

Research design

Independent expert commission on administrative detention

(as of 10 May 2016)

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Introduction

1. Preamble

The starting point of the research design on hand is the research programme adopted by the Independent expert commission on administrative detention (IEC) on 26 May, 2015. The national and international reviews obtained subsequently as well as the statements given by the commission members, provided important information for substantiating the overall project as well as the individual research assignments.

The research design serves as a working guide for all IEC employees and at the same time is aimed at all interested readers.

a) General

The IEC is carrying out research into administrative detention in Switzerland, including its relationship to other coercive welfare measures and out-of-home residential placements, particularly custodial detention. Administrative detention is generally defined as internment on behalf of the social welfare system, the legal basis of which applied up until 1981, but which has since then been revised or, respectively, rescinded.

The IEC research programme explores the beliefs of the country, the state, the law, society and the individual upon which the government measures were based. Moreover, the biographical experiences of those affected, their coping strategies and the way in which society dealt with administrative detention will all be examined.

The aim of the research is to make transparent and evaluate the structures of government interventions; to name the institutions and individuals responsible; to characterise the affected group and document the personal ways they dealt with the situation. This also includes – as far as can be reconstructed – calculating the quantitative scope of the affected groups of persons. The focus of the review is on contemporary history, which comprises events and developments since the 1930s up to the present. It will be necessary to refer back to the 19th century for some subjects.

Up until a short time ago only very few monographs existed on the practice of administrative detention that referenced individual cantons or institutions. This trend continues in the latest

studies, particularly those commissioned on behalf of the cantons (see '*Forschungsprojekte zu fürsorglichen Zwangsmassnahmen in der Schweiz*' ('Research projects on enforced welfare measures in Switzerland') list at www.uek-administrative-versorgungen.ch). These studies establish an important foundation for further research works.

The structure of the IEC project makes it unique. Firstly, it takes an overall Swiss perspective and aspires to impart the most comprehensive and detailed knowledge as possible to the broader public. Based on studies of comparative examples from other countries, the project will also contextualise and evaluate Swiss detention practices using international comparisons.

b) Terminology and research areas

Special challenges for research are posed by the federal structures and the principle of subsidiarity in Switzerland, the often overarching responsibilities of private and public welfare as well as the coupling of administrative detention with other enforced welfare measures. This results in a high degree of complexity along the lines of regional languages, the cantons, religion, economics and social characteristics and developments with reference to terminology and research access.

The issue of **terminology** is a complex and delicate element in this research, primarily for two reasons that we feel it important to explain here:

The first is inherent to our research topic, and entails scientific implications. The measures of deprivation of liberty with the aim of social prophylaxis are reliant on a number of decision-making bodies and are administered by a variety of legal provisions. In addition, these take place in a number of contexts, be they social, economic, denominational or linguistic. The terminology used to refer to these measures reflects said plurality; it is constantly in flux and sometimes difficult to define. Identifying and defining the semantic, but equally the legal, framework from a historic perspective pertaining to administrative detention forms an integral part of our research work.

The second reason is connected with the communication of our work and its implication for victims and the people affected, with the primary challenge being social and political factors, as well as the production of our research work itself. The issue of the terms used to designate the people affected by socially-motivated coercion and those motivated to share their collective and individual experience of these measures has been raised as part of the activities of the *Round table for the victims of coercive measures for the purpose of extrafamilial placement and support prior to 1981*. The representatives of the victims have requested that non-

stigmatising language be used by the researchers.. We will be mindful of these recommendations and refer to the final report of the *Round table* (2014) with regards to the definitions of the terms of "victim", "person affected" and "culprit". It is nevertheless worth noting that the categorisation of interned people entails specific, stigmatising terminology. These people were qualified as "lazy", "deviant", "dangerous", "devoted to misconduct" etc. These terms are an intrinsic part of a process of hierarchisation, stigmatisation and the alienation of groups of people - a process which we wish to make understood in context. We will therefore have to tell the history of these terms and, as a result, that of their discriminatory effects. This concerns putting their production, utterance and meaning over the course of the period studied into context.

