A POST-FOUCAULT APPROACH TO CORRECTIONS: THE RISE OF PSYCHOLOGICAL VIOLENCE AS A PUNISHMENT

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Abstract

This paper explores the transformation of punitive practices from premodern corporal punishments to the rise of incarceration, followed by the increasing use of psychological sanctions as a contemporary form of punishment. Drawing on a post-Foucauldian perspective, through a comparative-historical and discursive analysis of primary and secondary sources, we argue that Michel Foucault's analysis of discipline and surveillance remains relevant. However, modern penal systems have evolved beyond physical confinement into subtler and more insidious mechanisms of psychological control. The study examines how punishment historically reinforced sovereign power, emphasizing the visibility of corporal punishments on the human body. It revisits the emergence of the prison as a reformative institution, showing how it disciplines individuals through surveillance, normalization, and self-regulation. Finally, the paper shifts focus to psychological violence in contemporary penal systems, illustrating how modern corrections employ the psychological effects of incarceration to punish inmates.

Keywords: Prison, Isolation, Death Penalty, Punishment, Surveillance
JEL Classification: K14, K38, K42

FOUCAULT SONRASI CEZA YAKLAŞIMI: BİR CEZALANDIRMA ARACI OLARAK PSİKOLOJİK ŞİDDETİN YÜKSELİŞİ

Öz

Bu makalede, cezalandırma pratiklerinin modern öncesi dönemdeki bedensel cezalandırmalardan kapatmanın yükselişine, oradan da çağdaş bir cezalandırma biçimi olarak psikolojik yaptırımların artan kullanımına kadar geçirdiği dönüşüm incelenmektedir. Post-Foucault'cu bir bakış açısından hareketle ve birincil ve ikincil kaynakların karşılaştırmalı-tarihsel ve söylemsel analizi aracılığıyla, Michel Foucault'nun disiplin ve gözetim analizinin güncelliğini koruduğu, ancak modern ceza sistemlerinin fiziksel kapatmanın ötesine geçerek daha örtük ve derin psikolojik kontrol mekanizmalarına evrildiği ortaya konulmaktadır. Çalışmada, cezanın tarihsel olarak egemen gücü nasıl pekiştirdiği, bedensel cezaların insan bedeni üzerindeki görünürlüğünün nasıl vurgulandığı irdelenmektedir. Cezaevinin ıslah edici bir kurum olarak ortaya çıkışı yeniden ele alınmakta, gözetim, normlaştırma ve öz-düzenleme yoluyla bireylerin nasıl disipline edildiği gösterilmektedir. Son olarak, çağdaş ceza sistemlerinde psikolojik şiddete odaklanılmakta ve modern infazların, mahkûmları cezalandırmak için hapsedilmenin psikolojik etkilerinden nasıl yararlandığı ortaya konulmaktadır.

Anahtar kelimeler: Cezaevi, Tecrit, Ölüm Cezası, Cezalandırma, Gözetim
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1. Introduction

Humans appear to have had a tendency to conduct acts of disorder and to devise new punishments for those who do so since the beginning of time. Every human society has been supported by some semblance of order and the understanding that, in order to benefit the larger community, individual inclinations must be somehow restricted (Roth, 2014, pp. 17-18). This inherent tension between individual impulses and societal order has not only given rise to acts of chaos but also to the development of structured responses, where crime and punishment are seen as integral to defining and maintaining the moral and legal boundaries of a community.

Throughout history, human communities have often regarded criminal behavior and the punishments imposed on offenders as highly functional and purposeful. The definition of crime and the criminal also serves a regulatory function by presenting a negative example that highlights what is considered acceptable within a community. Thus, according to those who highlight the functionality of crime and punishment, the existence of crime and criminals is deemed necessary for defining the area of legality, which can also be understood as an inevitable form of negative dialectics, where the presence of deviance reinforces societal norms. In this context, crime becomes a mirror reflecting the boundaries of morality and legality, shaping the collective identity of the society it challenges.[3]

