 1994a; Lőrincz & Nagy, 1997; Pallo, 2010).

Working while serving time in prison is a common experience for many prisoners, but the conditions of prison labour vary significantly. Despite the legally mandatory nature of prison labour in many countries, the duty to work is not enforced in many cases, due to the shortage of job opportunities and to limited production capacities within prison walls. Therefore, access to labour (and thereby to income) in prison is often a privilege, and thus a means of control used by prison officers (Nutall, 2000) (Dünkel & Van Zyl Smit, 2018). The 'right to work' approach behind bars is often criticised because of its ambiguous relation to the open labour market, especially in cases when unemployment rates are high. In Finland and Germany inmates have the opportunity to choose between work and other activities such as education. Disciplinary measures are not applied in Finland, France, England and Wales, if inmates refuse to work, which is not the case in The Netherlands, or in Germany (Kantorowicz-Reznichenko, 2015).

According to two studies from 2015, employment rates in prisons were 21% in Turkey, 27% in Romania, 35% in Portugal, 40% in Finland and 45% in Belgium (Kantorowicz-Reznichenko, 2015) (Neves-Reis-Leitao, 2015). A few years

earlier this ratio was 19% in Latvia, 20% in Italy, 28% in France and 30% in Poland (Maculan, Ronco & Vianello, 2013). In this period, the rate of working inmates reached 45% in Hungary (HPS, 2015). However, the interpretation of these numbers is not straightforward. It strongly depends on whether working in prison is a duty or a possibility, on the number of those obliged to work, on the number of pre-trial detainees, on the external labour market dynamics, and on the operational logic of the prevailing prison labour regimes.

Besides the issue of duty or right to work, other crucial aspects of prison labour are the legal status of working inmates, the remuneration they get for their work, and the disposition over the money they earn. In most countries working inmates do not fall under the jurisdiction of labour laws, which, among others, has the consequence that the remuneration paid for prison work is far below the minimum wage. Additionally, prisoners are not, or not entirely, included in social security measures (Kantorowicz-Reznichenko, 2015). In many countries there is a mandatory contribution to the prison costs as well, which also reduces the sum over which the inmate has the right to dispose (Lőrincz & Nagy, 1997; Dünkel & van Zyl Smit, 2018).

The history and political economy of prison labour

Most studies addressing the issue of prison labour are either too descriptive or overly one-dimensional regarding their thematical focus and analytical framework. In criminological accounts, prison labour is mainly discussed only through its relation to correctional practices, rehabilitation, or post-release possibilities. In the meanwhile, in political economic analyses privatization and marketization of the penal field are frequently overemphasized, and the governing principle of profit logic dominates the interpretations (Scherrer & Shah, 2017).

A rich body of literature exists on certain dimensions of prison labour, including but not limited to the relation of prison labour to slavery or forced labour, international labour standards and labour rights (Armstrong, 2012; Bair, 2007; Gilmore, 2000; Kang, 2009); the effects of prison labour on post-release chances on the labour market (Cox, 2009; Flanagan, 1989; Maguire, Flanagan, & Thornberry, 1988); or the logic and operation of the prison-industrial complex (Parenti, 1999; Chang & Thompkins, 2002; Thompson, 2012). At the same time, there are only a few examples of analyses, which are connecting the historical, economic, political, ideological, and organizational aspects of prison labour (Conley, 1980; Whitehouse, 2017). Even the current literature of critical political economy fails to treat the issue of prison labour according

to the importance it deserves, since an in-depth historical analysis is missing from these accounts (LeBaron, 2008). The complex nature of prison work as a labour relation is underemphasized, especially in the context of other labour relations outside the prison.

Though such a holistic and structuralist approach is reflected in recent analyses of the punitive turn to some extent, since these accounts offer thorough examinations of the socio-economic embeddedness of changes in the penal field, they rather use the issue of prison labour as an illustration, and not as an integral part of their explanation. Not even the most well-known political economic narratives of the punitive turn (Bell, 2011; Harcourt, 2009; Wacquant, 2010) pay sufficient attention to the issue of prison labour: they do not treat it as an integral part of the social-economic changes they analyse. In the following subsections two fields of studies will be described, which could serve as a potential basis for the construction of a research framework outlined in the introduction of this article: the (1) insights of the work of Rusche and Kirchheimer (1939 [2003]) and the revisionist school of history on prison labour, and (2) lessons learned from radical criminology and the literature on the political economy of imprisonment.

