



DISCUSSIONS AROUND THE USE OF
SOLITARY CONFINEMENT IN PRISONS

ECtHR Jurisprudence and
CPT Standards on
Solitary Confinement

WHOM WE ISOLATE AND FROM WHOM

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EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

'WHOM WE ISOLATE AND FROM WHOM'



WHOM WE ISOLATE AND FROM WHOM

ROUTINE



Solitary confinement is officially described as an “exceptional measure” — yet in many systems it has become **structurally routine**

CONVENIENCE



The real question is not merely who is isolated but **from whom** and for whose **institutional convenience**

POWER



Isolation exposes the **true architecture of prison power** more clearly than official doctrine.

LIMITS



Every segregation regime reveals the **actual limits of state authority** behind prison walls

DYSFUNCTION



Solitary confinement is often less about safety than about managing **institutional dysfunction**



ISOLATION IS A STRUCTURAL CHOICE, NOT A UNIVERSAL REQUIREMENT.

It **prioritizes institutional convenience**, reveals **dysfunction**, and **exposes the limits of power**.



WHEN THE EXCEPTION BECOMES THE SYSTEM



WHEN THE EXCEPTION **BECOMES** THE SYSTEM

When thousands are isolated daily, the “exception” becomes a governing system.

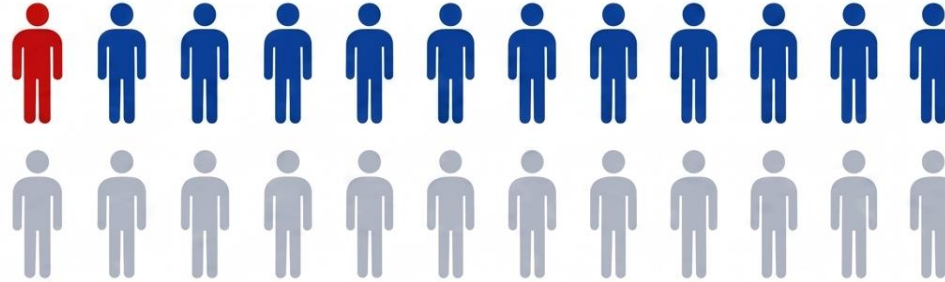


USA:

approximately

4–6%

of prisoners in
solitary confinement
nationally



5%

If 5% of a prison
population is isolated,
**isolation is no longer
exceptional.**



HIGH SEGREGATION RATES

High segregation
rates indicate
institutional weakness
rather than
institutional strength.



MASS ISOLATION REFLECTS FAILURES

Mass isolation
reflects **failures** in
dynamic security and
prison governance.



THE PRISON INCREASINGLY GOVERNS THROUGH

The prison increasingly
governs through **exclusion**
instead of engagement.



ADMINISTRATIVE EXHAUSTION

Solitary confinement
becomes evidence of systemic
administrative exhaustion.



When isolation becomes routine, it is no longer about safety.
It is about managing dysfunction, not achieving justice.



THE MYTH OF THE 'NECESSARY EVIL'



THE MYTH OF THE “NECESSARY EVIL”



Prison administrations present solitary confinement as **indispensable for institutional order.**



“Security” functions as the universal argument capable of **silencing criticism.**



Critics are forced to prove harm that **science has already conclusively demonstrated.**



Isolation survives because institutions cannot imagine governance without **coercive exclusion.**



The rhetoric of necessity frequently conceals the **absence of meaningful alternatives.**



Solitary confinement is not a necessity.
It is a choice. And every choice reflects power.





FROM REHABILITATION TO MANAGEABILITY

FROM REHABILITATION TO **MANAGEABILITY**

Modern prisons increasingly seek administrative control rather than rehabilitation.



1. ADMINISTRATIVE OVER REHABILITATION

Modern prisons increasingly seek **administrative control** rather than rehabilitation.



2. NEUTRALISATION NOT CORRECTION

Isolation functions as **neutralisation** rather than correction.



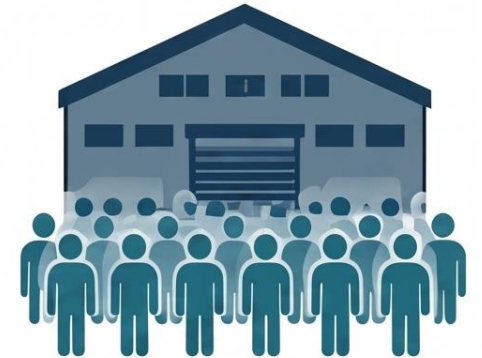
3. OBJECTS NOT SUBJECTS

Prisoners become administratively **manageable objects** rather than legal subjects.



4. EXCLUSION IN ITS PUREST FORM

Solitary confinement represents **exclusion** in its purest institutional form.



5. STORAGE NOT SOLUTIONS

The prison increasingly resembles a mechanism for **storing socially surplus populations**.

