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The Conditions and Practice of the Enforcement of Life Imprisonment Without Parole

ABSTRACT:

This study examines the conditions and practice of enforcing life imprisonment without the possibility of parole (LWOP), with a particular focus on the structural, psychological and security-related challenges faced by the penal system. The defining feature of LWOP is the permanent exclusion of release, which fundamentally alters the traditional purpose of imprisonment and renders the reintegration function largely inapplicable. This shift necessitates a re-evaluation of detention strategies, as a purely custodial approach carries serious risks both for the psychological well-being of prisoners and for institutional security.

The paper outlines the preparatory professional work preceding the introduction of LWOP in Hungary and the early risk assessments identifying persistent hopelessness, depressive states, increased suicide risk and the potential for heightened aggression among this prisoner population. In response to these concerns, the first Long-Term High Security Regime unit (HSR) was established at Szeged Prison. The HSR was designed to combine maximum security with psychological stabilisation, functioning not solely as an isolating measure but as an intermediate and preparatory regime aimed at fostering cooperation and institutional adaptability. Domestic experience demonstrates that prisoners serving LWOP do not constitute a homogeneous group. With appropriate treatment, therapeutic interventions and access to educational and occupational activities, some prisoners may, after a certain period, be integrated into standard prison units. The psychological condition of prisoners serving extremely long sentences evolves dynamically, with phases of resistance, hope and acceptance alternating throughout the prison life course. In this context, isolation cannot be regarded as a permanent solution but rather as a time-limited and professionally justified element within a differentiated regime structure.

By situating the Hungarian practice within the framework of international research, the study highlights that LWOP is frequently experienced by prisoners as a form of the death penalty. The permanent absence of parole, the gradual erosion of personal relationships, prolonged isolation and elevated suicide risk are recurring features of this punishment. The study concludes that the enforcement of LWOP can only be considered compatible with the requirements of a rule-of-law system if security considerations are consistently balanced with safeguards ensuring psychological stability, respect for human dignity and individualized treatment throughout the period of detention.

KEYWORDS: life imprisonment without parole (LWOP), prison system, high security regime (HSR), absence of reintegration

Introduction

Penitentiary professionals also participated actively as commentators and advisors in the process of introducing actual life imprisonment, as the change brought countless new tasks for them as law enforcement officers. They had to prepare for the new situation, examine its expected consequences and develop the most effective long-term strategy. The fact that LWOP (life imprisonment without parole) convicts have no chance of release is a completely new situation, meaning that, in principle, their detention is not aimed at reintegration. The purpose of their detention is detention. At the same time, it is essential to recognise that these prisoners will spend decades behind bars. It is unacceptable to deprive them of the self-development and occupational programmes that are part of everyday life for other prisoners, leaving them with no goal in life other than survival. This approach is not only inhumane, but also extremely risky, as psychologically neglected, unmotivated and disenfranchised prisoners pose a significant threat to both prison staff and their fellow inmates.

Following the entry into force of Act LXXXVII of 1998¹, the National Prison Service established a professional committee to prepare for the changes and organise the processes. Under the leadership of András Csóti, this committee began working with the then heads of the Szeged Penitentiary and Prison, as the institution designated to receive LWOP prisoners.²

The committee organised professional exchanges in various countries, studied the literature on the subject and, based on its own experience with long-term prisoners, sought to establish regulations.³

As a first step, based on previous statistical data, they created a profile of the expected LWOP prisoners: they estimated that they would mainly be men between the ages of 25 and 35 with a completed primary school education. It was assumed that their ties with the outside world would be fragile and that their personal relationships – assuming they were not severed immediately upon admission due to the lack of prospects for release – would wear out over time due to divorce or the death of family members. Their behaviour was likely to be extreme and difficult to manage, both because of the serious crimes they had committed, which had led to their harsh sentences, and because of the hopelessness of their situation.

In 1999, Lajos Garami, head of the BVOP's Department of Detention Affairs, drew on his experience to describe the personality traits of the expected new prison population.⁴ According to his findings, convicts enter prison in a fundamentally depressed state of mind after their sentence is handed down, and this state can persist in the long term. This persistent psychological stress may be accompanied by an increased tendency to commit suicide, which is a major risk factor for the prison service.⁵ The prospect of release fundamentally disrupts the structure of life as it has been, as the loss of predictability means that the lives of prisoners are defined by uncertainty and what seems like an endless period of time. In this situation, consciously choosing the time of one's own death can represent a form of control and an illusion of self-determination. However, the reason for the development of suicidal tendencies is not only the loss of control over life and decisions, but also the grieving process caused by the loss of family members, spouses and external relationships. In addition, in the case of certain perpetrators, feelings of guilt for the crime committed may also play a significant role in increasing psychological stress.

At that time, all predictions pointed to increased aggression in these prisoners, which was probably already part of their personality at the time of sentencing, as the most severe penalties are imposed on the most cruel offenders. However, in their case, this aggression may intensify, as a new situation arises: the convict has nothing to lose and does not have to face criminal responsibility. For this reason, particular attention must be paid to the possibility of hostage-taking, attacks on staff and

¹ 1998. évi LXXXVII. törvény a büntető jogszabályok módosításáról

² Later, similar facilities were established in 'Sátoraljaújhely, Tiszalök, Budapest, and near Szeged'

³ CSÓTI András: A magyar börtönügy új kihívása: a tényleges életfogytig tartó szabadságvesztés. *Börtönügyi Szemle*, 2005/2, p. 25.

⁴ GARAMI Lajos: Élő halottak? A tényleges életfogytiglani szabadságvesztés végrehajtásának problémái. *Börtönügyi Szemle*, 1999/2, pp. 56 - 63.

⁵ At that time, it was typical for the TÉSZ to predict an increased suicide rate among convicts, which later proved to be incorrect. It is a fact that at that time, this punishment did indeed mean imprisonment until death for all convicts.

aggression towards each other. This can be particularly problematic in the case of those who react with aggression to everyday problems, as this is dangerous for staff, fellow prisoners and the environment within the prison walls.