The work of Rusche and Kirchheimer and the revisionist historiography

Although labour as a form of punishment has a long history (Kabódi & Mezey, 1990), and also, the combination of isolation and the use of work for correctional ends appeared already during the 16th-18th century in the form of the house of correction (Spierenburg, 2007; Mezey, 2018), prison labour gained significance with the emergence of the modern prison system in the 18th century, when imprisonment became the dominant mode of punishment for major criminal offences (Foucault, 2012 [1975]). Forms of punishment are primarily dependent on social and economic relations of the prevailing historical era. Therefore, the emerging role of industrial production was an essential condition to the expansion of prison labour. According to the central idea of Rusche and Kirchheimer, each era has a penal system, which is best suited for the prevailing regime of accumulation. The expansion of the modern penal institution and prison labour is an inherent part of the establishment and operation of the capitalist order (Rusche-Kirchheimer, 1939 [2003]).

In this view, imprisonment is a form of punishment, a regulative measure of social control, in which the criminal individual is neither primarily a victim of deterrent corporal punishment, nor a mere subject to exclusion from the society anymore, but the embodiment of exploitable labour power (Rusche-Kirchheimer,

1939 [2003]). Prison labour had a constitutive role in the making of the capitalist social order, and still has its political and economic significance as an important part of state strategies aiming at the enforcement of social and labour discipline (Lebaron, 2012).

The work of Rusche and Kirchheimer had a limited impact before 1945, but a notable revival of their ideas occurred in the 1960s. Along with the social movements of the 1960s and 1970s, the social legitimacy of many institutions, that were previously taken for granted, was questioned. Prison riots occurred, and the dysfunctions of closed institutions (such as the prison itself) became more and more apparent, the rights of detainees and patients came to the fore (Rothman, 2002 [1971]); Rubin, 2019).

During this period the thoughts and theoretical premises of the work of Rusche and Kirchheimer infiltrated into the narratives of revisionist historiography of the penitentiary and radical criminology (Melossi, 2003). Revisionist historian accounts stated that the dominance of imprisonment within the penal field can hardly be explained exclusively on a philosophical or ethical basis or can be tracked back to a humanist turn or to specific reform endeavours, as the classical narratives of prison history claim (Rothman, 2002 [1971]; Foucault, 2012 [1975]; Ignatieff, 1979). Rather, these historians studied the social and economic dynamics behind the formation of this total institution and claimed that the prison fulfils a function to strengthen and maintain formal social control. As such, it also supports the reproduction of the capitalist order (Gibson, 2011).

Literature on the political economy of imprisonment

Another important school of thought regarding structural explanations of the function of prison and prison labour is radical criminology, which is also closely connected to the Rusche-Kirchheimer tradition. Radical criminologists – mentioned in the following sections – mainly focused on the connection between the use of imprisonment and the conditions of the labour market. Many researchers tested and adapted the original Rusche-Kirchheimer hypothesis in many different contexts, and most quantitative studies of the political economy of imprisonment confirmed that relational changes amongst capital, labour and the state are reflected in the relationship between the rates of unemployment and imprisonment (Lynch, 2010). Jankovic (1977), for example, attempted to test the applicability and adaptability of the original hypothesis to the settings of post-industrial societies. Through the analysis of US national statistics between 1926 and 1974 he found that the relationship between unemployment and imprisonment was mostly positive and statistically significant, regardless of the changes

in the volume of recorded criminal activity. However, this correlation could not be observed during the years of the Great Depression between 1930 and 1940.

Later on, in the context of the neoliberal punitive turn, Western and Beckett (1999) observed the US penal system as a labour market institution through which the U.S. state has intervened into the labour market. They argue, that *'while incarceration conceals unemployment from conventional jobless statistics in the short run, it increases the chances of unemployment among ex-convicts in the long run'*. (Western & Beckett, 1999). Western and Beckett exemplifies the way, in which the state coercively intervenes into the labour market. Weiss complements the study of Western and Beckett (1999) by adding that prisons have a great importance in the management of the reserve labour of convicts, since through the operation of the penitentiary and the prison labour system in particular, convicts can be reclaimed for the market. However, Weiss only highlights the potential profit of private companies, and does not mention the state neither as a mediating agent, nor as an actor with some market-like characteristics (Weiss, 2001). Many of those researchers, who studied the changes in the imprisonment rate, concluded that there is a close connection between the number of prisoners on the one hand and income inequalities, poverty and conservative politics on the other (Barlow, Barlow & Wesley, 1996; Hochstetler & Shover, 1997; Jacobs & Helms, 1996).