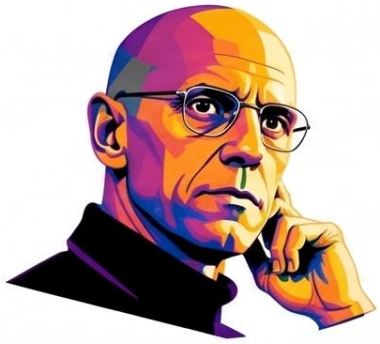


When control becomes the goal, people lose their rights.
A prison without rehabilitation is a system without justice.



FOUCAULT WAS RIGHT





FOUCAULT WAS RIGHT

1



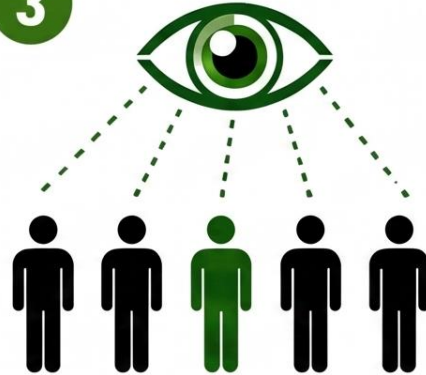
PRISONS DISCIPLINE
BODIES LONG BEFORE
THEY REHABILITATE
PERSONS

2



SOLITARY CONFINEMENT
IS THE MOST
CONCENTRATED FORM OF
DISCIPLINARY POWER

3



THE THREAT OF ISOLATION
STRUCTURES BEHAVIOUR
EVEN WHEN ISOLATION
IS NOT APPLIED

4



FEAR
BECOMES A
TECHNOLOGY OF
PRISON ADMINISTRATION

5

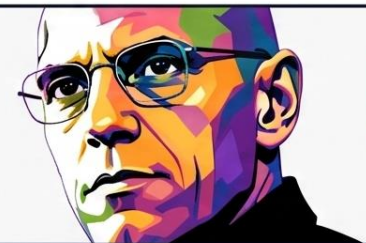


ISOLATION DEMONSTRATES
THE STATE'S CLAIM TO
ABSOLUTE DOMINATION
OVER THE BODY AND PSYCHE

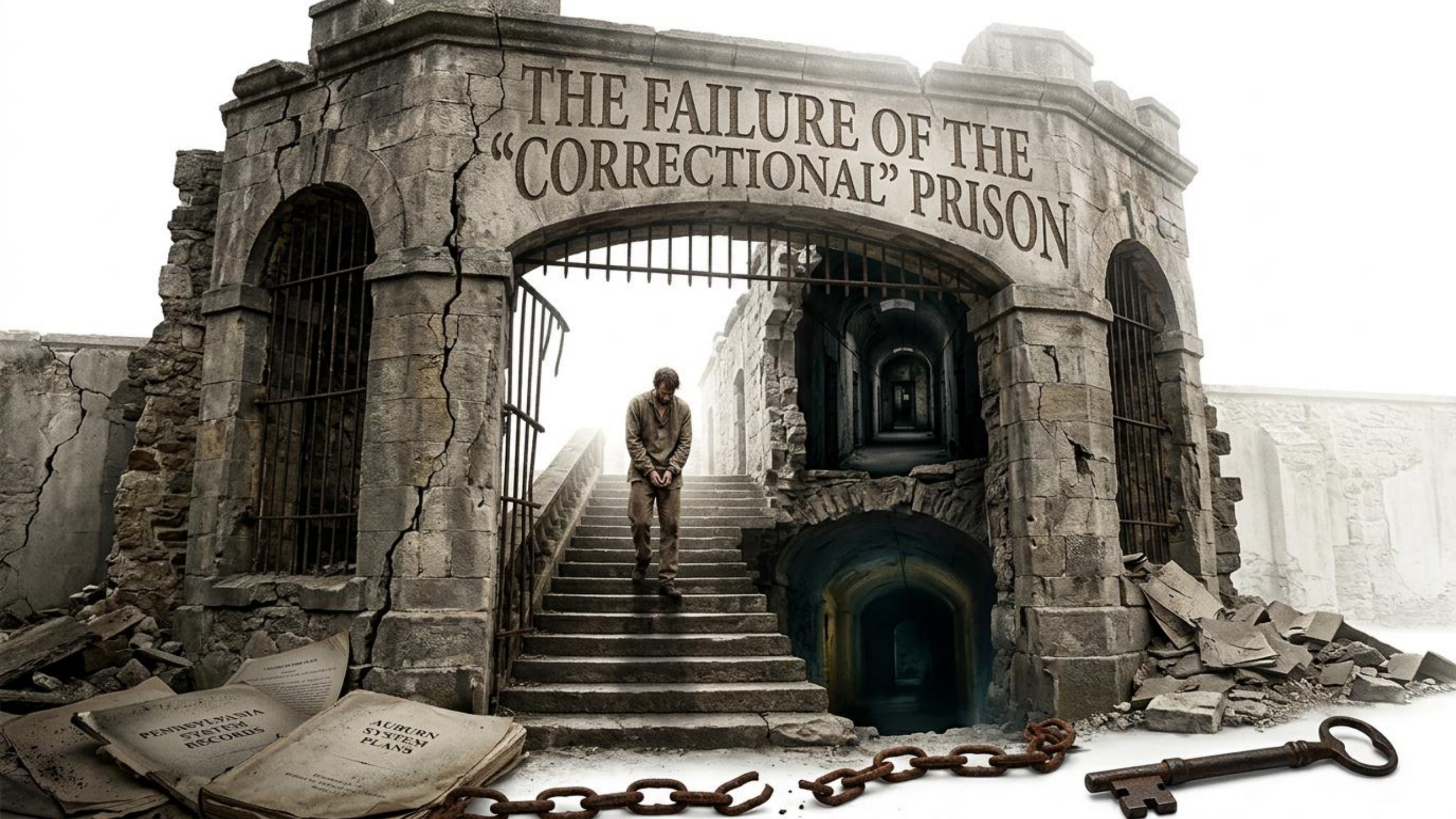


DISCIPLINE
SURVEILLANCE
NORMALISATION
CONTROL

THE PRISON DOES NOT JUST PUNISH CRIME.
IT PRODUCES OBEDIENT BODIES.



THE FAILURE OF THE "CORRECTIONAL" PRISON



THE FAILURE OF THE “CORRECTIONAL” PRISON

1



The Pennsylvania and Auburn systems already revealed the **catastrophic effects of isolation** in the 19th century.

2



Recidivism **remained high** despite increasingly harsh disciplinary regimes.

3



Prisons became schools of **adaptation, hierarchy, and violence.**

4



Institutional failure produced demands for **even harsher punishment.**

5



Solitary confinement **survived** the **collapse** of the theories that originally justified it.



**HISTORY IS CLEAR:
PUNISHMENT DID NOT CORRECT.**



**YET THE SYSTEM CONTINUES TO
RELY ON ISOLATION AND PAIN.**



WHAT THE EVIDENCE ACTUALLY SHOWS



WHAT THE EVIDENCE ACTUALLY SHOWS

1



There is no **convincing evidence** that solitary confinement improves institutional safety.

2



States **reducing isolation** frequently report **safer** prison environments.

3



Isolation intensifies **psychological instability** and institutional tension.

4



Violence is **often reproduced** rather than prevented.

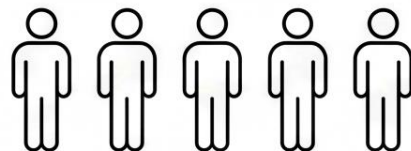
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The **"security rationale"**, increasingly **lacks empirical credibility**.

