

1958

## Dutch Prison System, The

N. S. Timasheff

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### Recommended Citation

N. S. Timasheff, Dutch Prison System, The, 48 J. Crim. L. Criminology & Police Sci. 608 (1957-1958)

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is pre-criminal and that juvenile court treatment in these cases will be rehabilitative in cases where the conduct does reflect pre-criminality. Again, treatment of such cases, if properly provided, should be administered by social welfare agencies. While misapprehensions of the court's nature have led it to subject persons to authoritarian treatment who would not otherwise be subject to court treatment, by virtue of legislative and judicial action, it has failed to assume jurisdiction in cases where the child is subject to the most severe treatment by the criminal court. These considerations dictate a more modest and consistent formulation of the court's purposes. The court should be seen as an agency designed to protect the juvenile from treatment by the criminal courts wherever consistent with the social welfare and to render such authoritarian treatment as may reasonably be deemed to serve the interest of crime prevention.

#### APPENDIX

(Supranumerals below refer to footnotes in the text by number.)

<sup>24</sup>In all jurisdictions of the United States except Massachusetts, delinquency is defined in terms that include conduct non-violative of state, county, and municipal laws, as well as conduct violative of these laws. The Massachusetts statute, however, does include jurisdiction over "wayward" children a term which is defined as pertaining to a "child . . . who habitually associates with vicious or immoral persons, or who is growing up in circumstances exposing him to lead an immoral, vicious, or criminal life." ANN. LAWS OF MASS., c. 119, Sect. 52. (1953). Although the treatment consequences of a delinquency and a wayward child adjudication differ in that a wayward child may not be sent to an institution for delinquents, the provision does expose the child to some authoritarian treatment without law violation. *Ibid.* c. 119, Sect. 58. Massachusetts also has provisions for institutional commitment to a training school for truancy, ANN. LAWS OF MASS., c. 77, Sect. 1-14 (1953), and although these schools are separate from those for delinquents, the similarity of institutions for both has been commented upon in at least one case. *Com. v. Johnson*, 309 Mass. 476, 35 N.E. 2d 801 (1941). It is interesting to note that Massachusetts has had this narrow definition of delinquency from the outset, and has successfully resisted attempts to enlarge the delinquency definition. See 24 MASS. LAW QUART., Oct-Dec. 1939, 15.

<sup>25</sup>ARK. STAT. ANN., Title 45, Sect. 204 (1947); COL. REV. STAT., c. 22, Art. 8, Sect. 1(2) (1953); GEN'L STAT. OF CONN., c. 126, Sect. 2802 (1949); FLA. STAT. ANNOT., Sect. 415.01 (1952); BURNS INDIANA STAT., Sect. 9-3204 (1955); IOWA CODE ANN., Sect. 232.3 (1949); GEN'L STATS. OF KANSAS ANN., Sect. 38-402 (1949); LA. REV. STATS. OF 1950, Title 13, Sect. 1566; ANN. CODE OF MD., Art. 26, Sect. 51(e); MICH. STATS. ANN., Sect. 27.3178 (598.2)(a) (Supp., 1956); VERN. ANN. MISSOURI STATS., Sect. 211.010 (1949); MISSISSIPPI CODE ANN., Sect. 7185-02(g) (1942); REV. STATS. OF NEBR., Sect. 43-201 (1943); NEW JERSEY STATS.

ANN., Title 2A, Sect. 2A: 4-14 (1956 Sup.); N. Y. CHILDREN'S CT. ACT, Sect. 2; OKLAHOMA STATS. ANN., Title 10, Sect. 101 (1937); OREGON REV. STATS., Sect. 419.502 (1955); GEN'L LAWS OF R. I., c. 616, Sect. 1 (1938); CODE OF LAWS OF SOUTH CAROLINA, Sect. 15-1103 (1952); SO. DAK. CODE, Sect. 43-0301 (1939); VT. STATS. REV. OF 1947; Sect. 9884; REMINGTON'S REV. STATS. OF WASH. ANN., Sect. 1987-1 (1932); W. VA. CODE OF 1935 ANNOT., Sect. 4904(4); WYOMING COMPILED STATS., Sect. 58-607 (1945).

