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news

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David Gauke, a former Conservative minister appointed to lead a review of sentencing in England and Wales, has suggested that the use of open prisons would help the UK tackle its current prison crisis [1].

The UK is currently struggling to find space for its growing prison population. In the last 14 years, 500 new prison cells have been built, but the prison population is growing by around 4,500 every year [2]. We have written about the [prison crisis](#) before.

With 90% of those convicted being repeat offenders, Gauke outlines his strategy as one of rehabilitation. He explains that prisoners should be allowed to leave prison during the day to study and work.

He says the use of low-security open prisons can help the government save money and tackle overcrowding, citing the example of Spanish open prisons, which better prepare inmates for reintegration into society at the end of their sentence.

As part of the review, some of the shorter sentences would be scrapped to help alleviate the problem. Instead, the government would toughen up community orders, which require someone to take part in rehabilitation programmes or do unpaid work for the local community. A person given a community order could have restrictions on where they live or where they can go.

While prisons are commonly portrayed as a means of administering justice, they have always been an instrument of class domination. As human society has long been divided into classes, the exploiting minority has needed means to maintain its position over the exploited majority, through various institutions that would come under the state, including prisons.

In capitalism, therefore, prisons mainly serve to maintain the dominant position of the capitalist class over the working class.

But capitalism has been in its imperialist (monopoly) phase for some time. Instead of the small-scale free competition of early capitalism, huge international monopolies and powerful imperialist countries compete with each other for the redivision of the world. These monopolies do not entirely eliminate competition but rather transform its nature: instead of free competition among small producers, they engage in a struggle for market control among themselves. This is an important contradiction within imperialist capitalism.

Some imperialist states, such as the United Kingdom, have lost their former global dominance and become dependent on stronger economic centres, such as the United States. This forces them to cut back on spending on social and penitentiary (correctional) infrastructure to maintain competitiveness. This is why they struggle to build more prisons, even though this is necessary to maintain capitalist rule, and have to resort to alternative means that can help save money.

However, other imperialist powers that are rising from a previously inferior position, such as China, don't struggle as much to maintain their infrastructure. Such is the dynamic of imperialist capitalism.

Under socialism, where the means of production are owned in common by the workers and a new state apparatus would be built to represent the interests of the working class, the function of prisons would change.

Prisons would help protect workers from petty and violent crimes and also contribute to the struggle against residual manifestations of capitalist relations. They would become part of a system of rehabilitation aimed at fostering a new socialist worldview and maintaining public order, with their functions becoming part of a broader struggle to eliminate class contradictions and establish norms of socialist democracy.

At the same time, as people's basic needs would be guaranteed, the need to commit petty crimes in order to subsist would disappear and therefore the number of such crimes would naturally decrease.

For capitalism to be possible, there must be a dispossessed class of people in a situation of despair, with no means of living other than through the sale of the ability to labour for someone else. It is only in such a situation that such people will "willingly" allow themselves to be exploited by the capitalist class.

But it is precisely this that leads people to commit petty crimes, which also leads to more serious crimes. Even with a welfare state, capitalism cannot solve this problem completely, otherwise, capitalism would not be able to function.

Unlike under capitalism, where the real intention of rehabilitation is simply to save money and increase profits, under socialism, it is in the best interests of society to rehabilitate those who commit petty crimes. This ensures that as many workers as possible are committed to building socialism.

But to get to this point, it is first necessary for the workers to overthrow capitalism. This can only be achieved under the leadership of a genuinely revolutionary vanguard party, capable of leading the working class and explaining to it its role in the overthrow of capitalism.

At present there are no such parties. If you want to help Politsturm in its task of working towards building such parties, consider [joining](#).

Sources:

[1] BBC — [Make more use of open prisons, former minister says](#) — 27/12/2024

[2] Gov.uk — [Landmark Sentencing Review launched to end prison crisis](#) — 21/10/2024

Original article