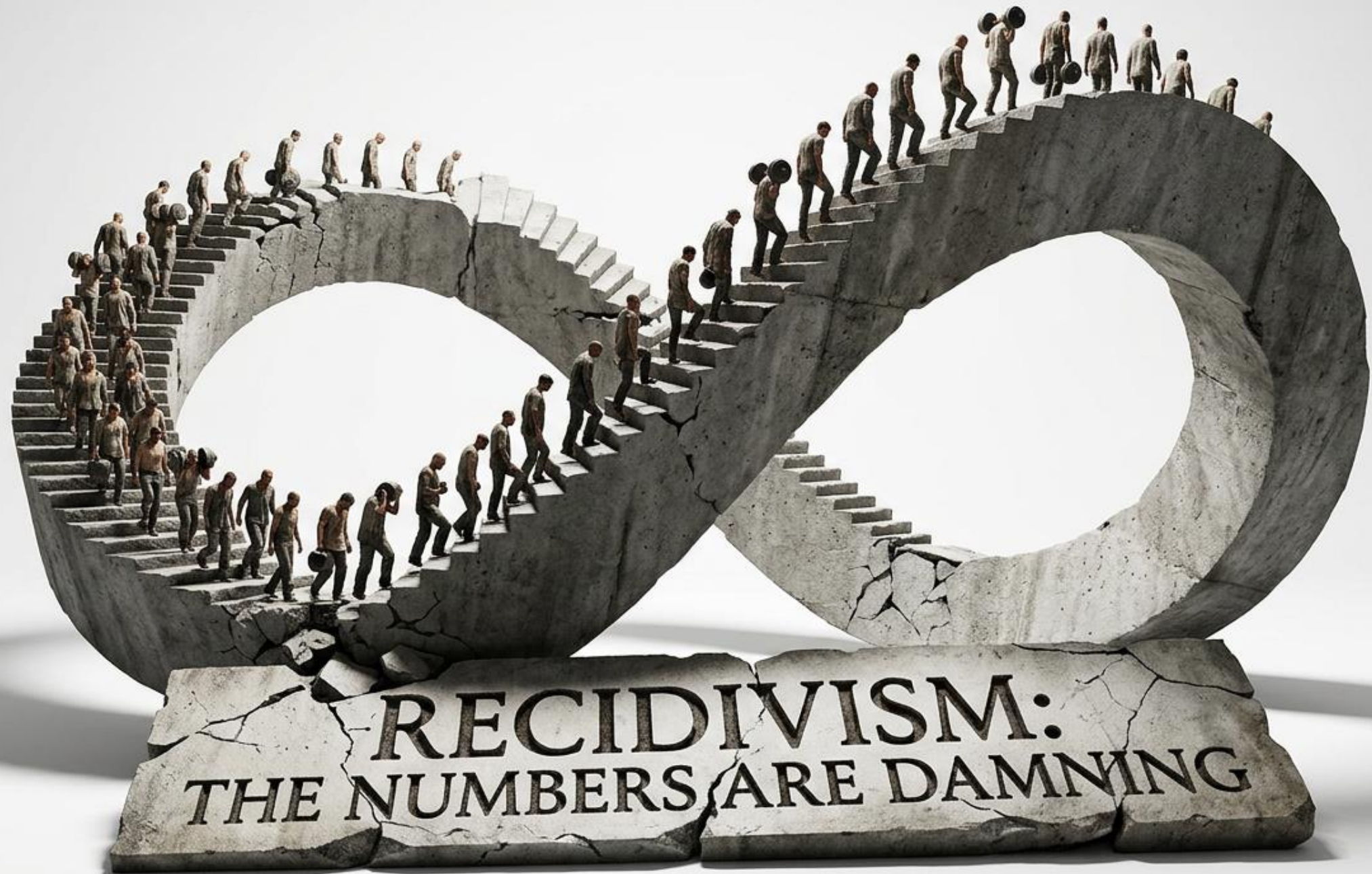


THE DATA IS CLEAR:
LESS ISOLATION, MORE SAFETY



SAFETY COMES FROM **PEOPLE**, NOT **PUNISHMENT**.





RECIDIVISM: THE NUMBERS ARE DAMNING

1



TEXAS:

61% recidivism
among prisoners
released from **solitary**

vs.

49% in the
general population

2



CONNECTICUT:

92%

rearrest rate among
disciplinary **isolation**
prisoners.

3



**SUPERMAX
INCARCERATION**

correlates with
**increased violent
offending**
after release.

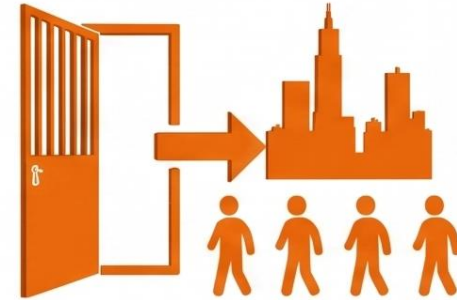
4



**GANG-AFFILIATED
PRISONERS**

exposed to **solitary**
show higher rates of
institutional **misconduct**.

5



**SOLITARY
CONFINEMENT**

exports
prison damage
back into society.



**ISOLATION DOES NOT PROTECT COMMUNITIES.
IT MAKES THEM LESS SAFE.**



SOLITARY CONFINEMENT AS A PUBLIC HEALTH CRISIS



SOLITARY CONFINEMENT AS A PUBLIC HEALTH CRISIS



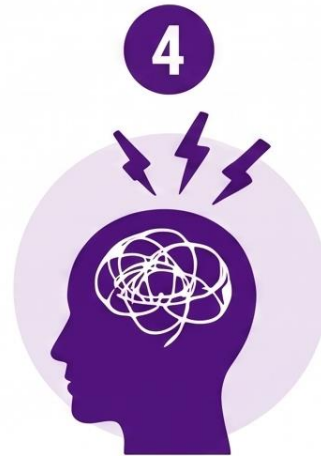
Prisoners exposed to isolation are **78% more likely to die by suicide after release.**



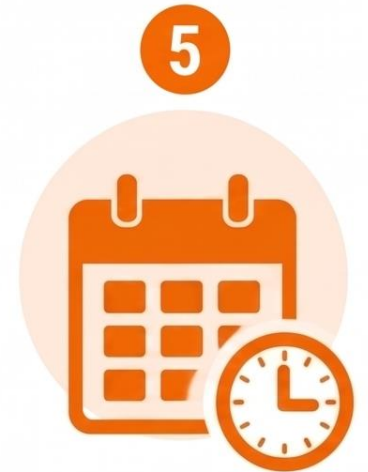
Exposure to solitary correlates with a **127% increase in fatal opioid overdose risk.**



Self-harm rates in isolation units **dramatically exceed** prison averages.



Psychological **disintegration** is not accidental – it is structurally predictable.