Aside from its legality-defining function, crime and punishment give the sovereign the opportunity to practice its sovereignty. By punishing the criminal, the sovereign reaffirms its own power and, indirectly, validates those who comply with norms and refrain from illegal acts. In other words, punishment provides the sovereign with a direct means to exercise and assert their authority. By punishing the criminal, the sovereign, who, according to Bodin's (1967) definition, is the supreme authority of the state, with the power to make laws, indivisible, permanent and absolute power, not only enforces the law but also reinforces their own power

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[3] For instance, Cesare Beccaria (2009), deemed punishment necessary for the majority of individuals fail to internalize established behavioral norms. The tendency of society towards disintegration—naturally extending to all facets of both the physical and moral realms—is only curtailed through actions that are directly aligned with the principles of common sense, consistently reinforced through repetition, thus, punishment. Émile Durkheim posited that crime is an indispensable element of society, it is inherent to the fundamental conditions of social life and, therefore, useful. The conditions to which it is linked are indispensable for the normal evolution of morality and law. According to Durkheim, crime can be functional for society by ensuring social regulation. In every criminal act, the boundaries of societal norms are reaffirmed. When a law enforcement officer arrests someone, the society's reaction to a particular action is reproduced, and what actions are deemed acceptable and unacceptable are reconfirmed (Durkheim, 2004, pp. 26-28). Durkheim viewed conflict as intrinsic to society, and reconciliation can only be achieved within the framework of moral order. *"However numerous its varieties, crime is essentially the same everywhere, since everywhere it entails the same consequence, that is, punishment. Although this may vary in severity, it does not thereby change in nature."* (Durkheim, 2004, p. 42)

and legitimacy.[4] Furthermore, punishment indirectly rewards those who conform to societal norms and refrain from criminal behavior, affirming their adherence to accepted standards. As a result, punishment serves to benefit both the sovereign, by validating their control, and the law-abiding citizens, by reinforcing their social position and compliance with the norms.

In other words, rather than serving as atonement for the offender, the primary element of punishment lies in its role as an assertion of power by the sovereign. Consequently, we see that punishment becomes more visible and corporal, as it serves to manifest and reinforce the authority of those in power. The aim of this section is to explore and analyze the corporality of pre-modern punishments, focusing on how these forms of punishment were not only physical in nature but also served as a visible manifestation of power and social control. By examining the bodily aspect of these punishments, this section seeks to understand how they were designed to inflict physical pain and humiliation.

This study uses a comparative-historical analysis of penal practices and a post-Foucauldian theoretical framework. The approach tracks the transition from physical penalties to incarceration and psychological sanctions using textual and discursive study of secondary literature as well as primary sources (such as Foucault, Bodin, Beccaria, and Camus). The study uses critical interpretation of historical and modern texts in order to show how punishment serves as an expression of sovereign power and how its legitimacy has changed throughout time.

The rest of this paper is divided into four sections. The first examines corporality of premodern punishments, the second delves into the reformative emergence of incarceration, the third discusses psychological sanctions as a punishment and the fourth section ends the study with a general discussion.

2. Corpo'Reality' of Premodern Punishments

Throughout history, various forms of punishment have been employed to assert state authority and control over individuals, each reflecting a distinct interplay between power, punishment, and societal values. These punitive methods were not only designed to inflict suffering on the body but also served as powerful symbols of the sovereign's dominance. These practices were specifically corporal in nature, focusing directly on the physical body as the site of punishment.

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[4] Stated differently, the power to punish is mostly dependent on the sovereign's ability to enforce rather than law. The sovereign uses this power to both demonstrate and continuously replicate its own legitimacy and power. Consequently, punishment is a tool used to uphold the sovereign's authority over society and its claim to righteousness in addition to controlling the offender.

The emphasis on bodily suffering was central to the purpose, as these acts were intended to break the physical will of the punished individual, making the body itself a visible marker of transgression and authority. The more visible and severe the physical injury or humiliation, the stronger the message sent about the authority's capacity to enforce its will, reminding society of the stark consequences of deviance.

Having been used by communities[5] for over two thousand years (Roth, 2014, p. 31), *stoning* or *lapidation* is a method of capital punishment where the person found guilty is executed by having stones hurled at them, usually by a crowd.[6] It begins with the condemned individual being buried up to their waist, effectively restricting their movement and preventing any chance of escape. Due to the gravity and irreversible nature of the crime, it requires not two but four eyewitnesses to substantiate the accusation (Peters, 2005, p. 59). During the execution, the stones used are neither too large nor too small (typically about the size of a fist), ensuring that the victim does not die either too quickly or too slowly.