<sup>26</sup>The original Illinois statute created delinquency jurisdiction only over a child "under the age of 16 years who violates any law of this state or any city or village ordinance." LAWS OF 1899, p. 131, Sect. 1. Under Laws of 1901, p. 141, Sect. 1 provisions including incorrigible children, children who associate with thieves, vicious persons, etc., children growing up in idleness or crime, and children who frequent a house of ill fame or policy shop were added. LAWS OF 1905, p. 152, Sect. 1, expanded the definition still further, and under LAWS OF 1907, p. 70, Sect. 1 achieved its present dimensions. Since all other states enacted their first juvenile court laws after 1901 (COSULICH, *supra*, note 1, Table 9-12), it seems likely that other acts were patterned after the Illinois Act in its broadened form.

<sup>29</sup>WISC. STATS., Sect. 48.12 (1955). See also, for similar statutes: CODE OF ALABAMA, Title 13, Sect. 350(13) (1950); ARIZ. REV. STAT., Ann., c. 2, Sect. 8-201(6) (1956); DEL. CODE ANN., Title 10, c. 11, Sect. 1101 (1953); GA. ANN. CODE, Sect. 24-2408 (1955 Supp.); IDAHO, LAWS OF 1955, c. 259, Sect. 3, p. 603; REV. CODES OF MONT., Sect. 10-602 (1947); NEV. COMPILED LAWS, Sect. 1010 (1929); N. H. REV. STAT. ANN., c. 169, Sect. 2 (1955); N. M. STATS., Sect. 13-8-6 (1955 Sup.); GEN'L STATS. OF N. C. Sect. 110-21 (1952); N. D. REV. CODE OF 1943, Sect. 27-1608; TENN. CODE ANN., Sect. 37-242(5) (1956); VERNON'S TEX. STATS., Art. 2338-1, Sect. 3 (1950); UTAH CODE ANNOT., Sect. 55-10-6 (1953); ACTS OF VA., c. 383, p. 673, c. 383, Sect. 21 (1950); PURDON'S PENN. STATS, Title 11, Sect. 243 (1953); PAGE'S OHIO REV. CODE, Title 21, Sect. 2151.02 (1951).

<sup>33</sup>Statistics indicate that the primary source of reference to the juvenile courts in boys delinquency cases is provided by the police. Schwartz, in *Statistics of Juvenile Delinquency in the United States* in 261 ANN. AM. ACAD. POLIT. SOC. SCI. 9 (1949), reports that of courts reporting to the Children's Bureau in 1938, 70 percent of the cases were reported by the police, and that in 1945 75 percent were reported by the police. Other sources of statistics are consonant with this report, and also indicate that parents and offended individuals in the community report a sizeable proportion of the balance not reported by the police. PORTERFIELD, *YOUTH IN TROUBLE* 15 (1946) reports that 1,413 complaints filed against children in an unidentified city in the years 1931, 1933, and 1935, 746 (approx. 53 percent) were filed by the police, 127 (approx. 9 percent) were filed by parents, 179 (approx. 13 percent) were filed by offended individuals, and 216 (approx. 15 percent) were filed by merchants. LINDEMAN, *Intake in the Juvenile Courts, 1952 NAT'L PROB. AND PAROLE ASS'N YRBK.*, 126, 128 provides data showing the sources of referral for cases in which formal petitions were filed in Essex County, New Jersey in 1951. Of a total of 2,267 cases (boys and girls), 1,266 (approx. 56 percent) were filed by the police, 315 (approx. 14 percent) were filed by individuals, and 228 (approx. 10 percent) were filed by parents and relatives (approx. the same absolute number of references for boys cases and for girls cases), the balance by other institutional sources. It would be helpful to have statistics correlating the

sources of reference with whether a formal adjudication resulted or whether informal treatment was rendered, and the nature of the offense complained of.