The damage of isolation **survives long after** the prison sentence ends.



**ISOLATION DOES NOT PROTECT.
IT HARMS – AND OFTEN KILLS.**



**HEALING REQUIRES
HUMAN CONNECTION,
NOT EXTREME ISOLATION.**



THE STATE CALLS IT "CARE"



THE STATE CALLS IT '**CARE**'. How Bureaucratic Language Sanitizes Solitary Confinement.

1



Solitary confinement is routinely renamed to avoid legal scrutiny.

2



"Protective placement", "special housing", and "enhanced supervision" often reproduce **identical** conditions.

3



Terminology **changes** while deprivation remains constant.

4



Bureaucratic language **sanitises** psychologically destructive practices.

5



Semantic camouflage allows states to preserve isolation while formally denying it.



SEMANTIC REBRANDING PRESERVES HARSH PRISON ISOLATION.



Staff interact, isolation separates.



TRUE REFORM DEMANDS HONESTY, NOT DECEPTIVE TERMINOLOGY.



WHO REALLY CONTROLS THE PRISON?



WHO REALLY CONTROLS THE PRISON?

1



Informal prisoner hierarchies dominate many prison systems worldwide.

2



In some systems, the **state** governs prisons only **formally**.

3



Organised **criminal structures** regulate daily prison life.

4



Solitary confinement becomes a substitute for genuine institutional authority.

5



Isolation often reveals the **state's inability** to control its own institutions.



INFORMAL POWER STRUCTURES
UNDERMINE GENUINE PRISON SECURITY.



TRUE CONTROL
EMERGES FROM STAFF,
NOT ISOLATION.





POST-SOVIET PRISONS AND INFORMAL POWER

POST-SOVIET PRISONS AND INFORMAL POWER

How Criminal Hierarchies and State Failure Shape Prison Life

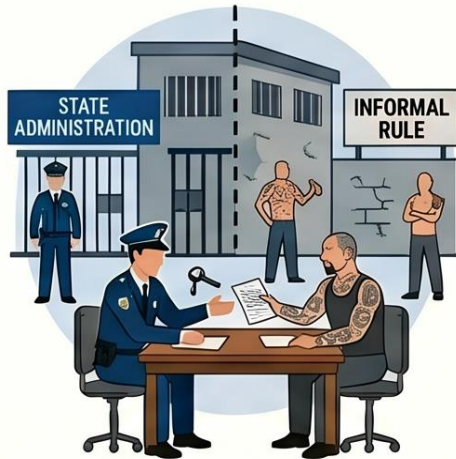
1



CASTE SYSTEMS

Informal caste systems structure survival inside many post-Soviet prisons.

2



DUAL GOVERNANCE

Prison administrations frequently coexist with criminal governance structures.

3



CONTROL TACTIC

Isolation is used to manage conflicts institutions cannot otherwise control.

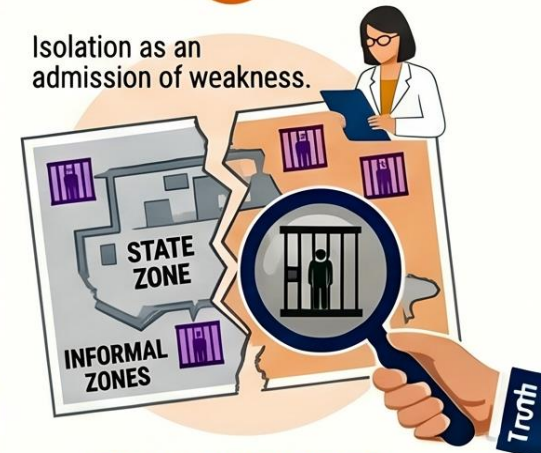
4



STATE FAILURE

The state isolates prisoners because it cannot dismantle entrenched hierarchies.

5



FRAGMENTED SOVEREIGNTY

Solitary confinement becomes evidence of fragmented sovereignty.



Informal systems persist, state isolates individual cases.



State relies on isolation as a control measure.



TRUE REFORM REQUIRES STATE **SOVEREIGNTY**, NOT ISOLATION. DEMANDS REAL CONTROL, NOT COLLUSION.

