An interview with Kent Schull, author of *Prisons in the Late Ottoman Empire*

1. In the introduction to your new book, you state that ‘prisons offer a window into Ottoman modernity’. What key insights can be gained from a thorough examination of the Ottoman criminal justice system?

The Ottoman criminal justice system, particularly its prisons, underwent a dramatic transformation over the course of the nineteenth century. This was part of a larger transformational/modernization program for the entire empire on both the state and societal levels that included education, rule of law, legal systems, economic policies and practices, military, industrialization, adoption of new technology, customs, social interactions among various populations, identity, nationalism, changing notions of gender roles and childhood, the professionalization of the bureaucracy, the state taking more responsibility for its population, among many other. These changing norms and practices all played out within Ottoman prisons and the empire’s criminal justice system, therefore by investigating prisons one can chart how these various processes, often associated with modernity or the modern age, interacted and affected each other.

2. You draw upon first-hand accounts of inmates to uncover the true reality of prison life. Is there a particular account or story that stands out for you?

There are several that I utilize in my book, but one of the most dramatic concerns the treatment of prisoners at Sinop Penitentiary in 1912 where a group of prisoners complained to Ottoman authorities about their treatment at the hands of a corrupt and abusive warden and his guards. These prison officials were operating a weapons manufacturing and smuggling ring inside the prison. When some of the prisoners complained they were placed in solitary confinement in chains with reduced rations. These prisoners eventually reported their claims to higher authorities resulting in a thorough investigation wherein the warden and several guards were fired, fined, and/or incarcerated. What is most intriguing to me about this account is how the central prison administration empowered prisoners to assist in supervising prison officials, enforcing the new regulations, and combating corruption and abuse by taking their petitions seriously.

3. A core component of the book is your critique of Foucault’s study of French prisons, where you apply his approach to punishment, state power and society to a non-western context. What are the key similarities and differences in your arguments?

My book agrees with Michel Foucault’s depiction of prisons as modern instrumentalities of governance for social control and discipline, but it pushes his argument much further. I argue that prisons also acted as microcosms for a host of other societal and state functions, agendas, and aspirations. It was within the walls of these prisons that many of the pressing questions of Ottoman modernity played out. Bureaucrats addressed issues related to administrative reform and centralisation, the rationalisation of Islamic criminal law and punishment, the role of labour in the rehabilitation of prisoners, economic development and industrialisation, gender and childhood, the implementation of modern concepts of time and space, issues of national identity based on ethnicity and religion, social engineering, and the increased role of the state in caring for its population. Foucault
completely misses these functions and ignores the fact that prisons are ‘social artefacts’ resulting from an imperfect negotiation and compromise of many competing economic, ideological, practical, and moral issues reflecting a deep societal debate concerning crime, punishment, and the role of the state in enforcing public morality and norms.

A key example of this is Foucault’s use of the panopticon in his study. The panopticon was designed to provide prison guards with maximum surveillance over inmates, therefore facilitating the guards’ ability to control, discipline, and rehabilitate the incarcerated. This design enabled prison officials to peer into every cell and continuously supervise prisoners whilst remaining hidden from view. This act of unseen surveillance was supposed to instil prisoner self-discipline. For Foucault, this act represented the ultimate example of the state’s ability to control and dominate society through the implementation of new instrumentalities of governance. These new methods of prison governance included new regimens, prisoner organisation and divisions, improved hygiene and health conditions, better provisioning, constant surveillance, religious instruction, and ‘rehabilitating’ labour. Most importantly, prison guards became the linchpins in the implementation of these reforms. According to Foucault, prison officials and especially guards are the definitive representatives of state power to prisoners who, in turn, epitomise society’s disorder, unruliness, and menace to the common good.

Foucault, however, fails to recognise very important aspects of the panopticon and the various roles played by guards. The panopticon’s architectural design contains a dual disciplining purpose. In addition to prisoners, it is also designed to discipline the prison cadre. Foucault never acknowledges how corruption and collusion between guards and inmates adversely affect discipline and order. In other words, the state, as represented by the guards, also requires surveillance, thus breaching the supposedly impenetrable barrier and upending the unidirectional flow of power that Foucault drew between ‘state’ and ‘society.’

4. Who do you envision benefitting the most from your research? What discussions do you hope it will open up?

I envision this book to be very useful for those interested in the transformation of the late Ottoman Empire and the development of the modern Middle East, especially in terms of the transformation of Islamic criminal law, crime, and punishment and how these issues reflect broader processes in the Middle East. It also uncovers the voices of many of the most vulnerable members of society, petty thieves, criminals, and incarcerated men, women, and children. These individuals rarely had a voice throughout history and this book attempts to give voice to many of them in terms of their experiences, backgrounds, and identities. This book also provides an important corrective to the salacious, brutal, and oriental depiction of punishment in the Muslim world. While Ottoman prison conditions were by no means wonderful, they are comparable to contemporary states around the world. Also those interested in issues related to the development of modern practices of criminal justice, especially comparative criminal justice will find this book of great interest.