<sup>69</sup> Alabama (criminal court jurisdiction excluded: under 15; juvenile court age: under 16); Mississippi (criminal court jurisdiction excluded: under 15; juvenile court age: under 18); New Jersey (criminal court jurisdiction excluded: under 16; juvenile court jurisdiction: under 17); North Carolina (criminal court jurisdiction excluded: under 15; juvenile court jurisdiction: under 18); North Dakota (criminal court jurisdiction excluded: under 15; juvenile court age: under 18); Rhode Island (criminal court jurisdiction excluded: under 16; juvenile court age: under 18); South Carolina (criminal court jurisdiction excluded: under 14; juvenile court age: under 16); Wisconsin (criminal court jurisdiction excluded: under 16; juvenile court age: under 18).

<sup>70</sup> Alabama (power to waive only for incorrigibles 15 years old); California (power to waive in any case); Kansas (power to waive in felonies); Kentucky (power to waive in any case); Nevada (power to waive in any case); New Hampshire (power to waive in any case); Oklahoma (power to waive in any case).

<sup>71</sup> Dependency and neglect jurisdiction are typically provided for along with delinquency jurisdiction. COSULICH, *op. cit. supra*, note 42. See, e.g., CODE OF ALA., Title 13, Sect. 351 (1940); ARIZ. REV. STATS. ANN., c. 2, Sect. 8-202 (1956); GEN'L. STATS. OF CONN., c. 126, Sect. 2802 (1949); DEL. CODE ANN., Title 10, c. 11, Sect. 1151(1) (1953); FLA. STATS. ANNOT., Sect. 415.01 (1952); SMITH-HURD ILL. ANN. STATS., c. 23, Sect. 190

(1956 Supp.); PURDON'S PA. STATS. ANN., Sects. 243, 244 (1953). In three states, only neglect, but not dependency jurisdiction, are provided for. ANN. LAWS OF MASS., c. 119, Sect. 36A-41 (1949); MICH. STATS. ANN., Sect. 27.3178(598.2)(b) (Supp., 1956); N. Y. CHILD CT. ACT, Sect. 6 (1952). The definition in the New York statute of neglect, however, is so broad as to include most of the terms usually incorporated in a dependency definition.

The terms of the Illinois statute are representative in their enumeration of situations creating dependency and neglect jurisdiction, although in some states the content of the two terms is differentiated, as in theory they should be:

"For purposes of this act, the words 'dependent child' and 'neglected child' shall mean any child who while under the age of 18 years, for any reason, is destitute, homeless, or abandoned; or dependent upon the public for support; or has not parental care or guardianship; or habitually begs or receives alms; or is found living in any house of ill fame or with any vicious or disreputable person; or has a home which by reason of neglect, cruelty, or depravity, on the part of parents, guardians, or any other person in whose care it may be, is an unfit place for such child; and any child who while under the age of 10 years is found begging, peddling any articles, or singing, or playing any musical instrument for gain upon the streets or giving any public entertainments or accompanies or is used in and of any person so doing." SMITH-HURD ILL. ANN. STAT., c. 23, Sect. 190 (1956 Supp.).

## THE DUTCH PRISON SYSTEM

N. S. TIMASHEFF

The author is Professor of Sociology at Fordham University (since 1940). Prior to that year, he taught at the University of St. Petersburg, Russia; at the University of Prague, Czechoslovakia; at the Sorbonne (Paris); and at Harvard University. He is the author of numerous books, among them "An Introduction to the Sociology of Law" (1939) and "One Hundred Years of Probation" (2 parts, 1941, 1943).

Dr. Timasheff lived in Holland from September, 1955, to June, 1956, as a visiting (Fullbright) Professor at the University of Gröningen. By kindness of Dr. E. A. M. Lamers, head of the Prison Administration, and Dr. G. Veringa, director of the training school for prison officers, the author says, he was granted the opportunity to visit many institutions and to contact many persons occupying various positions in the Dutch prison system. The paper is based on these visits and contacts, as well as on the official reports about the system, *Het Nederladse Gewangeniswezen in die jaren 1945-1953*; *idem, in het jaar 1954*; *idem, in het jaar 1955*. Dr. Veringa has been of invaluable assistance in supplying additional assistance in supplying additional information and interpretations and in checking the Ms.—EDITOR.

### 1.

The Dutch penal system is almost unknown in America, especially with respect to recent developments. It is however as good and as full of imitable patterns as those of Denmark or Sweden which are highly praised in the United States.