Michalowski and Carlson (1999) combined the work of Rusche and Kirchheimer with more recent theories of social structures of accumulation. According to the authors, there is a statistically observable relation between how capital, labour and the state relate to each other on the one hand, and unemployment and imprisonment rates on the other. The statistical analysis of Michalowski and Carlson was based on national US time-series data on imprisonment, crime, and unemployment. Their data suggested, that *'the relationship between punishment and social structure is indeed historically contingent as Rusche and Kirchheimer originally proposed, particularly if one considers the ways social-structural arrangements can change within a given mode of production.'* (Michalowski & Carlson, 1999). According to their conclusion alterations within a particular production regime, including the modifications of state interventions, can cause changes in the unemployment-imprisonment relation.

All these works have a great importance in establishing the interrelations between the dynamics of the labour market on the one hand, and the penal field on the other. Though both the revisionist school and the radical criminological thought brought essential theoretical insights into the study of prison labour, they have some serious shortcomings, which must be addressed. First of all, both fields have been frequently criticized because of their deterministic schemes

of explanation, and their inability to tackle the diversity of penal regimes and practices (Garland, 1990). This is mainly because they predominantly studied the advanced capitalist economies of the Global North and mostly neglected those societies, which went through a rather different historical trajectory. Furthermore, political economic accounts on prison labour are often focused exclusively on the exploitation of prisoners' labour power by private economic actors, even if state actors are also massively involved in the process, both in their regulatory and economic roles. According to Scherrer and Shah (2017) even if the commercial exploitation of prison labour is growing in the United States, it still only affects parts of the prison population, while the state remained an active agent as well, especially on the federal level. To unfold the role of the state and locate it in the analysis of prison labour, in the following sections conceptual issues of and potential goals behind prison labour systems will be explored.

Slaves of the state? – conceptualizing prison labour

Prison labour is the work performed by inmates: those persons, who are detained in penal institutions. It is a widely recognised practice in the field of criminal justice, generally perceived as a standard element of the execution of prison sentences. It is widely accepted that convicted prisoners must work, which has never really been challenged or seriously debated (De Jonge, 1999). Even though it is a widespread practice, both public discourses and scientific accounts on prison labour cover a quite wide spectrum regarding the goals and justification of such labour, and the extent of its coercive nature. Therefore, to capture the main characteristics of prison labour, it is necessary to take a closer look on the concept itself, and on its relation to other types of labour, in which different levels of coercion or involuntariness is explicitly involved (such as slavery, involuntary servitude or forced labour).

Though it is a much older phenomenon, the generally accepted definition of slavery in international law was developed in the 1926 Slavery Convention of the United Nations. It states that '*slavery is the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised.*' The concept of forced or compulsory labour was introduced in the first half of the 20th century to differentiate between slavery, which was meant to be abolished without exception, and other forms of coerced labour (Allain, 2012). Legally, freedom from slavery has been declared as an internationally recognised human right and forced labour has been prohibited according to several international human rights treaties. The International Labour Organisation's

(ILO) Forced Labour Convention no. 29 (Article 2) adopted in 1930, the European Convention of Human Rights and Fundamental Freedoms (Article 4) adopted in 1950, and the International Covenant on Civil and Political Rights (Article 8) adopted in 1966 alike, prohibit forced or compulsory labour. Yet, prison labour, which could be seen as a form of forced labour, is legally in use within most prison systems. As far as international human rights instruments and national legislations are concerned, prison labour is neither regarded as a form of slavery, nor as an internationally reprehensible version of forced labour or involuntary servitude. Therefore, regardless of the prohibition of slavery or forced labour, a state is still allowed to impose compulsory labour on their convicted inmates, since all the relevant international legal treaties highlight that making prison labour compulsory for sentenced inmates is an exception to forced labour (De Jonge, 1999).

Despite the relative clarity of the concept on legal grounds, which makes prison labour a legally acceptable practice, these strict conceptual boundaries should not be accepted without critical scrutiny in social research. Systems of prison labour show a great variety in the extent of coercion mobilized. The spectrum ranges from slavery-like forms of prison labour on the Southern prison farms of the United States (Armstrong, 2012) to the ‘Hamburg Model’ in Germany, where prisoners are nearly recognized as free workers (DeJonge, 1999). Therefore, thorough analysis of different prison labour practices requires theoretically grounded conceptualisation, which is sensitive enough both to capture the different aspects of prison labour, and to shed light on the complex relations between broader socio-economic dynamics and local prison labour practices.