József Csapó, former commander of the Szeged Prison and Penitentiary, also drew attention to the potential security risks arising from the new legal institution: In his view, *„in the case of prisoners serving the most severe sentences, the greatest security risk for the prison system is that these people have nothing to lose. Although their behaviour may jeopardise certain privileges they enjoy in prison, they can no longer be held criminally responsible for anything (...) we cannot predict the future: we do not know what will happen in three, five or ten years' time, when the prisoners may become aware of their hopeless situation as a result of personality changes.”*⁶⁷

The committee had to lay down the basic principles of detention in close cooperation with the Szeged prison.

Prison without any reintegration function raised fundamental theoretical and practical problems. The law says that the purpose of punishment is to help prisoners get back into society and learn to obey the law.⁸ Detention without reintegration and development programmes would essentially mean that prisoners would only have their basic needs met, under the necessary security conditions, while their lives would continue unchanged until their death. Such deprivation would artificially increase feelings of hopelessness and despair, which would ultimately make it much more difficult to treat them.⁹

The committee adopted a unanimous position on this issue. These prisoners should also be included in education, vocational training, and a wide range of therapeutic programmes and training courses. These activities keep them occupied, help them relieve tension and contribute to maintaining their mental and physical health. It was emphasised that prisoners sentenced to life imprisonment should not be excluded from the possibility of receiving rewards. In their case, rewards should primarily be aimed at strengthening personal relationships and, where possible, supplementing their personal needs. At the same time, it was emphasised that, where justified and well-founded, disciplinary proceedings should be continued against these prisoners in the same way as against other prisoners (...) and disciplinary sanctions should be applied where necessary.¹⁰

In the case of LWOP prisoners, taking into account the above risks, personalised treatment and individual security instructions are of paramount importance. With regard to their placement and detention, it is of paramount importance that the institution ensures the continuous safety of the detainees, other prisoners, staff and the institution as a whole, as well as the protection of life and property. A security system must therefore be established and operated in their case that fully meets this objective. The predominant idea was to provide single-occupancy accommodation in a section of the facility that includes all necessary functions, has sufficient space for movement and allows for the implementation of special programmes, thereby reducing the frustration of prisoners while ensuring maximum security.¹¹

I. Creation of the first long-term high security regime unit¹²

The Szeged Prison, which had experience in the enforcement of long-term imprisonment, was designated for the enforcement of actual life imprisonment. The first LWOP prisoner was placed here, and the first HSR unit was also established here.

Éles Éva (prison psychologist): *„The first LWOP prisoner arrived in 2000. We treated him like an easter egg. We didn't know what to do with him, we were still unsure about this type of detention, and he took advantage of that. He was unfriendly, we asked him if he needed anything. I didn't deal with*

⁶ PAPP László: *Mindörökké rács mögött. Szükség van e a tényleges életfogytig tartó szabadságvesztésre?* De Jure, 2007/2, pp. 22 - 25

⁷ The quoted section was generated with the assistance of machine translation.

⁸ Act CCXL of 2013 on the enforcement of penalties, measures, certain coercive measures and detention for minor offences, Section 1(2).

⁹ GARAMI: *Élő halottak?* i. m., pp. 56 - 63.

¹⁰ CSÓTI: *A magyar börtönügy új kihívása: a tényleges életfogytig tartó szabadságvesztés.* i. m., p. 25.

¹¹ op. cit.

¹² Here in after HSR

*him, my colleague did, but our chaplain also visited him often and brought him a radio so he could listen to it. We arranged for him to be allowed to go to the canteen to buy food because he complained that he wasn't allowed to. Then the second one arrived. They started to rival each other. One of them found out how many times the other one had gone shopping, so he demanded the same, feeling that he was entitled to everything the other LWOP member had.”*¹³¹⁴

From the end of 2003, preparatory committee work took place at the Szeged Penitentiary and Prison, with the support of the previously established committee. Experience in the execution of sentences imposed on long-term prisoners showed that, despite behavioural similarities, this group differed significantly from the prison population known to date. The differences were primarily observable in their reactions: in the event of rejection, they often displayed extreme verbal behaviour, made aggressive threats against themselves or others, and showed an increased tendency towards isolation. These observations clearly supported the need to establish a separate unit.¹⁵

Initially, several options were considered: creating a new institution that would meet the security requirements of the time, constructing a separate building, or converting an existing separate building or part of a building for this purpose.¹⁶ Finally, taking into account the budgetary constraints of the prison service, a decision was made to establish the temporary LWOP unit on the third floor of the Csillag building of the Szeged Prison and Penitentiary, on 2nd Street. Construction began on 17 January 2005, and the name was chosen to reflect the nature of the prisoners who would be housed there: Long-Term Special Regime Unit, or HSR.¹⁷

Éles Éva: prison psychologist: *„Initially, prisoners sentenced to long terms who required special attention were housed on the second floor on C Street, which later became the HSR. We involved the prisoners in minor decisions regarding the design of the unit in order to reduce the stress associated with the change. For example, they could decide what colour the walls should be. We developed a treatment programme, which was approved by the national command, and they began to populate the unit. There were numerous inspections and very strict security regulations at the beginning, and the prisoners complained that they were even fitted with restraints when going to the shower. Later, the system was gradually relaxed”.*¹⁸

The wing was designed to be separate from the rest of the building: the suspended corridor was converted into a continuous floor and closed off from the corridor with a metal grating. Eight single cells and two crisis cells were set up in the wing to house the prisoners. The layout of the cells is unique, as they are divided into two small rooms (7.81 m²): a living room and a sleeping room. This division allows prisoners to separate their living spaces functionally and to arrange them according to their lifestyle, tastes and individual needs. The design of the night cell contributes to the expansion of the prisoner's personal and intimate sphere, thereby enhancing their sense of independence within the prison environment.¹⁹

The cells are equipped with a bed, a chair, a cupboard, a washbasin, a table, a waste bin, an ashtray, a television, a mirror and cleaning equipment. The HSR wing has an additional bookshelf and a reading lamp.