Like the two systems just mentioned, and to a large extent also the British, the Belgian, the Swiss (nowadays also the German) penal systems, the Dutch system is the fruit of a grand style movement in European criminology very little known in the U. S. This was the "sociological school in criminology" which crystallized in the International Criminological Association and inspired the progressive criminologists not only until its dissolution (as one of the consequences of the First World War), but also many years later. In Holland, this influence has been the stronger since one of the three founders of the Association, G. A. van Hamel, was a Dutchman, Professor of Criminal Law at the University of Amsterdam. As it often happens, the theory generated by the sociological school bore fruit mainly after the Second World War, as if by delayed action.

The embodiment of a theory is always the resultant of its refraction through a concrete social milieu. Therefore, a few relevant facts about Holland will be briefly surveyed.

Holland is a small, but densely populated country: 10.8 million live on 32.450 km. i.e. 333.5 inhabitants per km<sup>2</sup>. She is now a highly industrialized and urbanized nation (3.5 million live in

cities with 50,000 inhabitants or more). The relatively late rise of urbanism has helped the Dutchmen to avoid the formation of slums. There are, of course, poor sections in the major cities, but nothing comparable to the slums in the metropolitan areas of America and many European countries.

This is one, but only one of the causes of the fact that Holland has one of the lowest rates of criminality in the world. A comparison of the total criminality of nations on the basis of a per capita count is rather worthless. Two devices serve the purpose better: 1. comparison of the ratio of a few major crimes, and 2. comparison of the size of the total prison population (not counting those detained for trial). Data for Holland concerning the first of these criteria appear in table I.

As to the prison population, on December 27, 1955, the Dutch prisons harbored 2,614 inmates,<sup>1</sup> as compared with approximately 180,000 in the United States (federal prisons, state institutions and county jails). The population of the U. S. is 15 times larger than that of Holland, but the prison population is about 70 times larger. This means that, in the U. S. counting per capita, about five times more serious offenders are incarcerated than in Holland. Moreover, the Dutch prison population is declining: in 1949, its number was about 4,000.

The high density of the Dutch population, its low criminality and the decline of the latter make

<sup>1</sup> Persons awaiting trial and political offenders (collaborators with Hitler) not included.

TABLE 1

	1953	
	No. of persons sentenced	Per 100,000 inhabitants
Murder (art. 289)*.....	13	0.12
Manslaughter (art. 287, 288)....	26	0.24
Rape (art. 242).....	24	0.23
Violence resulting in death or serious body injury.....	138	1.28
Burglary and grand larceny (art. 311-312).....	2,830	26.2

\* References are to the Penal Code of 1881, still in force.

it easier to build up a rational penal, especially prison, system than in the gigantic area of the U. S. with, unfortunately, high criminality. Paradoxically, the decline of criminality appears to be somewhat unfavorable to more rapid advance desired by the leaders of the prison system: most institutions are occupied only to, say, two thirds of their capacity; therefore, when the Prison Administration requests money and building material for the rationalization of the system the claims are rejected, not so much by the Ministry of Finance, as by that of Reconstruction and Housing which prefers to allocate the means, materials and labor available for a speedy decrease of the general housing shortage. But the presence of the great tradition of the sociological school plus the inclination of the Dutchmen to learn, not so much from books as from personal contacts, the achievements of the U. S. and of their European neighbors have been mighty positive factors.

## 2.

The Dutch prison system is based on these principles: 1) complete centralization; 2) differentiation of institutions; 3) centralized and rational distribution of the individuals to be treated in the particular institutions; and 4) a predominantly curative approach to the treatment of the individual inmates, by large well trained and well paid staffs—in the framework of a penal code which pays due respect to the general preventive function of punishment. Let us follow up these principles one by one.

### CENTRALIZATION

All the prisons of Holland form one well structured system. All general directions, the selection

of the personnel, and the distribution of the inmates among the institutions are performed by a central board, the Prison Administration forming the Third Department of the Ministry of Justice. But the centralization leaves a sufficient margin of freedom to the directors of the individual institutions often assisted by committees of experts. This centralized direction is considered by the Dutch criminologists to be a functional requisite of a rational and efficient prison system. The adoption of centralization is the more remarkable as Holland, like England, possesses a long and glorious tradition of local self-government. But the Dutchmen are firmly convinced that the prison system cannot be managed locally.