DISCIPLINARY TERROR



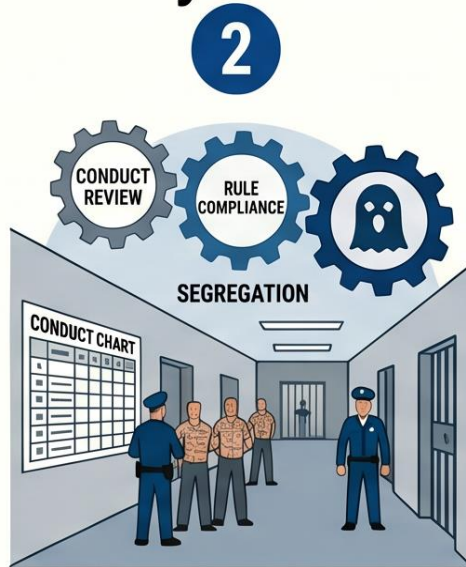
DISCIPLINARY TERROR

How Solitary Confinement and Fear Structure Prison Life



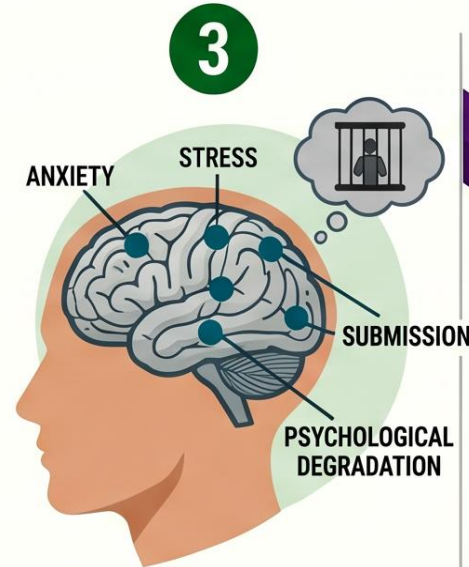
FEAR DISCIPLINE

Solitary confinement disciplines entire prison populations through fear.



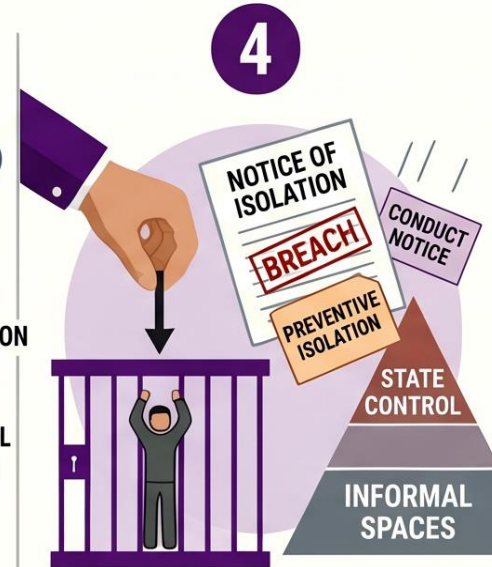
SYSTEMIC CONTROL

The possibility of segregation structures prison behaviour as a whole.



PSYCHOLOGICAL IMPACT

Punishment operates psychologically as much as physically.



WARNING MECHANISM

Isolation functions as a warning mechanism inside prison culture.



ADMINISTRATIVE WEAPON

Fear becomes an administrative instrument of governance.



Fear-based systems degrade and control entire population.



Administration uses isolation as an instrument of governance.



SYSTEMIC REFORM REQUIRES **HUMAN DIGNITY**, NOT DISCIPLINARY TERROR. CHALLENGE FEAR-BASED MODELS.





THE POLITICS OF FEAR



THE POLITICS OF FEAR



1
“Tough on crime” politics rewards punitive symbolism.