The Szeged Prison took its first steps without any previous experience or model for developing the "prison within a prison" model. In the absence of such experience, the system was put together from several elements that had already been tried and tested in detail and were guaranteed to work, creating a problem-solving repertoire focused on education, treatment, care and support. One of the key aspects of this complex approach was the consistent enforcement of detention security.²⁰

¹³ The quotations are taken from interviews I conducted from 20 to 24 February 2023 at the Szeged Penitentiary and Prison.

¹⁴ The quoted section was generated with the assistance of machine translation.

¹⁵ ÉLES Éva - MATOVICS Csaba - TIKÁSZ Sándor: *A Szegedi Fegyház és Börtön hosszútávú fogvatartási tapasztalatai*. Börtönügyi Szemle, 2018/2, p. 34.

¹⁶ MATOVICS Csaba: *A Szegedi Fegyház és Börtön hosszútávú speciális rezsimű körletének működési tapasztalatai*. Börtönügyi Szemle, 2009/2, pp. 99 - 108.

¹⁷ op. cit. p. 101.

¹⁸ The quoted section was generated with the assistance of machine translation.

¹⁹ op. cit. p. 102.

²⁰ op. cit. p. 103

In designing the HSR unit, the committee's aim was to create a so-called "residential prison" with a dual mission: to ensure, as far as possible, meaningful living conditions for prisoners serving life sentences within the framework of the penal system, and to prevent acts that undermine prison security and the occurrence of extraordinary events.

The inmates have weekly consultations with a psychologist and are visited by a doctor. Specialist examinations and dental care are available on request at pre-arranged times.

There is little space available for organising leisure activities. The multifunctional activity room mentioned above provides a place for relaxation with a kitchenette, sports equipment, wall bars, table football, table tennis and a film corner.²¹

II. Experiences of the HSR unit at Szeged Prison immediately after its establishment

One of the supervisors serving in the HSR unit recalled that the majority of the prisoners assigned to move in had been known to them for years, individual treatment instructions had been prepared for each of them, and the team of supervisors formed a close-knit community. According to him, the initial strict security measures were relaxed over time, and the use of restraints was gradually phased out. He said that they tried to treat the prisoners in the same way as in other units, and that the most important thing for him was always that everyone could return home safely at the end of the day.²²

According to prison psychologist Éva Éles, those serving life sentences at Szeged Prison form a special group, only a small number of whom are assigned to the HSR unit. She said that the psychological work done with them is basically no different from that done with other prisoners, the difference being rather the special environment: the bars, the plexiglass, the presence of cameras. He said that psychologists initially feel anxious in this environment and need time to adapt to the circumstances and to the prisoners themselves.

According to Éles, the admission of a new inmate, a suicide, a death, the suffering of a terminally ill patient, or even institutional changes can pose a critical situation in the department. At the HSR, everything slows down, the implementation of the daily program becomes the most important thing, and the silence is frightening at first, but later becomes calming and even necessary for processing losses. In his experience, inmates gradually accept confinement and isolation over a long period of time and often even find it comfortable because they do not have to adapt to others. However, this weakens their adaptability, and in conflict situations they tend to represent their own interests, while the fundamental traits of their personality remain largely unchanged.²³

What was initially a question for prison staff was confirmed in the first few years of the HSR unit: some of the inmates sentenced to life imprisonment, just like other inmates serving long sentences, can be integrated without any problems into larger, multi-person cells after a certain period of time, where they have significantly more opportunities and activities available to them.²⁴

Nowadays, the HSR wing is no longer exclusively reserved for prisoners sentenced to LWOP, although there is a tendency for them to begin serving their sentences in this wing. It cannot be proven or predicted that extremely long prison sentences can only be served under such strictly regulated conditions. Similarly, it cannot be justified that individual prisoners cannot be placed in a "normal" prison ward, especially since their work, education and participation in cultural programmes can be organised much more smoothly in other educational groups within the prison. It is important to bear in

²¹ op. cit. p. 104.

²² ÉLES - MATOVICS - TIKÁSZ: *A Szegedi Fegyház és Börtön hosszúújdős fogvatartási tapasztalatai*. i. m., p. 32.

²³ ÉLES Éva: *A fogvatartottakkal kapcsolatos pszichológiai feladatok bemutatása, kiemelt témakörként ismertetve a tényleges életfogytiglanos fogvatartottakkal kapcsolatos kihívást*. Börtönügyi Szemle, 2019/2, pp. 5-11.

²⁴ ÉLES - MATOVICS - TIKÁSZ: *A Szegedi Fegyház és Börtön hosszúújdős fogvatartási tapasztalatai*. i. m., p. 33.: "Since reintegration cannot be a goal for this group of prisoners, our sole aim is to make prison socialisation as effective and simple as possible. The big question is therefore whether they will be able to socialise after HSR in a more open prison regime and with their fellow prisoners arriving from there." (The quoted section was generated with the assistance of machine translation.)

mind that the psychological state of prisoners changes dynamically during the course of their sentence: rebellious, hopeful and calm phases alternate in the individual prison life cycle.²⁵

One of the defining features of the HSR unit is isolated placement, the primary purpose of which is to enable prisoners assigned here to process their sentences and the traumas that preceded them in a professionally supported environment and to prepare themselves for cooperation with the prison service. This approach is in line with the original concept of the long-term section, according to which the HSR has a preparatory function in the initial phase of the prison sentence.

Convicts placed in this unit are first confronted with the special rules and experience the additional privileges they can obtain through cooperative behaviour, while uncooperative behaviour is met with consistent regime restrictions and limitations. The unit also offers various therapeutic options that contribute to the psychological stabilisation of prisoners and facilitate their subsequent reintegration.