### DIFFERENTIATION OF PRISONS

The units of which the system consists are small and specialized. The list of prisons as of December 31, 1953, contains 43 items; their total population, including those detained in expectation of trial and the political offenders consisted of 4,462 persons, so the average number of inmates per institution was 108, with no institution harboring more than 300. Each institution is devoted to the detention and treatment of one (in some cases, two) categories of offenders or detainees. A detailed table attached to the report on the Dutch prisons for the years 1945-53 shows that the criteria of differentiation have been these: 1) sex; 2) age (i.e. young, or between 18 and 25, and older, above 25, sometimes 30); 3) character of the sentence: detention (analogous to *Haft* in Germany), prison, workhouse, or "placement at the disposal of the government"; 4) length of sentence: less than 3 months, 3 to 6 months, six months to one year, more than one year including the "lifers"—Holland does not know capital punishment; 5) normal vs. "psychopathic" offenders, a bad term used by the law but interpreted as covering the mentally defective ones, since those really insane are acquitted and placed in asylums; 6) position on the criminological life cycle (accidental offenders, beginners in the criminal career, inveterate recidivists, and 7) ability and desire to live in a prison community vs. inability or dislike (i.e. preference of solitary confinement). Of course, those in preliminary detention and political offenders form categories of their own. To show how those criteria work together let us give some details on the offenders assigned to the individual institutions.

The prison in Leuwarden accepts only prisoners with long sentences who are however not inveterate recidivists. The prison in Gröningen is the place of confinement of persistent offenders and of a certain category of mentally defective persons placed at the disposal of the government. In the prison No. 1 in The Hague one finds only prisoners sentenced to six months or more, especially those unfit for predominantly communal life, while Harlem harbors those entirely unfit for community life. To the prison Bankenbosch in Norg are sent those offenders who have been sentenced for more than six months and are fit for community life, as well as those sentenced to three to six months. The prison Esserheem in Norg receives prisoners sentenced to more than six months who are fit for community life but whose prognosis is rather unfavorable as well as those sentenced to the workhouse. In a special division of the prison at Vught all prisoners with durable (chronic) bodily (not mental) sicknesses are concentrated. The youth prison in Zutphen serves for the treatment of young men (18-25) with criminal antecedents, but with relatively favorable prognosis. The "asyle" in Averest receives "psychopaths" placed at the disposal of the government. The "houses of detention" sometimes receive only persons detained for a trial, sometimes persons sentenced to less than three months, sometimes both.

As the result of this differentiation, the population of an institution forms a homogeneous group (sometimes, it combines two such groups) to which a common treatment can be rationally applied.

The distribution of offenders among the particular institutions is in principle effected by the Prison Administration. There are however two exceptions: one (according to Art. 15 of the law of December 21, 1951), a court is entitled to sentence a young man between 18 and 25 to serve his term in the Youth Prison in Zutphen;<sup>2</sup> two, the court may consider an offender mentally defective and place him at the disposal of the government. In the second case, prior to trial, the offender is investigated by a psychiatrist and is very often sent to the Psychiatric Observation Clinic in Utrecht, headed by an outstanding forensic psychiatrist, Professor P. A. H. Baan. There, the offender is subject to a number of tests and interviews by the various members of the staff which, in addition to psychiatrists, contains a psychologist, a physician,

<sup>2</sup> This is perhaps not a very fortunate deviation from the general principle of distribution.

a sociologist and so forth. After at least three weeks of observation (but sometimes much later) the case is carefully discussed at a staff meeting and a recommendation is prepared. There follows a meeting of the medical directors of the State and private asylums; there, a final recommendation is prepared for the Minister of Justice as to the confinement of the individual psychopath. Commonly, they are sent to private institutions partly run by the religious denominations, endowed with government subsidy and, as a counterpart, obliged to comply to certain rules and standards.

A certain percentage of the persons processed at the clinic are placed in the state asylum in Averest; the most difficult and dangerous cases are however often assigned to the asylum section of the prison in Gröningen; while those who can be expected to recover in a relatively short time without much psychiatric treatment can be sent to a state asylum in The Hague.