Such theoretical narratives, which differ significantly from the conceptual framework set by international human rights standards, do exist. Bair, for example, claims that the definition of slavery should not be reduced to cases where legal ownership is present. He argues that inmates in the U.S. prisons are enslaved, even though they are not the property of the state, and even if they receive remuneration for their work. In his economic analysis he attempts to demonstrate this statement by analysing the ‘slave fundamental class process’ prevailing in the U.S. prison system (Bair, 2007).

Labour systems, in which coercive aspects are involved, had been expanded and diversified by the late twentieth century (Brown & van der Linden, 2010). In line with this tendency, there is also a growing body of literature, which seeks to describe and analyse the role of unfree labour relations in the contemporary global economy (Lebaron, 2013). However, the term of unfree labour is still a highly contested one. Competing ideas about the defining elements of the concept coexist in the literature. Some emphasize a diverse continuum

between free and unfree labour relations (Barrienthos, Kothari & Phillips, 2013, Lebaron & Ayers, 2013), while others question the analytical and methodological accuracy of such an approach (Brass, 2014), based on the principles of the original Marxian analysis. Unlike Bair, Brass puts the notion of control into the centre of his conceptualisation, which is exercised over someone's labour power, rather than focusing on the legal relation of ownership. He argues for the conceptual extension of unfreedom in order to include labour relations beyond slavery and proposes the analytical category of unfree labour to define cases '*where the labouring subject is prevented from entering the labour market under any circumstances*'. He also states, that '*it is precisely these kinds of unfreedom which arise in the case of convict, bonded, contract and indentured labour.*' (Brass, 1994).

Since the definitions used in international agreements do not entirely help to grasp the real nature of and dynamics behind prison labour, and also conceal the way in which state actors are ideologically and economically involved in the operation of prison labour systems, in the present paper, prison labour is rather conceived as a specific form of state-imposed unfree labour, where the work is performed by inmates, persons whom are deprived of liberty at penal institutions.

Goals behind prison labour systems

Questions related to the objectives of prison labour have been present since the very beginning of the modern prison system, although the answers are still contested. Guynes and Grieser (1986) created a detailed model on the goals of prison labour, including three different dimensions depending on scales where the specific goals are realized. On the individual level they defined objectives such as the promotion of good work ethics, participation in vocational trainings, and gaining income and work experience. On the organizational level reducing idleness, structuring daily activities, and reducing the cost of imprisonment were the main objectives. On the macro level, at the same time, it was symbolic repayment for the society that was highlighted. Although the authors set up a goal structure based on the most widely acknowledged purposes behind the prison industry, and also stated that potential tensions between these goals may exist (e.g., between inmate-focused and institutional goals, or between institutional and societal objectives), they did not analyse the potential conflict between these goals, and neither the competing interests behind the operation of such a system.

The idea of prison labour originates from two notions of limited compatibility: rehabilitation of the prisoners on the one hand and the economic utilization

of their workforce on the other (Scherrer & Shah, 2017). Historical research suggests that the role of prison labour has been characterized by different emphases at different stages of history, while interests and objectives have often interfered with each other. As Tóth (1886) stated as early as the second half of the nineteenth century, the question of prison labour, its regimes and goals behind, could only be examined substantively, if the interests of the different actors (the penal institution, private industry, the state and the society) are taken into account. Melossi and Pavarini (1981) also emphasize, *'that each of these models represented at different times a compromise, sometimes even between opposing approaches, in the existing juridical system depending on the external economic-political situation'*. (Melossi & Pavarini, 1981).

One example related to the competing interest regarding the use of prison labour and the conflicting goals of rehabilitation purposes and profit pressure is the competition of prison labour systems with the free labour regime. Historically, there are three most decisive forms of prison labour from the second half of the nineteenth century onwards. The first is the state-use system, in which labour is organized by the penitentiary and the goods are utilized by the prisons or by other public authorities. The second is the contract system based on a close cooperation between private companies and the prison. The third is the lease system, in which the management of prison labour is fully outsourced (Melossi & Pavarini, 1981).