Based on these characteristics, the HSR unit can be seen as a kind of "intermediate regime" that provides a transition to normal prison reintegration units through periodic reviews. The purpose of the time spent in the HSR is to prepare the prisoner to serve the remainder of their sentence in another prison or special reintegration unit, in a larger prison community.²⁶

The following quote is from the confession of a prisoner serving a life sentence. The confession highlights what the slower pace of life in the HSR wing meant to him in terms of experience and opportunity, and how he felt when he was transferred to the normal wing, among the other prisoners, in accordance with the decision: *„It's been ten years since the gates of the 'Star' closed behind me, so looking back, it doesn't seem like that long. Back then, I was immediately placed in the HSR unit and had no idea what life in a 'normal' unit would be like. As a result, I had no point of reference. I entered this closed world known as HSR, preparing for the 'life in a large cell' I had become accustomed to in pre-trial detention. It was shocking, but at the same time reassuring. It may sound strange, but it's true.*

I don't know how my fellow inmates sentenced to LWOP reacted to the final verdict, but I was devastated. In my state of mind at the time, the best decision the BV leadership could have made was not to place me in a community. Being crammed in with other convicts and trying to process the unprocessable seemed like an impossible task, and I am grateful that I did not have to fight that demon. Nevertheless, over the past decade, I have fought countless battles with the soul-destroying monster that is this way of life. The first ones were right there, at the HSR.

In that artificially slowed-down section of the prison, it may seem to someone entering for the first time that time has stopped. In a sense, this is true, but the days, months and years spent there make those who live there realise that this is far from the truth. The silence and tranquillity, which are shocking at first – almost overwhelming compared to the previous hustle and bustle – slowly sink into the convicts, who themselves become quiet and calm. The unstimulating environment, the lack of community programmes and the isolation of those living here kill the spirit over the years, but at the same time they protect the residents of the HSR. It is precisely this loneliness that has given me the opportunity to recalibrate my life. It was difficult and took a long time, but I have now reached the point where I know what I want from life. I took my first tentative steps on this path, struggling with myself, right there in that special microenvironment. I learned patience, self-control and self-awareness, and above all, to accept my fate. This does not mean that I have resigned myself to my situation, but rather that I am trying to become a better person while serving my sentence. Mainly so that when my time comes – because it will, I am sure of that – the people who will decide my future will be able to say: this person deserves a second chance. When I realised this, I had already been living in the HSR ward for four years. After that, this living space became very cramped for me in a very short time. I longed for community, for people, where I could experience the life-sustaining process of belonging to a community. After five years, the loneliest period of my life came to an end and I was transferred to a normal ward.

It was like being reborn, living among people – which I still do today – and it made me feel human. I was given a chance by the management, which I am living with, and since then, through new

²⁵ KISZELY Pál - NAGY István: Az idő rabságában. Börtönügyi Szemle, 2012/3, p. 11.

²⁶ ÉLES - MATOVICS - TIKÁSZ: A Szegedi Fegyház és Börtön hosszúdós fogvatartási tapasztalatai. i. m., p. 30.

impulses, this closed world inside has expanded before me. I go to school, I have grown to love learning, and I learn values and acceptance from my teachers beyond the curriculum."²⁷

III. International research on the conditions and practice of actual life imprisonment²⁸

The study of the effects of imprisonment has a long history in the field of prison sociology. Much of the research focuses on prisoners sentenced to life imprisonment or long-term imprisonment, and on institutions where heightened security measures are in place and prisoners often serve indefinite sentences. However, the results are far from uniform. The scale ranges from the completely destructive effect of life imprisonment on personality to its complete ineffectiveness.²⁹ This difference stems in part from the different approaches of researchers: sociologists mainly use qualitative methods, while psychiatrists and psychologists generally use quantitative methods. Another important factor is that they focus only on individual prisoners.³⁰ These differences inevitably make it difficult to summarise the overall effects of life imprisonment.

For prisoners serving actual life sentences, the challenge is not only the prospect of spending many years in prison, but also the knowledge that they are likely to remain there for the rest of their lives. According to a 2013 survey conducted in the United States by the , many consider their situation to be an alternative form of execution. They often describe their punishment as „*the other another death penalty*”, „*slow death*” or „*a fate worse than death*”, while referring to themselves as „*living dead*”.³¹

They consider their punishment inhumane because it does not offer them the possibility of parole, which also means a complete loss of hope:

*„It's a persistent dashing of hopes as appeal after appeal is arbitrarily denied, as well as a permanent experiment in self-delusion as you strive to convince yourself that there is still hope. It's a compounding of second upon second, minute upon minute, hour upon hour, of wasted existence, and decade upon decade of mental and emotional torture culminating in death. It's a death by incarceration.”*³²

These prisoners are particularly affected by the gradual breakdown of personal relationships, which they often compare to the experience of death. Over time, they typically maintain contact with fewer and fewer people, and the amount of communication steadily decreases. They report feelings of deep loneliness as family ties weaken and relatives die while they remain behind prison walls.

„I had to deal with the fact that I was never going home, and all the attendant grief that went along with my time.... Most devastating was dealing with the loss of my children. Their absence from my life left me bereft....[I]n the frenzy of my grief, the only solution I could imagine when I contemplated

²⁷ The quoted section was generated with the assistance of machine translation.

²⁸ This chapter is based on the ideas and research findings presented in the book *Life Imprisonment: A Global Human Rights Analysis* by Dirk van Zyl Smit and Catherine Appleton (ZYL SMIT, Dirk - APPLETON, Catherine, *Life Imprisonment: A Global Human Rights Analysis*, Harvard University Press, Cambridge, Massachusetts - London, England, 2019).

²⁹ RASCH, Wilfried: *The Effects of Indeterminate Detention: A Study of Men Sentenced to Life Imprisonment*. *International Journal of Law and Psychiatry*, 4 (1981), pp. 417-431; BANISTER, P. - SMITH, F. - HESKIN, K. - BOLTON, N.: *Psychological Correlates of Long-Term Imprisonment I: Cognitive Variables*. *British Journal of Criminology*, 13 (1973), pp. 312-323; BANISTER, P. - SMITH, F. - HESKIN, K. - BOLTON, N.: *Psychological Correlates of Long-Term Imprisonment II: Personality Variables*. *British Journal of Criminology*, 13 (1973), pp. 323-330; LIEBLING, Alison - MARUNA, Shadd: *Introduction*. In: LIEBLING, Alison - MARUNA, Shadd (eds.): *The Effects of Imprisonment*. Cullompton, Devon, Willan, 2005.

³⁰ LIEBLING, Alison: *Prisons and Their Moral Performance: A Study of Values, Quality and Prison Life*. Oxford, Oxford University Press, 2004.