As a mode of spatial regulation and an ancient method of punishment that was employed in Babylon, Greece, and Rome, as well as by British authorities across the British colonial empire (Beckett & Herbert, 2010) *banishment* can be considered a form of *anti-incarceration,* as it isolates the individual from society by *removing them from space,* whereas the modern institution of the prison isolates the individual by *confining them within a space* with the aim of disciplining them. As Daniel Washburn (2013) points out, banishment articulates the power asymmetry between the punished and the punisher. In addition to being a corporal punishment, banishment also carries mental sanctions for the punished, as it involves the removal of the individual from their social context.

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[5] Stoning has often been associated with the Islamic faith and Sharia law. Stoning is generally a punishment prescribed for the crime of extramarital sexual relations (zina) and is applied in highly exceptional circumstances (as most men, for instance, can avoid other penalties by paying the bride price as a form of atonement). However, the history of stoning predates Islam by far. According to Young (2005, p. 121), a woman attempting to take multiple husbands was stoned under Urukagina's decree, and *"this constitutes not only a most ancient precedent prescribing stoning for a type of illegal union, but the entire scenario by which the practice of polyandry was declared forbidden and its practitioners punished by stoning was to be replayed some three thousand years later in early Islam."* In this context, it is evident that the origins of stoning as a punishment date back to a period long before the advent of Islam; however, currently, in some countries where Muslims frequently live and where Sharia law is adopted, stoning (rajm) is primarily used to punish extramarital and homosexual relations and sodomy.

[6] The fact that stoning is carried out by the public, rather than by an executioner, symbolizes much deeper societal meanings. The person throwing the stones becomes one of the perpetrators of the victim's death, and may, if they commit a similar offense, feel that they would become the victim of the same punishment. In reality, their position within the crowd is not secure either, but the act represents empathy not with the criminal, but with the authority that condemns the individual to punishment.

As another form of punishment, *galley slavery* can be traced back to 1443, when King Charles VII of France proposed the inclusion of *"personnes oiseuses, vagabonds, et autres caïmans"* [useless persons, vagabonds, and other criminals] among the ranks of a French shipping magnate's workforce (Casson, 1966). As a form of punishment and forced labor that became widespread in the Mediterranean during the medieval and early modern periods, the system involved the use of condemned criminals or captured prisoners of war as rowers on galleys, the large, oared ships used primarily for military purposes. The individuals subjected to galley slavery were often chained to their oars and forced to row for long hours in grueling conditions, facing physical abuse, malnutrition, and overcrowding.

The emergence of galley rowing as a form of punishment is noteworthy both in terms of its introduction of a rational dimension to penal techniques following the Enlightenment and in the context of the growing demand for galley rowers driven by the geographic discoveries. This dual development highlights a complex interplay between the evolving logic of punishment and the expanding maritime enterprise, where the coerced labor of the individual was directly linked to broader socio-economic and geopolitical shifts.

In fact, it could be perceived as more *humane* than the death penalty or other brutal corporal punishments; however, the rowers, whether slaves or offenders, were still *homines sacri.* Under this condition, they were still subjected to extreme physical abuse, malnutrition, and other forms of degradation. In this penal technique, it is clear that the forms of punishment are shaped by the prevailing context, and not only criminals' bodies are subjected to the abuse but also their bodily labor is exploited.

As one of the most ancient punishment technics, *death penalty,* historically a prominent tool of state authority, has taken various forms across cultures and time periods, ranging from hanging and beheading to more brutal methods such as breaking on the wheel and drawing and quartering. These executions were often public spectacles, designed to extend suffering and serve as a visible manifestation of the power and control exercised by the ruling authority. The use of such extreme punishments reflects a broader societal tendency to employ physical pain as both a corrective measure and a tool for instilling fear.