2
Solitary confinement performs a visible electoral function.



3
Politicians gain legitimacy by appearing uncompromising toward “dangerous offenders.”



4
Public fear legitimises increasingly harsh penal practices.



5
The spectacle of severity frequently replaces genuine prison reform.



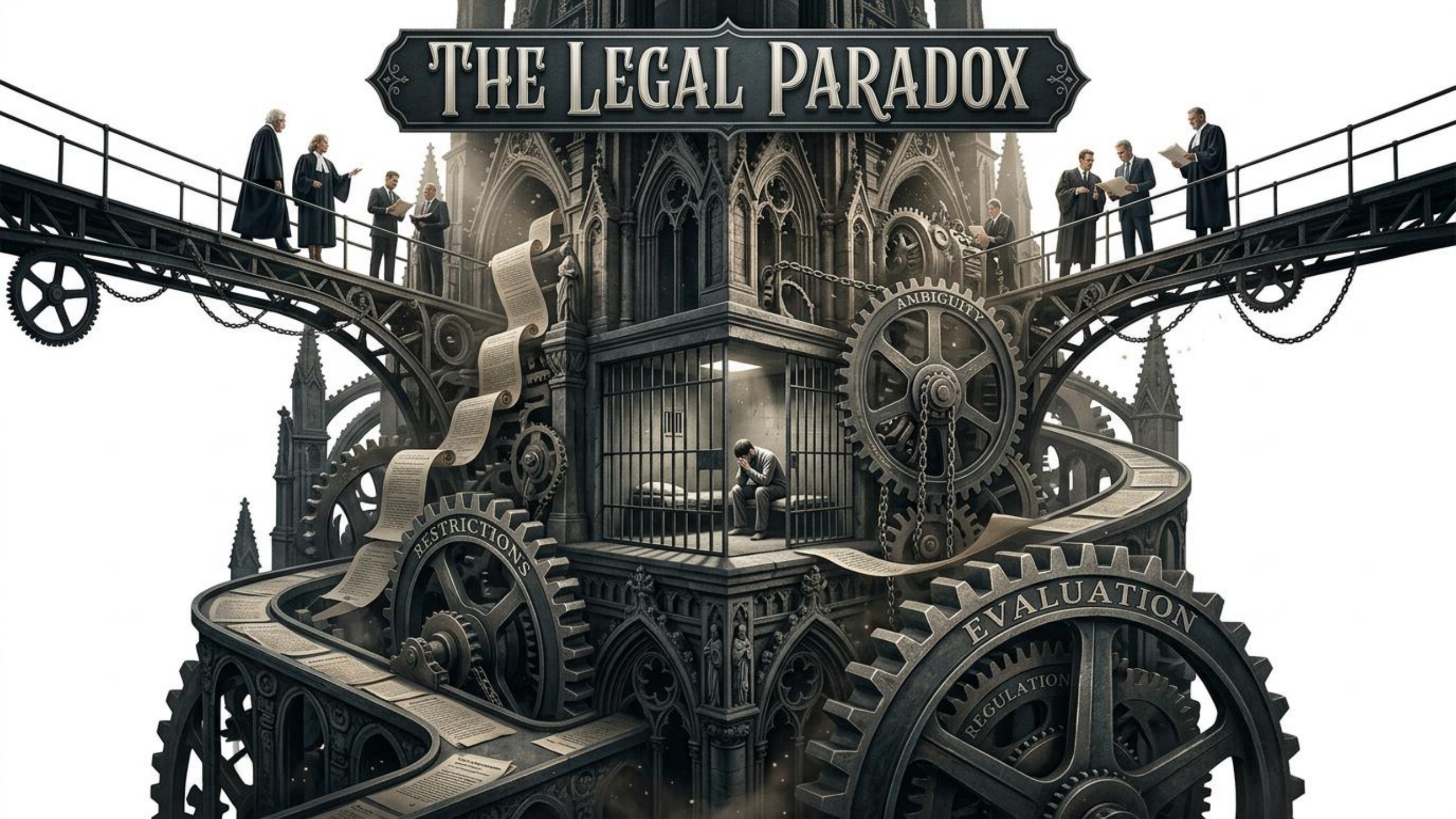
THE MECHANISM IS CLEAR:
FEAR DRIVES POLICY, NOT EVIDENCE.



POLITICAL GAIN IS
PRIORITIZED OVER
REFORM & SAFETY.



THE LEGAL PARADOX



THE LEGAL PARADOX

1



International law **restricts** solitary confinement but **rarely prohibits** it absolutely.

2



Courts evaluate **"overall conditions"** rather than **isolation itself**.

3



Legal ambiguity creates **enormous space** for administrative **manipulation**.

4



States **formally comply** while **functionally preserving** isolation regimes.

5



Human rights law **regulates** solitary confinement without **fundamentally abolishing** it.



THE LEGAL AMBIGUITY IS CLEAR:
LAW REGULATES, NOT ENDS ISOLATION.



TRUE CHANGE REQUIRES
**ABOLITION, NOT JURIDICAL
MANIPULATION.**



THE MANDELA RULES AND THEIR LIMITS



THE MANDELA RULES AND THEIR LIMITS

1



The **Mandela Rules** **Prohibit** prolonged solitary confinement beyond 15 days.

2



Weak Enforcement mechanisms remain weak and politically constrained.

3



States **Circumvent** restrictions through terminological reclassification.

4



'Temporary' Isolation often becomes indefinite in practice.

5



Formal Legal Progress does not necessarily transform institutional reality.

THE GAPS REMAIN: FROM LEGAL TEXT TO REAL CHANGE



THE MESSAGE IS CLEAR: **RULES** **MUST BE REALIZED, NOT RE-LABELED.**

POLITICAL CONSTRAINT
AND INERTIA
CREATE **THE GAP.**

INSTITUTIONAL
REALITY OVERRIDES
FORMAL REFORM.



WHY SOLITARY CONFINEMENT PERSISTS



WHY SOLITARY CONFINEMENT PERSISTS

1



It persists because it is institutionally convenient.

2



Isolation compensates for overcrowding, understaffing, and weak governance.

3



It allows administrations to manage difficult populations cheaply.

4



It symbolises punitive resolve for political audiences.

5



Solitary confinement survives because systems built on exclusion naturally reproduce exclusion.



SOLITARY IS NOT A SOLUTION.
IT IS A SYMPTOM OF SYSTEMIC FAILURE.



REAL SAFETY COMES FROM
INCLUSION, HUMANITY
AND JUSTICE.