³¹ HARTMAN, Kenneth (ed.): *Too Cruel, Not Unusual Enough: An Anthology Published by the Other Death Penalty Project*. Lancaster, The Other Death Penalty Project, 2013, pp. 173, 29, 125 and 147.

³² DOLE, Joseph: *The Meaning of Life*. In: HARTMAN, Kenneth (ed.): *Too Cruel, Not Unusual Enough: An Anthology Published by the Other Death Penalty Project*. Lancaster, The Other Death Penalty Project, 2013, p. 124.

the loss of my children and freedom was death....I fantasized about elaborate plans to kill myself .As an intelligent, creative woman, I knew that I would be able to pull it off without being caught."³³

For prisoners serving actual life sentences, the punishment is not only psychological but also involves significant physical hardship. Research shows that they often face inadequate medical care and are completely at the mercy of the prison system in this regard. In a Leigey study conducted by the in the United States, several elderly prisoners reported that their fellow inmates had died from illnesses that could have been treated in a free society.³⁴

According to both individual accounts and empirical research, the prospect of dying in prison is particularly distressing for the prisoners concerned. For older prisoners, this expected outcome represents a significant psychological burden, which further reinforces their anxiety about dying. Although hospice care is provided in some institutions, it is often not considered sufficiently humane due to the prison environment in which it is provided. Even if the care is professionally adequate, the absence of family members and the inner conviction that dying in prison has a stigmatising effect not only on prisoners but also indirectly on their relatives exacerbates the last days.^{35 36 37}

In the case of prisoners serving actual life sentences, an additional difficulty is that, due to the nature of their punishment, they have no chance of reintegration into society and are therefore not usually provided with rehabilitation programmes. Consistent exclusion from such programmes sends them the message that their lives are worthless in the eyes of society, that they have no chance of improvement, and that any efforts they make to improve themselves are futile.³⁸

Hopelessness and complete lack of prospects are the factors that clearly distinguish prisoners serving life sentences from other prisoners. Victor Hassine, who himself served such a sentence, recounted his life in various editions of his book *Life without Parole: Living in Prison Today*, which began in 1981. In his work, he reflected on the pain and deprivation associated with the sentence, which defined his daily life behind bars.³⁹ He hoped that by devoting his life in prison to helping others and improving prison conditions, the parole board would eventually grant his request for clemency. After serving 27 years of his sentence, he submitted a clemency petition to the board, but the members rejected it without consideration. Shortly after learning of the decision, Hassine committed suicide in prison.⁴⁰

A similar case is that of John MacKenzie in New York, who was sentenced to life imprisonment and was granted the possibility of review after 25 years. Despite his exemplary behaviour in prison, the committee repeatedly rejected his request for parole, citing only the seriousness of his crime. MacKenzie spent a total of 41 years behind bars before committing suicide in July 2016. The court later criticised

³³ GEORGE, Erin: *A Woman Doing Life: Notes from a Prison for Women*. New York, Oxford University Press, 2010, pp. 31-32.

³⁴ LEIGEY, Margaret: *The Forgotten Men: Serving a Life without Parole Sentence*. New Brunswick, Rutgers University Press, 2015, p. 127.

³⁵ BOLGER, Maggie: *Offenders*. In: OLIVIERE, David - MONROE, Barbara (eds.): *Death, Dying and Social Differences*. New York, Oxford University Press, 2004, p. 139; See also: ADAY, Ronald - WAHIDIN, Azrini: *Older Prisoners' Experiences of Death, Dying and Grief behind Bars*. *Howard Journal of Crime and Justice*, 55 (2016), pp. 312-327.

³⁶ HANDTKE, Violet - BRETSCHNEIDER, Wiebke - ELGER, Bernice - WANGMO, Tenzin: *The Collision of Care and Punishment: Ageing Prisoners' View on Compassionate Release*. *Punishment and Society*, 19 (2017), pp. 5-22, p. 6.

³⁷ See also: ADAY, Ronald - WAHIDIN, Azrini: *Older Prisoners' Experiences of Death, Dying and Grief behind Bars*. *Howard Journal of Crime and Justice*, 55 (2016), pp. 312-327.

³⁸ WILLIS, Anthony - ZAITZOW, Barbara: *Doing "Life": A Glimpse into the Long-Term Incarceration Experience*. *Laws*, 4 (2015), pp. 559-578; See also: NELLIS, Ashley: *For Henry Montgomery - A Catch 22*. 28 February 2018. Available at: <https://www.themarshallproject.org/2018/02/28/for-henry-montgomery-a-catch-22> (Downloaded on 29 July 2025).

³⁹ HASSINE, Victor: *Life without Parole: Living in Prison Today*. 2nd ed. Los Angeles, Roxbury Publishing Company, 1999; See also: JOHNSON, Robert - TABIZ, Sonia (eds.): *Life without Parole: Living and Dying in Prison Today*. New York, Oxford University Press, 2011.

⁴⁰ SCHAUER, Edward: *Book Review: Life without Parole: Living and Dying in Prison Today (5th ed.)*, by Victor Hassine, edited by Robert Johnson and Sonia Tabriz. *Southwest Journal of Criminal Justice*, 8 (2011), pp. 177-178.

the committee's practice of failing to take into account other relevant factors, such as positive changes in the prisoner's personality.⁴¹

Convicts serving this type of sentence often have to spend part of their time in solitary confinement or maximum security units. These prisoners are usually separated from other inmates and kept in closed cells for 22 to 24 hours a day under strict supervision, with no human contact or sensory stimulation.⁴² Such isolation is used either because these prisoners are considered dangerous or, conversely, because it is felt that they need to be protected from other prisoners for some reason.⁴³ Research conducted in the United States has shown that prolonged isolation and time spent in solitary confinement cause psychological trauma in a very high proportion of inmates held in solitary confinement.⁴⁴ Haney pointed out that the complete isolation and sensory deprivation of solitary confinement causes a number of psychiatric symptoms, including heightened negative emotions and attitudes, insomnia, anxiety, panic, withdrawal, hypersensitivity, manic thoughts, cognitive impairment, hallucinations, loss of control, irritability, aggression, paranoia, hopelessness, depression, feelings of emotional breakdown, self-mutilation, and suicidal thoughts and behaviour.⁴⁵ A growing body of research shows that in severe cases, the effects of solitary confinement can lead to "extreme self-mutilation," and the rate of suicide in solitary confinement far exceeds that of the normal prison population.⁴⁶ Nearly 50% of prisoners who commit suicide do so while in solitary confinement.⁴⁷

