For centuries, the English resisted spending tax money on prisons. As a result, North America was populated largely by transported persons who were in contact, or at risk of being in contact, with England’s criminal justice system. After the American Revolution, when that cost cutting strategy failed, the English developed a system of “hulks”—large old ships, no longer seaworthy, were chained to the docks and subdivided into prison cells. But by 1787 the English realized that they could transport their felons to Australia, and a new period of convict transportation began. Eventually that system failed, too. Large numbers of difficult to manage Irish political prisoners arrived at the “down under” penal colonies and the free Australian colonists closed their doors to transported felons, just as the Americans had done earlier.

And then something very unusual happened back in England. Perhaps the most concise expression of this new awareness can be found in the January 3, 1857 edition of the Spectator. “Where shall we put our felons?....extraneous circumstances [have] compelled Ministers [of government] to abandon convict transportation….We are about to feel the consequences…in a grand recruitment of our certificated criminals; and we may well press the alarming question—What to do with our felons?....civilized nations object to being colonized by aliens, more especially by [our] felons…” (Hill, M.D., [1975/1857], Suggestions for the Repression of Crime, [1975/1857]. Montclair, NJ: Patterson Smith, pp. 638-639). The result was that, for a brief period the English focused on forming and reforming prisons in their own nation rather than transporting them to the ends of the earth.

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