CONCLUSION: THE LIMITS OF CARCERAL SOVEREIGNTY



CONCLUSION: THE LIMITS OF CARCERAL SOVEREIGNTY

1



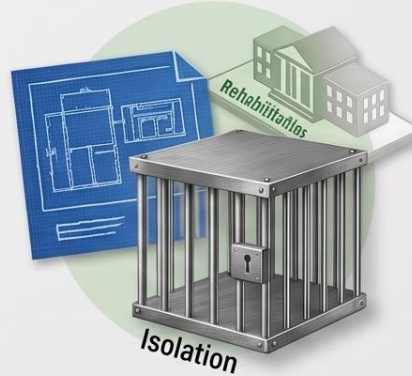
Solitary confinement is **NOT EVIDENCE** of a **STRONG PRISON SYSTEM**

2



It is evidence of **INSTITUTIONAL FRAGILITY** and **POLITICAL FAILURE**

3



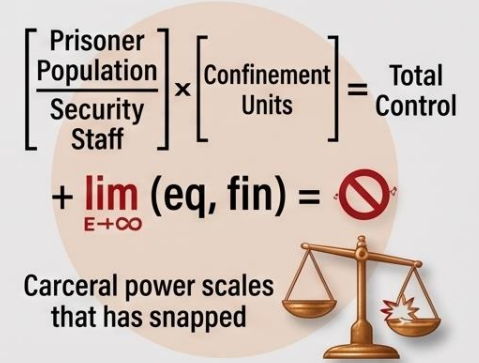
The **EXPANSION OF ISOLATION** reflects the **COLLAPSE** of **REHABILITATIVE IDEALS**

4



Modern prisons increasingly **MANAGE EXCLUSION** rather than **HUMAN TRANSFORMATION**

5



The **ARITHMETIC OF ISOLATION** ultimately reveals the **MORAL** and **POLITICAL LIMITS** of **CARCERAL SOVEREIGNTY**



THE CONCLUSION IS CLEAR: ISOLATION IS A SYMBOL OF **STRUCTURAL WEAKNESS**.

TRUE CHANGE REQUIRES A SYSTEM THAT PRIORITIZES **HUMAN TRANSFORMATION**, **NOT EXCLUSION**.





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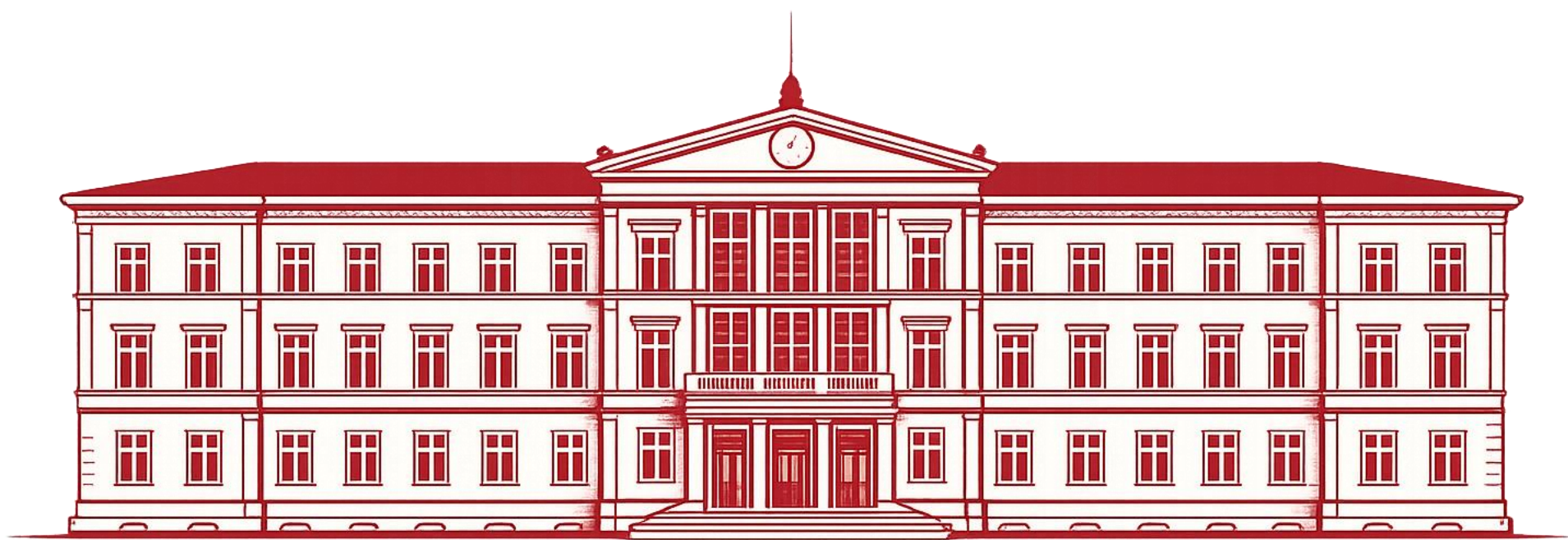
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