It is significant that prisoners serving actual life sentences are considered more dangerous than other prisoners. Some believe that these sentences create a new type of prisoner who is prone to violence and uncontrollable because they have nothing to lose.⁴⁸ Empirical research, however, shows that the majority of prisoners serving LWOP are less prone to disorderly conduct or violence in prison than those serving life sentences with the possibility of parole.⁴⁹ According to Johnson and McGunigall-Smith, many actual life- e prisoners try to avoid trouble in prison, knowing that the privileges they have acquired can easily be lost, and strive to maintain a stable, conflict-free environment. The researchers explain: "Any serious breach of the rules threatens the rhythm of life that these prisoners have

⁴¹ MacKenzie v. Stanford, Index No. 2789/15, at 1*-2* (N.Y. Sup. Ct. 2016); *A Challenge to New York's Broken Parole Board*. *New York Times*, 13 June 2016, p. 18; GOLDSTEIN, Joseph: *Merciless End for a Long Island Cop Killer*. *New York Times*, 28 October 2016.

⁴² CASELLA, Jean - RIDGEWAY, James - SHOURD, Sarah (eds.): *Hell Is a Very Small Place: Voices from Solitary Confinement*. New York, New Press, 2016; LIEM, Marieke: *After Life Imprisonment: Reentry in the Era of Mass Incarceration*. New York, New York University Press, 2016; RHODES, Lorna: *Total Confinement: Madness and Reason in the Maximum Security Prison*. Berkeley - Los Angeles, University of California Press, 2004.

⁴³ SHALEV, Sharon: *Supermax: Controlling Risk through Solitary Confinement*. Cullompton, Willan, 2009.

⁴⁴ HANEY, Craig: *Mental Health Issues in Long-Term Solitary and 'Supermax' Confinement*. *Crime and Delinquency*, 49 (2003), pp. 124-156; HANEY, Craig - LYNCH, Mona: *Regulating Prisons of the Future: The Psychological Consequences of Solitary and Supermax Confinement*. *New York University Review of Law and Social Change*, 23 (1997), pp. 477-570; SCHARFF-SMITH, Peter: *The Effects of Solitary Confinement on Prison Inmates: A Brief History and Review of the Literature*. *Crime and Justice*, 34 (2006), pp. 441-528; SHALEV, Sharon: *Supermax: Controlling Risk through Solitary Confinement*. Cullompton, Willan, 2009.

⁴⁵ HANEY, Craig: *Mental Health Issues in Long-Term Solitary and 'Supermax' Confinement*. *Crime and Delinquency*, 49 (2003), pp. 130-131.

⁴⁶ CASELLA, Jean - RIDGEWAY, James: *Introduction*. In: CASELLA, Jean - RIDGEWAY, James - SHOURD, Sarah (eds.): *Hell Is a Very Small Place: Voices from Solitary Confinement*. New York, New Press, 2016, p. 11.

⁴⁷ KABA, Fatos - LEWIS, Andrea - GLOWA-KOLLISCH, Sarah - HADLER, James - LEE, David - ALPER, Howard - SELLING, Daniel - MACDONALD, Ross - SOLIMO, Angela - PARSONS, Amanda - VENTERS, Homer: *Solitary Confinement and Risk of Self-Harm among Jail Inmates*. *American Journal of Public Health*, 104 (2014), pp. 442-447.

⁴⁸ STEWART, Jim - LIEBERMAN, Paul: *What Is This New Sentence That Takes away Parole?* *Student Lawyer*, 11 (1982), pp. 14-17, p. 16; See also: BLAND, Archie: *Crime and Punishment: Why Throwing away the Key Doesn't Work*. *Independent*, 13 March 2014. Available at: <http://www.independent.co.uk/news/uk/crime/crime-and-punishment-why-throwing-away-the-key-doesnt-work-9039185.html> (Downloaded on: 02.08.2025).

⁴⁹ REIDY, Thomas - CUNNINGHAM, Mark - SORENSEN, Joe: *From Death to Life: Prison Behaviour of Former Death Row Inmates*. *Criminal Justice and Behaviour*, 28 (2001), pp. 67-82; CUNNINGHAM, Mark - SORENSEN, Jon: *Nothing to Lose? A Comparative Examination of Prison Misconduct Rates among Life-without-Parole and Other Long-Term High-Security Inmates*. *Criminal Justice and Behaviour*, 33 (2006), pp. 683-705; APPLETON, Catherine: *Life without Parole*. In: *Oxford Handbooks Online*. Oxford, Oxford University Press, 2015; LEIGEY, Margaret: *The Forgotten Men: Serving a Life without Parole Sentence*. New Brunswick, Rutgers University Press, 2015.

established over a long period of time. An act of violence, even if committed in self-defence, disrupts the normal way of life of prisoners serving life sentences. In such cases, they are isolated and have to start prison life practically from scratch: in a new environment, with new neighbours, new staff, few resources, but with a lot to prove. By maintaining their routine, they are able to avoid conflict, thereby gaining some control over their daily lives in the uncertain world of prison and making it safer.⁵⁰ Leo Lalonde, an employee of the Michigan Corrections Department, said: "After a few years, life prisoners become the best prisoners. They usually adapt and simply fill their time. They have a calming effect on younger prisoners; there are many more problems with those serving short sentences."⁵¹ Leigey's sociological study, which analysed the situation of 25 elderly prisoners serving actual life sentences in the United States, concluded that the participants were not only able to survive decades of imprisonment, but also drew on their inner resources to learn new skills and sought to spend their time in prison in a meaningful way. The key to their resilience lay in facing their personal problems, developing new skills, and engaging in activities that were personally meaningful to them. They attributed their resilience and ability to endure the hardships of long-term imprisonment to a "positive attitude," which in some cases was fuelled solely by the hope of clemency, even though the chances of this were slim.⁵²