Concerns regarding the competition of prison labour systems with the free labour regime was a central topic already at the first International Prison Congresses in the second half of the nineteenth century. In the period concerned, complaints were made on behalf of the industrial lobby from all over Europe (Tóth, 1886). Although the main directions of conflict resolution were outlined at the second and third International Prison Congresses in London and Rome (Finkey, 1930), these claims have regularly re-appeared at several points in history, especially in the form of local resistance. For instance, a good deal of articles was published in the last third of the nineteenth century in Hungarian journals of crafts and professions such as those of carpenters', pressmen's, or shoemakers', which complained about the fact that prison industry is taking away their jobs and markets. Furthermore, debates regarding the supposed and actual goals of prison labour regularly arose in Hungarian political discourse at the turn of the nineteenth century. Experiences of local craftsman and experts of the penal field were in conflict, which frequently appeared in the columns of national newspapers or in the form of parliamentary debates (Ivanics, 2020).

Similar tendencies occurred in the United States as well, where protests of craftsmen were widespread against the competition of prison-made goods

throughout the mid-19th century, however the contract system was flourished at that time (Gill, 1931). After all, both in Europe and the United States the solution meant to be turning to the direction of the state-use system, which *'in theory, the state-use model creates an enormous market for prison-made goods and services and provides protection for private sector manufacturers against competition from prison industries with artificially deflated wage structures'* (Flanagan, 1989).

The logic of profit and the pressure of economic rationality within the penal system is not necessarily an inherent logic, but it appears primarily through state actions. The fact, that the lease and contract systems have been replaced by the state-use system in many contexts, does not mean that the tension between the goals of rehabilitation and economic efficiency would have been resolved.

Concluding remarks

In the present paper conceptual and theoretical issues of prison labour have been discussed. The paper explored the ways through which the role of the state could be strengthened regarding the theorization of prison labour as a specific form of state-imposed unfree labour.

Rusche and Kirchheimer, the revisionist historians, and recent researchers inspired by the Rusche-Kirchheimer tradition alike provided a fresh look on the birth of the prison and its connections to broader socio-economic processes. Many of these accounts observed the criminal justice system as a means of labour market regulations and highlighted its interconnectedness with state policies and labour market dynamics. This logic directs our attention to approach the study of prison labour as an integral part of such a system but based on their criticism we are also warned that deeper layers of this relation should be explored more carefully, by observing how different organizational logics are negotiated through organizing prison labour. The logic of profit and the pressure of economic rationality within the penal system is not necessarily an inherent logic, but it appears primarily through state actions.

Even though mainstream forms of prison labour are – in legal terms – clearly excluded from the core labour rights according to landmark international treaties and labour standards, empirical and theoretical research on prison labour should not be limited to the framework assigned by these legal documents. According to the unfree labour literature, utilization of coerced forms of labour is not merely a pre-capitalist phenomenon, it also occurs in many different contexts and settings of the capitalist system. Unfree labour is not only compatible

with capitalist production; is inherent in its very logic of accumulation (Brass, 2014). Prison labour has undoubtedly been an extreme form of state-imposed unfree labour, but its coercive elements and their structural and ideological background have been shifting considerably over times. As Brown and van Der Linden (2010) stated: ‘*There are varying degrees of freedom within unfree labour and of bondage or coercion within free labour*’. Regarding the issue of prison labour, this complexity could only be captured if the analysis expands far beyond the prison walls and includes the role of the state as a key actor, which is involved not just on the regulatory side, but in the active construction and management of different forms of unfree labour relations (Lebaron & Phillips, 2019).

The operation of prison labour systems has been always characterized by the tension between rehabilitative purposes and budgetary pressure. These objectives have often interfered with each other. But the logic of economic rationality within the penal system is not necessarily an inherent logic, but it appears primarily through state actions. This paper attempted to demonstrate that the significance and the logic behind the operation of prison labour cannot be understood if this process of restructuring is not included in the analysis. State involvement is a key factor in the functioning of prison labour regimes, which can be observed on different scales. The state is not only a crucial actor in setting up the political-economic context of prison labour, but it also actively shapes the ‘new market’ for the products of prison labour, and on the lower scales it manages the ways in which different organizational logics are negotiated through organizing prison labour.

References

- Allain, J. (2013). *Forced or Compulsory Labour*. Martinus Nijhoff Publishers.
- Armstrong, A. C. (2012). Slavery Revisited in Penal Plantation Labour. *Seattle University Law Review*, 35, 869–910.
- Bair, A. P. (2007). *Prison Labour in the United States. An Economic Analysis*. Routledge.
- Barlow, D. E., Barlow, M. H. & Wesley, J. W. (1996). The political economy of criminal, justice policy: A timeseries analysis of economic conditions, crime, and federal criminal justice legislation, 1948–1987. *Justice Quarterly*, 13(2), 223–241. <https://doi.org/10.1080/07418829600092921>
- Barrientos, S., Kothari, U. & Phillips, N. (2013). Dynamics of Unfree Labour in the Contemporary Global Economy Dynamics of Unfree Labour in the Contemporary Global Economy. *The Journal of Development Studies*, 49(8), 1037–1041. <https://doi.org/10.1080/00220388.2013.780043>
- Bell, E. (2011). *Criminal Justice and Neoliberalism*. Springer.