Those sentenced by the courts to prison are distributed among the institutions by five "selectioners" belonging to the staff of the Prison Administration. They act in cooperation with the prosecutors having handled the corresponding cases and with officials of the Ministry. Twice a month they come together in the center of the country to discuss general policies and the more difficult cases. If they suspect psychopathy overlooked by the court, they can send the offender to the Observation Clinic in Utrecht. When making their decisions, the selector must, first of all, follow the directions of the law and the ordinances of the Ministry underlying the differentiation of prisons described above. They study the acts, take in account the reports of the heads of the houses of detention and, whenever possible, the desires of the offenders. These desires may be decisive as concerns the choice between typologically identical institutions: most commonly the offenders ask to be placed as close as possible to their residence so that they would not be entirely deprived of visits of relatives or friends. The prisoner's desires are also considered as to placement into an institution with full, limited or no community life. No formal selection takes place relative to offenders sentenced to less than three months; these are directed to the closest house of detention.

### 3.

The differentiation of the prisons and the centralized distribution of the offenders among them

are functional prerequisites for the adjustment of the treatment to the general goal of social rehabilitation, as prescribed by art. 26 of the law of 1951. The treatment of the offenders varies from one type of institution to another (many types are represented by one institution only). Only a few types can be here described.

#### THE YOUTH PRISON IN ZUTPHEN

This is analogous to the British Borstals and is devoted to the rehabilitation of young male offenders on their way of becoming professional criminals. The confinement to this institution depends entirely on the courts. The term (minimum one year, maximum three years) is also fixed by the court; but, as all prison terms in Holland, it can be substantially cut by "conditional release" (parole).

The institution consists of two divisions—one "closed" (medium security) and another "open" (minimum security). The latter is located in a separate pavilion, about six miles from the former. In both, each inmate is assigned an individual room (cell) where he has to stay at night and to which he can retire whenever he is not under obligation to be anywhere else.

Upon arrival, the offender is submitted to observation which, on the average, lasts three weeks. This observation is carried out by the members of the staff, including a psychiatrist, a psychologist, a physician, a social worker, educators and clergymen. The offender is offered the opportunity to undergo a tough vocational training. He is however not obliged to accept the offer; if he does not, he must perform some trivial work opening no particular prospects. The same happens to a small number of inmates found by the staff unable to achieve the training successfully. The institution runs seven workshops, each devoted to a definite craft (such as carpentry, autorepair, bricklaying). The inmate is assigned to one of them not according to his own preference, but according to the results of tests and interviews. The training is conducted by competent craftsmen and occupies a large part of the inmate's time, up to eight hours a day. Those so wishing can also receive general education in addition to the theoretical lessons needed in regard to their vocational training; but only a small minority express this desire. The vocational training is quite successful; when the responsible craftsman thinks that the inmate is ready, he is sent free of any supervision to a

vocational examination which takes place in a city some twenty miles away. No case of escape under these circumstances has been recorded, and 86 percent of those taking the examination have passed it; the examiners do not know who among the candidates are prisoners.

Vocational training supplemented by moral training given by a psychologist, a social and case worker, a spiritual advisor and pavilion heads forms the central core of the "punitive treatment" as applied in Zutphen. Otherwise the life of an inmate is organized in such a way as to resemble as much as possible normal community life. Everyone is allowed to decorate his room with pictures and photographs and to cultivate flowers; of these two permissions, ample use is made. The rooms are of different dimensions and differently located; those behaving and working well are promoted to the "trust" group; the inmates seem to attach much importance to these promotions (and eventual demotions) and to consider them as tangible signs of approval or disapproval. The inmates eat together in a simply, but nicely furnished dining room; they are granted the opportunity to spend a couple of hours a day in a recreation room and to play out-of-doors. The director of the institution happens to be an excellent trainer in long marches, up to 30 miles a day, once a year for four consecutive days; nights are spent in camps. A team formed of inmates takes part in an annual competition with teams organized by schools and other institutions. At this occasion, as well as during training marches, the inmates wear uniform clothes which, however, would not distinguish them from other young men of their age. In 1955, the Zutphen team won many prizes.