Although most research on the experience of actual life imprisonment has been conducted in the United States, a small-scale study by Liem and colleagues in the Netherlands raised similar concerns about long-term imprisonment.⁵³ Research conducted in Dutch prisons has shown that, compared to prisoners serving long sentences, the main concerns among prisoners sentenced to actual life imprisonment are increased uncertainty, a feeling that life is meaningless, fear of mental deterioration and the impact of the depressing prison environment. According to the study, many prisoners serving life sentences did not accept the finality of their sentence in the early stages of their imprisonment and focused their energy on the appeal process. This served as a key coping mechanism in the initial period, as the hope that the sentence might be overturned helped to suppress the awareness of the finality of the punishment.⁵⁴

Prisoners participating in the Dutch studies were also confronted with the complete hopelessness of their punishment and often emphasised the incomprehensibility of its purpose. Their responses indicated that, if they had had a choice, they would have preferred the death penalty to life imprisonment.⁵⁵

There was a sharp contrast between prisoners serving fixed-term sentences and those serving life sentences in the Netherlands. The majority of the latter had completely broken off contact with the outside world and expressed strong concerns about the meaninglessness of their lives and the futility of their existence. Many prisoners lacked access to education, work and rehabilitation programmes and were particularly concerned about the consequences of mental decline. According to the research, many of them had also contemplated suicide.

At the international level, many prisoners experience actual life imprisonment as a form of the death penalty. Although less direct and coercive than execution, the inevitability of death in prison fundamentally determines their daily existence. Due to the lack of any possibility of parole, many prisoners feel deprived of their human dignity, of any meaning in life and of any hope for the future.

⁵⁰ JOHNSON, Robert - DOBRZANSKA, Sandra: *Mature Coping among Life-Sentenced Inmates*. [Journal name], [year], p. 36; See also: CULLEN, Eric - NEWELL, Tim: *Murderers and Life Imprisonment: Containment, Treatment, Safety and Risk*. Winchester, Waterside Press, 1999, p. 78.

⁵¹ DIETER, Richard C.: *Sentencing for Life: Americans Embrace Alternatives to the Death Penalty*. Washington, D.C., Death Penalty Information Center, 1993. Available at: [<https://deathpenaltyinfo.org/sentencing-life-americans-embrace-alternatives-death-penalty>] (Downloaded on: 02.08.2025).

⁵² LEIGEY, Margaret: *The Forgotten Men: Serving a Life without Parole Sentence*. New Brunswick, Rutgers University Press, 2015, p. 130.

⁵³ LIEM, Marieke C. A. - VAN KUIJCK, Y. A. J. M. - RAES, B. C. M.: *Detentiebeleving van (levens)langgestraften. Een empirische pilotstudie. Delikt en Delinkwent*, 2 (2016), pp. 10-29.

⁵⁴ op. cit. p. 17

⁵⁵ op. cit. p. 19

Bibliography

1. ADAY, Ronald – WAHIDIN, Azrini: Older Prisoners' Experiences of Death, Dying and Grief behind Bars. *Howard Journal of Crime and Justice*, 55 (2016), pp. 312–327. DOI: <https://doi.org/10.1111/hojo.12172>
2. APPLETON, Catherine: Life without Parole. In: *Oxford Handbooks Online*. Oxford, Oxford University Press, 2015. DOI: <https://doi.org/10.1093/oxfordhb/9780199935383.013.25>
3. BANISTER, P. – SMITH, F. – HESKIN, K. – BOLTON, N.: Psychological Correlates of Long-Term Imprisonment I–II. *British Journal of Criminology*, 13 (1973), pp. 312–323; 323–330. DOI: <https://doi.org/10.1093/oxfordjournals.bjc.a046481>
4. BOLGER, Maggie: Offenders. In: OLIVIERE, David – MONROE, Barbara (szerk.): *Death, Dying and Social Differences*. New York, Oxford University Press, 2004. DOI: <https://doi.org/10.1093/acprof:oso/9780199599295.001.0001>
5. CASELLA, Jean – RIDGEWAY, James – SHOURD, Sarah (szerk.): *Hell Is a Very Small Place: Voices from Solitary Confinement*. New York, New Press, 2016.
6. COHEN, Stanley – TAYLOR, Laurie: *Psychological Survival: The Experience of Long-Term Imprisonment*. Harmondsworth, Penguin Books, 1972. DOI: <https://doi.org/10.1177/089124167300200111>
7. CSÓTI András: A magyar börtönügy új kihívása: a tényleges életfogytig tartó szabadságvesztés. *Börtönügyi Szemle*, 2005/2.
8. CULLEN, Eric – NEWELL, Tim: *Murderers and Life Imprisonment: Containment, Treatment, Safety and Risk*. Winchester, Waterside Press, 1999. DOI: <https://doi.org/10.1002/cbm.435>
9. CUNNINGHAM, Mark – SORENSEN, Jon: Nothing to Lose? A Comparative Examination of Prison Misconduct Rates among Life-without-Parole and Other Long-Term High-Security Inmates. *Criminal Justice and Behavior*, 33 (2006), pp. 683–705. DOI: <https://doi.org/10.1177/0093854806288273>
10. DOLE, Joseph: The Meaning of Life. In: HARTMAN, Kenneth (szerk.): *Too Cruel, Not Unusual Enough: An Anthology Published by the Other Death Penalty Project*. Lancaster, The Other Death Penalty Project, 2013.
11. ÉLES Éva: A fogvatartottakkal kapcsolatos pszichológiai feladatok bemutatása, kiemelt témakörként ismertetve a tényleges életfogytiglanos fogvatartottakkal kapcsolatos kihívást. *Börtönügyi Szemle*, 2019/2, pp. 5–11.
12. ÉLES Éva – MATOVICS Csaba – TIKÁSZ Sándor: A Szegedi Fegyház és Börtön hosszúidős fogvatartási tapasztalatai. *Börtönügyi Szemle*, 2018/2.
13. FLANAGAN, Timothy (szerk.): *Long-Term Imprisonment: Policy, Science, and Correctional Practice*. London, Sage Publications, 1995. DOI: <https://doi.org/10.4135/9781483327228.n1>
14. GARAMI Lajos: Élő halottak? A tényleges életfogytiglani szabadságvesztés végrehajtásának problémái. *Börtönügyi Szemle*, 1999/2, pp. 56–63.
15. GEORGE, Erin: *A Woman Doing Life: Notes from a Prison for Women*. New York, Oxford University Press, 2010.
16. GOFFMAN, Erving: *Asylums*. London, Penguin, 1961.
17. GOLDSTEIN, Joseph: Merciless End for a Long Island Cop Killer. *New York Times*, 2016. október 28.
18. HANEY, Craig: Mental Health Issues in Long-Term Solitary and 'Supermax' Confinement. *Crime and Delinquency*, 49 (2003), pp. 124–156. DOI: <https://doi.org/10.1177/001128702239239>
19. HANEY, Craig – LYNCH, Mona: Regulating Prisons of the Future: The Psychological Consequences of Solitary and Supermax Confinement. *New York University Review of Law and Social Change*, 23 (1997), pp. 477–570.
20. HANDTKE, Violet – BRETSCHNEIDER, Wiebke – ELGER, Bernice – WANGMO, Tenzin: The Collision of Care and Punishment: Ageing Prisoners' View on Compassionate Release. *Punishment and Society*, 19 (2017), pp. 5–22. DOI: <https://doi.org/10.1177/1462474516644679>
21. HARTMAN, Kenneth (szerk.): *Too Cruel, Not Unusual Enough: An Anthology Published by the Other Death Penalty Project*. Lancaster, The Other Death Penalty Project, 2013.
22. HASSINE, Victor: *Life without Parole: Living in Prison Today*. Los Angeles, Roxbury Publishing Company, 1999.