> Death came in a variety of forms: hanging, breaking on the wheel, clubbing, burning, the sword or the axe, drawing and quartering. Some executions involved elaborate stages meant to lengthen the period of agony. These practices existed along a continuum with many other forms of punishment that made use of the body to illustrate a lesson as well as inspire fear. Whipping, the stocks, branding, and amputation were all performed in public and mingled suffering with shame and humiliation. Even death was not the end of the punishment, for the body might be left to rot as an extension of

the example conveyed by the execution itself. Indeed, the narrative of the execution drama was not exhausted by death. (McGowen, 2016, pp. 616-617)

According to Franck and Nyman (2003), some experts argue that the death penalty has its roots in ancient sacrificial rituals, where human sacrifices were offered to appease gods. Another explanation for its origin suggests that the desire for revenge and vendettas emerged within dynastic societies. With the formation of state power or organized societies, the death penalty began to be increasingly utilized to enforce compliance with the ruler's commands. Over time, the absolute sovereign replaced private acts of vengeance with formal laws that allowed for executions to be carried out on behalf of the organized society.

Death penalties were conducted publicly for several important reasons, primarily as a means of deterrence. The spectacle of a public execution was intended to instill fear and discourage others from committing similar crimes. Public executions also reinforced social control by visibly asserting the authority of the state or ruler, demonstrating their power and the consequences of breaking the law. However, punishments carried out in public for the purposes of deterrence and the exercise of sovereign power received unexpected reactions from the public. After the questioning of the *divine powers* of the sovereign, who derived their punitive authority from God (which, as expected, coincided with the Enlightenment), the death penalty also started to be scrutinized by Enlightenment philophers. For instance, Beccaria *On Crimes and Punishments* (1764) contended that capital punishment is neither a successful deterrent nor morally justified, and he advocated for its abolition, proposing more humane alternatives to punishment. In his *Metaphysics of Morals* (1797), Immanuel Kant argued that the death penalty may be justified in cases of extreme crimes, and even when punishing murder, he advocated for capital punishment to be regarded as conditional rather than absolute (Kant, 2013, pp. 280-281). On the other hand, more recent philosophers like Albert Camus (2020) maintained that since everyone dies, regardless of guilt, the mere threat of death is insufficient to deter criminal activity.

The death penalty has been employed to serve as a clear demonstration of the ruler's power over their subjects. Following World War II, the practice of capital punishment progressively diminished. However, 1980's and 1990's mark a turning point in the abolition of the death penalty (Baumgartner, De Boef, Boydstun, 2008). The abolition of the death penalty in the 1980s and 1990s was driven by a convergence of human rights advocacy, evolving legal and moral norms, and global political changes. Human rights movements and international treaties

framed capital punishment as a violation of fundamental rights, while growing awareness of wrongful executions and judicial errors undermined its legitimacy.

From a Foucauldian perspective, it can be argued that the abandonment of the death penalty reflects a broader transformation in the exercise of power, transitioning from sovereign power to disciplinary and biopolitical forms of control or transitioning from *corporal power* to *psychological* power. Moreover, it can be posited that the power, in alignment with international trends, opted for the ostensibly more humane alternative of imprisonment over corporal punishment.

Foucault (1995) contended that the disfigured bodies of criminals, served as dramatic displays designed to reinforce and demonstrate the authority of the sovereign to all who witnessed them. The origins of mutilation as a punishment can be traced back to ancient civilizations, where the infliction of bodily harm symbolized both retribution and societal control. Common examples of mutilation include amputation of limbs, branding, castration, and the removal of ears or noses. These acts were not only physically painful but also socially humiliating, as they marked the individual as permanently deviant and excluded them from full participation in society. However, the sole purpose of mutilation is not merely to announce the punishment of the offender, humiliate them, or display the power of the sovereign.[7] According to (O'Gorman, 2014, pp. 154) *"… the display of this culpable body part serves to call attention to the specific nature of the transgression, while at the same time providing evidence of the nullification of the threat represented by that limb. Thus, that arm (and by proxy, that individual) would no longer commit murder…"*