- Brass, T. (1994). Some Observations on Unfree Labour, Capitalist Restructuring, and Deproletarianization. *International Review of Social History*, 39(2), 255–275. <https://doi.org/10.1017/S0020859000112593>
- Brass, T. (2014). Debating Capitalist Dynamics and Unfree Labour: A Missing Link? *Journal of Development Studies*, 50(4), 570–582. <https://doi.org/10.1080/00220388.2013.872775>
- Brown, C. & Van Der Linden, M. (2010). Shifting boundaries between free and unfree labour: Introduction. *International Labour and Working-Class History*, 78(1), 4–11. <https://doi.org/10.1017/S0147547910000086>
- Chang, T. F. H. & Thompkins, D. E. (2002). Corporations Go to Prisons: The Expansion of Corporate Power in the Correctional Industry. *Labour Studies Journal*, 27(1), 45–69. <https://doi.org/10.1353/lab.2002.0001>
- Conley, J. A. (1980). Prisons, production, and profit: Reconsidering the importance of prison industries. *Journal of Social History*, 14(2), 257–275. <https://doi.org/10.1353/jsh/14.2.257>
- Cox, R. J. A. (2009). *An economic analysis of prison labour*. Dissertation, Georgia State University, 2009. Retrieved July 5, 2019. https://scholarworks.gsu.edu/cgi/viewcontent.cgi?referer=https://scholar.google.hu/&httpsredir=1&article=1001&context=econ_diss
- De Jonge, G. (2018). Still ‘Slaves of the State’: Prison Labour and International Law. In Dünkel, F. & van Zyl Smit, D. (Eds.), *Prison Labour: Salvation or Slavery? International perspectives* (pp. 313–334). Routledge.
- Dünkel, F. & van Zyl Smit, D. (Eds.) (2018). *Prison Labour: Salvation or Slavery? International perspectives*. Routledge.
- Dünkel, F. (2018). Germany. In Dünkel, D. & van Zyl Smit, F. (Eds.), *Prison Labour: Salvation or Slavery? International perspectives* (pp. 77–103). Routledge.
- Finkey, F. (1930). *The progress of the penal field in the last hundred years*. National Academy of Sciences.
- Flanagan, T. J. (1989). Prison labour and industry. In Goodstein, L. & MacKenzie, D. L. (Eds.), *The American prison* (pp. 135–159). Plenum Press.
- Foucault, M. (2012). *Discipline and punish: The birth of the prison*. Vintage.
- Garland, D. (1990) *Punishment and Modern Society*. University of Chicago Press.
- Gibson, M. (2011). Global Perspectives on the Birth of the Prison. *American Historical Review*, 16(4), 1040–1063. <https://doi.org/10.1086/ahr.116.4.1040>
- Gill, H. B. (1931). The prison labour problem. *The Annals of the American Academy of Political and Social Science*, 157(1), 83–101.
- Gilmore, K. (2000). Slavery and Prison - Understanding the Connections. *Social Justice*, 27(3), 195–205.
- Guynes, R. & Greiser, R. C. (1986). *A Study of Prison Industry: History, Components, Goals*. American Correctional Association.
- Harcourt, B. (2009). Neoliberal penalty: A brief genealogy. *John M. Olin Law & Economics Working Paper*, 472.