The last stage of the treatment takes place in the open section of the institution. Once there, the inmate enjoys a high degree of freedom. With the help of the institution he finds a job at a place not too far away. Every morning he rides there on a bicycle lent by the institution and must be back at a given hour. Of course, he spends the night in his "cell" which is a nice little room, not very much different from one he would occupy if he were free. When, finally, parole became legally possible, the staff confers and, if there are no reasons against it, the inmate is proposed for conditional release. Cases of relapse during the period of parole are relatively rare; no statistics as to later conduct are however yet made available, partly because the institution is quite new.

In other institutions for young offenders (to which inmates are allocated not by the courts, but through the general mechanism of distribution) the programs are somewhat more modest but tend to develop toward the Zutphen standards.

#### TREATMENT OF PROFESSIONAL AND HABITUAL OFFENDERS

On the other end of the "punitive treatment" is the *treatment of professional and habitual offenders*. According to art. 114 of the Prison Ordinance, those offenders can be confined to the prison in Gröningen who 1) are over twenty-five; 2) had been at least six times sentenced to prison; 3) have been again sentenced to at least six months of prison; so that 4) the new sentence, together with the previous ones, would make a total of at least six years. The sentence is determined (with the possibility of cut through parole).

The building allocated for the treatment of persistent offenders is 70 years old and is adapted to solitary confinement. The regime is however not at all one of complete isolation. The inmates spend the nights in their individual cells and also eat there, a feature hated by the governors; it will be changed as soon as money is available for the building of special dining rooms. The inmates work together in a certain number of workshops and the rule of silence is not imposed. The workshops serve not so much for vocational training as for maintaining and eventually improving the working habits of the inmate. The output serves mainly the needs of government agencies. At the time of the writer's visit, the inmates manufactured uniforms and bags for airmail; they also printed government papers. One of the inmates proudly showed him that he had composed several sheets of a University library catalogue, including books in Russian and Portuguese.

The institution employs four psychiatrists who are however allowed to have some private practice also; the senior psychiatrist is also lecturing on forensic psychiatry at the University. Private practice is considered not as a supplement to unsatisfactory wages, but as a means of maintaining contact with patients at large and thus not allowing the horizon of the prison psychiatrists to narrow down to prison cases.

The services of the psychiatrists are the more needed as the institution receives also a number of "psychopaths", i.e. of mentally defective prisoners. Contrary to expectation, the two groups live and

work together; as the senior psychiatrist explained to the present writer, the arrangement is quite convenient since the line of demarcation between persistent and mentally defective offenders is blurred. In quite a few cases, a man having served a term as persistent offender soon comes back, after having been placed "at the disposal of the government" as a psychopath. Then, he stays for an indeterminate term. Both the persistent offenders and the mentally defective ones are carefully treated by the psychiatrists, with the help of a psychologist and a social worker. Purely medical devices are applied whenever possible, to correct the mental deficiency and/or the wrong social attitudes of the offenders, especially their embittered feelings vs. society, their self-righteousness and their tendency to denounce alleged misdeeds of those in power and so on. The intensive psychiatric treatment has begun quite recently, so that no judgment about its effectiveness can be yet passed. As to the success of the program prior to the change, the director of the institution frankly admitted that there were quite a few failures, so that many offenders had been in two or more times.

In the prison of Gröningen (as well as in that in Leuwarden of which more will be said below) little use is made of punitive cells to break insubordination. Those who must go there are deprived of all vestiges of comfort found in the other parts of the building and of any resemblance to life at home which is still tried in the regular cells. The maximum length of the confinement is four weeks; it is now prohibited to keep these cells dark.

The treatment of "psychopaths" is also being carried out in other institutions, especially at the van der Hoeven clinic in Utrecht. There, quite dangerous individuals can be met. But the intensive psychiatric treatment, carried out by outstanding specialists according to most modern methods, commonly reduces the danger to a minimum. The present writer was struck by the manifest friendliness of the meetings between the inmates and the members of the staff. According to Professor Baan, more than 90 percent of the psychopaths only "carry the mask of psychopathy", but are not deeply affected. By careful treatment which must last several months, this mask can be torn away and the individual returned to life in society with light risk only.

The punitive treatment of those sentenced to long terms (without being persistent offenders) means primarily isolation from society at large