The corporal practices, with a clear emphasis on the physicality of punishment and the visible suffering, inflicted upon the body. These punishments, in various historical and cultural contexts, were not just methods of control but also performative acts that visibly mark the body to demonstrate the power and authority of the state or sovereign. The emphasis on the corporal nature of these punishments highlighted the state's use of the body as a central mechanism for social control. Whether through public executions, mutilation, exile, or forced labor, the human body was a visible symbol of transgression and punishment. This focus on the body, visible to

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[7] At this juncture, it is imperative to distinguish disfiguration and branding from other forms of maiming, as the latter may merely constitute a punitive measure grounded in the principle of retribution. In contrast, disfiguration and branding serve a dual function, not only as forms of corporal punishment but also as mechanisms of stigmatization, whereby the transgressor is indelibly marked. The act of disfiguration, in particular, instills a profound sense of deficiency (the loss of a limb) or deformity (due to disfiguration), setting it apart from other torture techniques.

the public, reinforced the authority of the state, ensuring that the punishment was not only suffered but witnessed, embedding the power dynamics of the ruler and the ruled in a deeply corporal form.

3. Thriving of Incarceration: Foucault Re-Visited

In contrast to the corporality, visibility, and brutality inherent in premodern punishments, a penal technique asserting itself as reformative began to gain prominence in the 18th century: incarceration. The emergence[8] of the modern prison in the Anglo-American world was rooted in earlier efforts to transform penal systems based on corporal punishment, torture, and capital punishment. While the prison appeared to merely replace the gallows, it concealed much deeper historical realities. In essence, the prison was the culmination of a century-long search for alternatives to torture and public physical punishment.

The Enlightenment, spanning from the 17th to the 18th century in England, Europe, and America, brought about significant shifts in the conceptualization of crime and correctional punishment. As societies became more secular and open, this period marked the experience of paradigmatic changes across many facets of history. The idea of isolating criminals from society and *rehabilitating* them during their confinement, rather than imposing brutal and irreversible punishments, generating *docile bodies* could be seen as a highly progressive step. As Foucault put (1995, pp. 158): *"Why would society eliminate a life and a body that it could appropriate? It would be more useful to make him 'serve the state in a slavery that would be more or less extended according to the nature of his crime."*

According to the classical Foucauldian thesis, prisons represent a fundamental change in the ways that power and punishment are administered in contemporary communities. Discipline power, which depends on subtle, imperceptible control methods, replaces sovereign power, which is defined by public displays of punishment like executions or mutilations: *"In the old system, the body of the condemned man became the king's property, on which the sovereign left his mark and brought down the effects of his power."* (1995, p. 158)

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[8] The concept of deprivation of freedom existed long before the advent of modern prisons. However, these detention facilities, which could consist of pits, dungeons, or caves, were not designed to punish individuals by depriving them of their liberty. Rather, their purpose was to prevent escape until the person had been formally sentenced.

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Disciplining power, conversely, functions more covertly and is centered on personal docile-making rather than physical sanction.[9] In this sense, it can be argued that prisons adopt this strategy since the idea of incarceration is based on enforcing people to be monitored and to submit to the artificially created prison rules, which is expected to result in behavioral modification. Therefore, the prison turns into a stealth normalization process from a public display of physical abuse. The prison seeks to establish discipline via monitoring, evaluation, and self-restraint, as opposed to the violent acts of sovereign power. *The Panopticon*,[10] a hypothetical building model, where inhabitants are continuously monitored and motivated to internalize control, is cited by Foucault as a pivotal depiction of this transformation.

From an external perspective, prisons represent a departure from older punitive methods such as execution, exile, galley slavery or any corporal punishment. Instead, offenders are housed, clothed, and fed, ostensibly under humane conditions. These institutions are entrusted with the task of *taming* those deemed deviant, harmful, or dangerous to society, with the ultimate goal of reintegrating them as productive members of the social order.

Furthermore, prisons maintain a delicate balance between modern rationality and the remnants of *retributive* justice associated with the *Ancien Régime*. By calibrating the length and nature of sentences according to the gravity of the offense and its contextual conditions, thus rationalizing and tailoring the punishment according to the convicted, they retain the semblance of the religious principle of retribution, albeit in a secularized guise.