- Hochstetler, A. L. & Shover, N. (1997). Street Crime, Labour Surplus, and Criminal Punishment, 1980-1990. *Social Problems*, 44(3), 358–368. <https://doi.org/10.2307/3097182>
- HPS (2015). *Review of Hungarian Prison Statistics* (in Hungarian). 2015/2. Hungarian Prison Service. Retrieved July 5, 2019. <https://bv.gov.hu/sites/default/files/B%C3%B6rt%C3%B6n-statisztikai%20Szemle%202015%202.pdf>
- Ignatieff, M. (1978). *A just measure of pain. The penitentiary in the industrial revolution 1750-1850. Igarss 2014*. Macmillan Press.
- Ivanics (2020). „*Úgy erkölcsi, mint gazdasági tekintetben*” A fogvatartotti munkáltatás és annak célrendszere az 1867 és 1918 közötti országgyűlési naplók tükrében. [‘*Both in moral and economic term*’ Prison labour and goals behind as reflected in the parliamentary debates between 1867 and 1918 in Hungary]. *Kriminológiai Közlemények*, 80, 233–243.
- Jacobs, D. & Helms, R. E. (1996). Toward a political model of incarceration: A time-series examination of multiple explanations for prison admission rates. *American Journal of Sociology*, 102(2), 323–357. <https://doi.org/10.1086/230949>
- Jankovic, I. (1977). Labour market and imprisonment. *Crime and Social Justice*, (8), 17–31.
- Kabódi, C. & Mezey, B. (1990). A munka szerepváltozásai a büntetés-végrehajtásban [Transformations of the role of work in the prison system]. *Börtönügyi Szemle*, 9(1), 49–61.
- Kang, S. (2009). Forcing Prison Labour: International Labour Standards, Human Rights and the Privatization of Prison Labour in the Contemporary United States. *New Political Science*, 31(2), 137–161. <https://doi.org/10.1080/07393140902872245>
- Kantorowicz-Reznichenko, E. (2018). Reducing Prison Costs Through Prison Labour: A Law and Economics Approach. *SSRN Electronic Journal*, (January 2015). <https://doi.org/10.2139/ssrn.2858873>
- Kövér, Á. (1993). Foglalkoztatás. Kérdőjelek itthon. Nemzetközi gyakorlat [Employment. Question marks at home. Practices abroad]. *Börtönügyi Szemle*, 12(4), 41–50.
- Kövér, Á. (1994). Munkáltatás a büntetés-végrehajtásban - történeti tapasztalatok és nemzetközi összehasonlítás - a jelenlegi honi reformtörekvések tükrében [Prison Labour – Historical Experience and International Comparison]. *Kriminológiai és Kriminálstatisztikai Évkönyv*, 187–226.
- LeBaron, G. (2008). Captive labour and the free market: Prisoners and production in the USA. *Capital & Class*, 32(2), 59–81. <https://doi.org/10.1177/030981680809500103>
- LeBaron, G. (2012). Rethinking Prison Labour - Social Discipline and the state in historical perspective. *The Journal of Labour and Society*, 15(September), 327–351. <https://doi.org/10.1111/j.1743-4580.2012.00397.x>
- LeBaron, G. (2013). Unfree Labour Beyond Binaries. *International Feminist Journal of Politics*, 17(1), 1–19. <https://doi.org/10.1080/14616742.2013.813160>
- LeBaron, G. & Ayers, A. J. (2013). The rise of a ‘new slavery’? Understanding African unfree labour through neoliberalism. *Third World Quarterly*, 34(5), 873–892. <https://doi.org/10.1080/01436597.2013.800738>