23. JOHNSON, Robert – DOBRZANSKA, Sandra: Mature Coping among Life-Sentenced Inmates.
24. JOHNSON, Robert – TABRIZ, Sonia (szerk.): *Life without Parole: Living and Dying in Prison Today*. New York, Oxford University Press, 2011.
25. KABA, Fatos – LEWIS, Andrea – GLOWA-KOLLISCH, Sarah – HADLER, James – LEE, David – ALPER, Howard – SELLING, Daniel – MACDONALD, Ross – SOLIMO, Angela – PARSONS, Amanda – VENTERS, Homer: Solitary Confinement and Risk of Self-Harm among Jail Inmates. *American Journal of Public Health*, 104 (2014), pp. 442–447. DOI: <https://doi.org/10.2105/ajph.2013.301742>
26. KISZELY Pál – NAGY István: Az idő rabságában. *Börtönügyi Szemle*, 2012/3.
27. LEIGEY, Margaret: *The Forgotten Men: Serving a Life without Parole Sentence*. New Brunswick, Rutgers University Press, 2015. DOI: <https://doi.org/10.1086/685708>
28. LIEM, Marieke: *After Life Imprisonment: Reentry in the Era of Mass Incarceration*. New York, New York University Press, 2016.
29. LIEM, Marieke C. A. – VAN KUIJCK, Y. A. J. M. – RAES, B. C. M.: Detentiebeleving van (levens)langgestraften. *Delikt en Delinkwent*, 2 (2016), pp. 10–29.
30. LIEBLING, Alison: *Prisons and Their Moral Performance: A Study of Values, Quality and Prison Life*. Oxford, Oxford University Press, 2004. DOI: <https://doi.org/10.1093/oso/9780199271221.001.0001>
31. LIEBLING, Alison – MARUNA, Shadd (szerk.): *The Effects of Imprisonment*. Cullompton, Willan, 2005. DOI: <https://doi.org/10.4324/9781843926030>
32. MacKenzie v. Stanford, Index No. 2789/15 (N.Y. Sup. Ct. 2016).
33. MATOVICS Csaba: A Szegedi Fegyház és Börtön hosszútávú speciális rezsimű körletének működési tapasztalatai. *Börtönügyi Szemle*, 2009/2, pp. 99–108.
34. PAPP László: Mindörökké rács mögött. Szükség van-e a tényleges életfogytig tartó szabadságvesztésre? *De Jure*, 2007/2, pp. 22–25.
35. RASCH, Wilfried: The Effects of Indeterminate Detention: A Study of Men Sentenced to Life Imprisonment. *International Journal of Law and Psychiatry*, 4 (1981), pp. 417–431. DOI: [https://doi.org/10.1016/0160-2527\(81\)90010-8](https://doi.org/10.1016/0160-2527(81)90010-8)
36. REIDY, Thomas – CUNNINGHAM, Mark – SORENSEN, Joe: From Death to Life: Prison Behaviour of Former Death Row Inmates. *Criminal Justice and Behavior*, 28 (2001), pp. 67–82. DOI: <https://doi.org/10.1177/0093854801028001003>
37. RHODES, Lorna: *Total Confinement: Madness and Reason in the Maximum Security Prison*. Berkeley – Los Angeles, University of California Press, 2004.
38. SCHARFF-SMITH, Peter: The Effects of Solitary Confinement on Prison Inmates: A Brief History and Review of the Literature. *Crime and Justice*, 34 (2006), pp. 441–528. DOI: <https://doi.org/10.1086/500626>
39. SHALEV, Sharon: *Supermax: Controlling Risk through Solitary Confinement*. Cullompton, Willan, 2009.
40. SHAUER, Edward: Book Review: *Life without Parole: Living and Dying in Prison Today*. *Southwest Journal of Criminal Justice*, 8 (2011), pp. 177–178.
41. STEWART, Jim – LIEBERMAN, Paul: What Is This New Sentence That Takes away Parole? *Student Lawyer*, 11 (1982), pp. 14–17.
42. SYKES, Gresham: *The Society of Captives*. Princeton, Princeton University Press, 1958.
43. van Zyl Smit, Dirk – Appleton, Catherine: *Life Imprisonment: A Global Human Rights Analysis*.
44. WILLIS, Anthony – ZAITZOW, Barbara: Doing “Life”: A Glimpse into the Long-Term Incarceration Experience. *Laws*, 4 (2015), pp. 559–578. DOI: <https://doi.org/10.3390/laws4030559>