In other words, the tailoring of the length and conditions of imprisonment—such as whether the sentence will be served in solitary confinement, whether the prisoner will be allowed visitors, or whether they may be released on bail etc.—according to the nature of the alleged offense signifies the technicization of punishment. However, at its core, this approach remains unable to abandon a retributive framework rooted in a quasi-religious belief that the guilty must

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[9] To be more precise; in the Victorian England, prisons served as isolation units to control the poor, orphans, elder, unemployed and disabled and in the Victorian era, the cost-effectiveness of imprisonment was widely debated. Economically, prisons were far more costly and less efficient; the state needed to commit more financial support to prisons. Advocates of the labor system, on the other hand, argued that labor was the best tool for transforming prisoners, and that it was more economically effective. Thus, Victorian workhouses emerged as institutions that controlled society and exploited labor, though not directly inflicting bodily sanction. (Parker, 2024, pp. 91-100).

[10] The Panopticon was a prison model designed by Jeremy Bentham in which a single guard could watch several inmates without them knowing if they were being watched. Michel Foucault viewed the Panopticon as representing modern social control in which surveillance is used as a disciplinary power for shaping behaviour. Disciplinary power operates through constant observation, much unlike sovereign power which relies on punishment to compel obedience. While John Stuart Mill emphasized a dichotomy between power and individual freedom, Foucault challenged this by demonstrating how behaviour is subtly influenced by surveillance-based disciplinary power. He maintained that the Panopticon symbolises a shift from external coercion to internalised discipline, thereby making freedom an illusion. (Weinreich, 2021; Lilja & Vinthagen, 2014; Tadros, 1998).

be punished, therefore, as the authority evolves through modernization, it justifies retribution as its inherent right while simultaneously legitimizing the fulfillment of this principle through alternative mechanisms. At this point, it becomes evident that the ruling authority, despite undergoing numerous transformations, continues to preserve its transcendental punitive character. However, due to the *zeitgeist*, the authority, while modernizing the technique of punishment, was also compelled to modernize its *rationale* for retribution and produce a new form of justification, which was in conformity to the idea of rehabilitation. This, in essence, was the idea that criminals should be understood as individuals who are not merely perpetrators of wrongdoing but as *sick* individuals in need of rehabilitation.

The emergence of criminal psychology was closely linked to the growing belief in rehabilitation, which posited that criminals were mentally ill or inherently different from others. Early criminal psychology suggested that certain physical traits could indicate predispositions to criminal behavior, with theorists like Cesare Lombroso (Lawrence & Hemmens, 2008) arguing that criminals resembled primitive species due to their physical features. This view was later expanded by William Sheldon (1942), who associated body types with personality traits, further connecting criminality to physical attributes[11] which strengthen the notion that people are born criminals who are in need of a treatment (Martin, 2005).

The transformation from bodily punishment to incarceration pointed out a more radical societal transition towards a rational and modern justifications for punishment. This reformulated punishment shifted from retribution to correction, with criminal psychology crating the groundwork for interpreting criminals as people in deep need of rehabilitation, rather than just revengeful punishment. However, as crime became increasingly attributed to certain races, genetics, and classes, prisons became political institutions that targeted and controlled certain segments of society.

As a result, the transformation in penal systems has changed the way the government deals with the problematic segments of society and the way justice is provided. The bloody punishment methods of the pre-Enlightenment period were replaced by more rational and therefore more *humane* punishment technics. As Foucault points out, this transformation is also a transformation of power dynamics. Although power seems to have taken a step back, leaving

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[11] As criminology evolved, these theories not only supported the rehabilitation idea but also justified mass incarceration based on race and class. Research linking genetic traits to criminality, including twin and family studies, reinforced the argument that criminal behavior was inherited. However, it became later on evident that environmental factors such as socioeconomic conditions and family dynamics played a more significant role in shaping criminal behavior than genetic inheritance.

punishment in the hands of technical institutions, it has instilled the feeling of monitoring and control in individuals. During this period, the rise of criminal psychology framed criminals as patients in need of treatment, positioning the prison as a rehabilitation center, and then this framing targeted racial, political and class groups. In conclusion, the correctional system reinforced retributive beliefs under the pretense of rehabilitation while attempting to reconcile punishment with modernity, highlighting the ongoing complexity of justice in society.