- LeBaron, G. & Phillips, N. (2019). States and the Political Economy of Unfree Labour. *New Political Economy*, 24(1), 1–21. <https://doi.org/10.1080/13563467.2017.1420642>
- Lőrincz, J. & Nagy, F. (1997). *Börtönügy Magyarországon* [Prison affairs in Hungary]. Büntetés-végrehajtás Országos Parancsnoksága.
- Lynch, M. J. (2010). Radical Explanations of Penal Trends: The Rate of Surplus Value and the Incarceration Rate in the U.S., 1977–2004. *Journal of Crime and Justice*, 33(2), 63–95. <https://doi.org/10.1080/0735648x.2010.9721290>
- Maculan, A., Ronco, D. & Vianello, F. (2013). Prison in Europe: overview and trends. In *European prison observatory*. Retrieved May 15, 2020. <http://www.prisonobservatory.org/upload/PrisoninEuropeOverviewandtrends.pdf>
- Maguire, K. E., Flanagan, T. J. & Thornberry, T. P. (1988). Prison labour and recidivism. *Journal of Quantitative Criminology*, 4(1), 3–18.
- Melossi, D. (2003). A New Edition of ‘Punishment and Social Structure’ Thirty-Five Years Later: A Timely Event. *Source: Social Justice Social Justice/Global Options*, 30(191), 248–263.
- Melossi, D. & Pavarini, M. (1981). *Prison and the Factory. Origins of the penitentiary system*. Macmillan Press.
- Mezey, B. (2018). *A börtönügy a 17–19. Században* [The Case of Prisons in the 16th–18th century]. Gondolat.
- Michalowski, R. J. & Carlson, S. M. (1999). Unemployment, imprisonment, and social structures of accumulation: Historical contingency in the Rusche-Kirchheimer hypothesis. *Criminology*, 37(2), 217–250.
- Neves, P., Reis, S. & Leitao, T. (2015). *Prison work models critical review. Prison Work Comparison Framework*. ECPRIS.
- Nuttall, C. (2000). *Crime and criminal justice in Europe*. Council of Europe Publishing.
- Pallo, J. (2010). Az elítéltek foglalkoztatása az európai büntetés-végrehajtási gyakorlatban [Prison programs in European prison practice]. *Börtönügyi Szemle*, 29(4), 35–58.
- Parenti, C. (2000). *Lockdown America: Police and prisons in the age of crisis*. Verso.
- Rothman, D. J. (2002). *The discovery of the asylum: Social order and disorder in the new republic*. Aldine de Gruyter.
- Rubin, A. T. (2019). Early US Prison History Beyond Rothman: Revisiting The Discovery of the Asylum. *Annual Review of Law and Social Science*, 15, 137–154.
- Rusche, G. & Kirchheimer, O. (1939 [2003]). *Punishment and social structure*. Transaction Publishers.
- Scherrer, C. & Shah, A. (2017). The Political Economy of Prison Labour: From Penal Welfarism to the Penal State. *Global Labour Journal*, 8(1), 32–48. <https://doi.org/10.15173/glj.v8i1.2774>
- Spierenburg, P. (2007). *The prison experience: disciplinary institutions and their inmates in early modern Europe*. Amsterdam University Press.
- Tak, P. J. P., & Jendly, M. (2008). *Prison Policy and Prisoners' Rights. The Protection of Prisoners' Fundamental Rights in International and Domestic Law*. Wolf Legal Publishers.

- Thompson, H. A. (2012). The prison industrial complex: A growth industry in a shrinking economy. *New Labour Forum*, 21(3), 38–47. <https://doi.org/10.1353/nlf.2012.0061>
- Tóth, L. (1886) Emlékezések a nemzetközi börtönügyi congressusra Rómában 1885. nov. 16–24. [Memories on the International Prison Congress in Rome] In Pesty, F. (Ed.), *Értekezések a társadalmi tudományok köréből* [Studies in Social Sciences]. Magyar Tudományos Akadémia.
- van Zyl Smit, D, & Dünkel, F (Eds.). (1999). *Prison Labour: Salvation or Slavery? International perspectives*. Brookfield.
- van Zyl Smit, D, & Dünkel, F. (2018). Conclusion: Prison Labour - Salvation or Slavery? In Dünkel, F. & van Zyl Smit, D. (Eds.), *Prison Labour: Salvation or Slavery? International perspectives*. Routledge.
- Wacquant, L. (2010). Crafting the Neoliberal State: Workfare, Prisonfare, and Social Insecurity. *Sociological Forum*, 25(2), 197–220. <https://doi.org/10.1111/j.1573-7861.2010.011173.x>
- Walmsley, R. (1996). *Prison populations in Europe and North America: Some Background Information*. European Institute for Crime Prevention and Control.
- Walmsley, R. (1997). *Prison systems in Central and Eastern Europe: Progress, problems and the international standards*. European Institute for Crime Prevention and Control,
- Walmsley, R. (2003). *Further Developments in the Prison Systems of Central and Eastern Europe*. European Institute for Crime Prevention and Control.
- Weiss, R. P. (2001). ‘Repatriating’ low-wage work: The political economy of prison labour privatization in the postindustrial United States. *Criminology*, 39(2), 253–291. <https://doi.org/10.1111/j.1745-9125.2001.tb00923.x>
- Western, B. & Beckett, K. (1999). How Unregulated Is the U.S. Labour Market? The Penal System as a Labour Market Institution. *American Journal of Sociology*, 104(4), 1030–1060.
- Whitehouse, M. R. (2017). Modern prison labour: A reemergence of convict leasing under the guise of rehabilitation and private enterprises. *Loy. J. Pub. Int. L.*, 18, 89.

Reference of the article according to APA regulation

- Ivanics, Zs. (2022). Conceptual issues and theoretical considerations regarding the study of prison labour. *Belügyi Szemle*, 70(SI1), 53–68. <https://doi.org/10.38146/BSZ.SPEC.2022.1.3>