4. From Corporality to Psyché: The Rise of Psychological Sanctions as a Punishment

The transition from physical punishment to incarceration signifies a profound change in the idea of punishment. Although the mentality remained retributive, the transition from bodily punishment to incarceration constituted a significant turning point, while retribution manifested itself through psychological violence[12] replacing bodily violence.

Over time, scholarship began to address the rehabilitative justification of incarceration within *civilized* nations. Scholars were drawn to some studies that questioned the prison system's claims of *rehabilitation* and *correction*. Research involving inmates critically examined the effects of social isolation on mental health, highlighting the detrimental psychological consequences of prolonged incarceration. These studies emphasized the ways in which isolation, monotony, and lack of meaningful social interaction exacerbated mental health issues, prompting a reevaluation of the purported rehabilitative role of prisons.

Along these lines, the first aspect to address is perceived social isolation, which can be characterized as the subjective experience of lacking social resources, such as company and support (Cornwell & Waite, 2009). Bhatti and Haq (2017) have indicated that perceived social isolation in geriatric patients is linked to cognitive decline, while in young adults, loneliness is associated with poor sleep habits, increased risk of depression, suicidal tendencies, and higher cardiovascular disease risk.

Furthermore, the international literature consistently shows a high prevalence of mental disorders among prisoners (Brinded et al., 2001; Butler et al., 2005; Bland et al., 1998). Haney (2002) summarized the effects of prolonged solitary confinement, highlighting the emergence

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[12] The World Health Organization's (2002) definition of violence covers a broad range of outcomes—including psychological harm, deprivation, and maldevelopment. This reflects a growing recognition among researchers and practitioners of the need to include forms of violence that do not necessarily result in injury or death, but nonetheless impose a substantial burden on individuals, families, communities, and health care systems worldwide. Mental health is a component of physical integrity. Drawing on this comprehensive definition from the World Health Organization, in this article, psychological violence is defined as incarceration and social isolation that lead to mental abnormalities and abnormal symptoms.

of symptoms such as an impaired sense of identity, hypersensitivity to stimuli, cognitive dysfunction (e.g., confusion, memory loss, ruminations), irritability, anger, aggression, and rage. This can also lead to other-directed violence (e.g., stabbings, attacks on staff, property destruction, and collective violence), lethargy, helplessness, chronic depression, self-mutilation or suicidal ideation, anxiety, panic attacks, emotional breakdowns, hallucinations, psychosis, paranoia, and overall deterioration of both mental and physical health. Additionally, the fact that the suicide rate among prisoners is approximately four times higher than that of the general population (Mumola & Noonan, 2007) raises serious questions about the detrimental effects of incarceration on mental health.

The literature on the mental health effects of imprisonment is extensive, and our aim is neither to list these well-documented studies nor to present arguments that support the transition from corporal punishment to the more invisible (or as Foucault put; *gentle*) form of punishment through incarceration. Our aim, with reference to the genealogy of penal techniques in Foucault, is to recognize that psychological violence has supplanted corporal punishment, to focus on incarceration-induced mental disorders, and to consider mental health as an essential aspect of bodily integrity. However, the damage of incarceration cannot be confined to psychological violence. It has been suggested that long-term incarceration has adverse effects on general health of prisoners.

Prison systems, despite their apparent shift from corporal punishment to more subtle forms of violece, still manifest as deeply bodily experiences for prisoners. One of the most profound aspects of incarceration is the mortality rate among prisoners. Penal Reform International reports mortality rates are up to 50% higher in prison than in the community (Penal Reform International, 2022). The exceptionally high mortality rate among prisoners calls into question the claims made by penal techniques that argue against the corporal nature of incarceration. This raises significant doubts regarding the assertion that imprisonment, as a form of punishment, does not involve physical harm to the body.

The isolation enforced within the prison system is another significant factor contributing to mental health deterioration, and in some cases, to suicidal tendencies. The deliberate separation of individuals from social interaction, family, and community creates a profound sense of isolation, which has been shown to increase the risk of suicide among prisoners. Since this type of isolation actively impairs people's mental and emotional health, it must be viewed as a form

of physical punishment in and of itself. The physical aspect of mental punishment in prison is highlighted by the clear correlation between isolation and suicidal thoughts and actions.

Furthermore, the facts that mental harm is in fact fundamentally corporal is highlighted by developments in medical technology that make it possible to observe mental processes and their impact on the brain. Neurological alterations brought on by long-term stress, trauma, and environmental deprivation are linked to psychological problems, emotional breakdowns, and cognitive deficits that are frequently seen in inmates. The idea that mental suffering is not merely an abstract experience but rather has tangible, physiological impacts is further supported by the fact that many mental disorders can have long-term ramifications, such as a loss of neuroplasticity. These psychological effects challenge the difference between mental and physical punishment by highlighting the unbreakable link between mental harm and physical pain as they materialize in the structure and function of the brain.

We also like to bring out the fact that mental health problems that develop while incarcerated do not always go away after being released. Long after being released from prison, ex-offenders frequently bear the wounds of their incarceration. The ability to reintegrate into society is impacted by these long-lasting consequences of having previously been penalized by incarceration. This shows that the effects of incarceration are not limited to the prison environment; rather, they permeate the released offenders' body and psyche, making the punishment a permanent aspect of their existence.

Ultimately, incarceration manifests in the body through the stigma that *ex-convicts* endure post-release. The notion that an ex-offender's past defines them is reinforced by the fact that they are still referred to as such by society long after their release. Other institutions that maintain records of people's criminal history serve to further perpetuate this stigma by continuously reminding both the individual and society that they are formerly incarcerated. In this way, the body still bears the scars of punishment because the person is constantly reminded of their previous offenses, which feeds the vicious cycle of social and mental trauma.

While the stigma of incarceration is carried with a person both physically and socially, the consequences of the prison system on the body are not only transient but also long-lasting. Therefore, even though prison seems more humane than corporal punishment, it is still based on the same physiological procedures, and punishment still has a significant, long-lasting impact on the body and psyche.

5. Discussion

The shift from corporal punishment to incarceration was a notable change in penal theory; nonetheless, it did not eradicate the physical and psychic damage inflicted on people.

The psychological harm caused by imprisonment, while frequently seen as abstract or intangible, has irrefutable physical components. Prolonged isolation, monotony, and a lack of social connection aggravate psychological illnesses, resulting in cognitive dysfunction, emotional breakdowns, and even suicidal ideation. Modern medical research suggests that persistent stress and trauma suffered in prison can create long-term neurological damage, undermining the concept that imprisonment has no physical consequences. Former inmates' stigma and psychological wounds illustrate the enduring nature of this punishment, which extends beyond the prison gates.

A re-evaluation of incarceration practices is greatly needed, considering their irreversible effects on human psychological well-being. The reduction of psychological harm must be the top priority of reforms if incarceration still holds the claim of being a "humane" substitute for former violent penal techniques. Elimination of the use of solitary confinement, improving inmate access to education, social contact, and rehabilitation programs, and guaranteeing strong mental health care within prisons must be included on the agenda. Beyond institutional changes, more comprehensive criminal justice policies should take into account alternatives to prisons that lessen the need on incarceration as the primary form of punishment, such as treatment-focused interventions, community-based punishments, or restorative justice.

A number of recommendations for further study emerge. The psychological consequences of incarceration methodically are already well-documented through empirical research, both during and long after release. Cross-country correctional systems research may show how various correctional policies reduce or increase impact of incarceration on mental health. The arbitrary distinction between *mental* and *physical* punishment may be challenged by interdisciplinary research that combines criminology, psychology, and neuroscience to better elucidate the physiological underpinnings of psychological harm.

This article attempts to reconsider criminal theory in accordance with post-Foucauldian analysis by presenting incarceration as a continuance of sovereign authority through more subtly applied psychological control techniques. It highlights the covert kinds of violence present in contemporary correctional procedures rather than providing conclusive answers. It calls for a paradigm change in both research and governance to combat with the invisible forms

of adversities of incarceration. The study thus paves the door for further research that will examine not only the mechanism of punishment but also how society could envision different forms of justice that would not jeopardize social mental health while upholding social order.

ARAŞTIRMA MAKALESİ

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