The scientific, social and political challenges presented by the issue of terminology are highly interrelated. They come from choices that help to respond better to the mandate assigned by the Confederation in response to the requests of the *Round table*. In other words, it is both a question of producing a historic study according to ad hoc scientific quality criteria and of, through its distribution and communication, offering victims as well as people affected and interested parties a democratic tool to continue political debate regarding measures of socially-motivated coercion, intending to recognise the injustices suffered, to determine responsibilities and to question the current practices of imprisonment and detention. This research project includes as many of the 26 cantons as possible in its **research area**. Diverse methodological approaches will be used to explore specific issues and examples in the different research fields. Different research perspectives will be taken into account here: In addition to the cantons as reference values, individual, local, regional, inter-canton, national and international perspectives will be incorporated.

In principle, differentiation will be made between two analysis levels: the first identifies and analyses the legal bases in all cantons and reconstructs the quantitative extent of administrative detention. the second carries out exemplary studies in the research fields based on samples from 13 cantons. One canton from Romandy and one from German-speaking Switzerland will be included in all fields of the research. Cantons, municipalities and institutes that are exemplary of the diversity of administrative detention will be selected for the sample. Factors that decisively shaped detention practices will be taken into consideration during the selection. Amongst other things, this includes the various language regions in Switzerland, the religious setting and the contrast between the city and country.

The aim is to use the results of the individual research fields to create an overall picture of detention practices in Switzerland, while at the same time allowing regional and local characteristics to be pinpointed. Different criteria is placed in the spotlight when analysing the norms, discourses and practices as well as persons involved and affected, depending on the research field. The selection of cantons and institutions (cf. table in the Appendix, p. 37) comprises a combination of these criteria, which will be explained in the reports on the individual research fields.

The different legal bases, codes of practice and institutional settings are decisive, as well as the economic, religious, social, political and language characteristics in the cantons. The selection also takes into account quantitative statistical information on population, the institution and the sanctions. Not least, the situation regarding sources and access to them in the archives as well as commercial considerations also play a role. Ultimately the interfaces of the research fields are important to be able to correlate quantitative and qualitative surveys and analyse reciprocal relationships between norms and practice as well as between the sanctions, biographies, experiences and consequences.

The study is carried out based on the current state of research and supplementary to research projects that either have already been concluded, are ongoing or are in planning (see '*Forschungsprojekte zu fürsorgerischen Zwangsmassnahmen in der Schweiz*' (Research projects on coercive welfare measures in Switzerland) list at www.uek-administrative-versorgungen.ch).

c) Research fields

The research design has been developed in cooperation with staff, and in agreement with the specialist committees and in mutual exchanges by the research leaders since the start of 2016. It incorporates the prescribed partitioning into research fields and projects (B to E) and one basic field (A). Work in each field is carried out by a specialised research group, whose teams work closely together at the thematic interfaces and create organisational synergies.

Basic field A:

Committee: Beat Gnädinger, Thomas Huonker, Loretta Seglias

A1 'Interviews/oral history database':

Research manager: Sara Zimmermann

Research team: Danielle Berthet, Claudio Conidi, Daniel Lis, Laurence Kohli (interviews); Gioia Bulundwe, Noémie Christen, Laura Schneider (transcription)

A2 'Communication':

Research manager: Elie Burgos

Research team: Joséphine Métraux, Mélanie Fournier

A3 'Quantity structure / quantitative analysis'

Research manager: Elie Burgos

Research team: Ernst Guggisberg, Marco Dal Molin

Research field B: 'Overview and legal bases / legitimisation and delegitimation of administrative detention'

Committee: Jacques Gasser, Lukas Gschwend, Anne-Françoise Praz

Research manager: Christel Gumy

Research team: Noemi Dissler, Nicole Gönitzer, Sybille Knecht, Ludovic Maugué

Research field C: 'Legal practice and expertise'

Committee: Jacques Gasser, Lukas Gschwend, Thomas Huonker

Research manager: Sara Galle, Nadja Ramsauer

Research team: Rahel Bühler, Flavia Grossmann, Matthieu Lavoyer, Michael Mülli, Emmanuel Neuhaus

Research field D: 'Institutional practice'

Committee: Gisela Hauss, Martin Lengwiler, Anne-Françoise Praz

Research manager: Loretta Seglias

Research team: Vanessa Bignasca, Mirjam Häsler, Alix Heiniger, Kevin Heiniger, Deborah Morat

Research field E: 'Biographies and life stories'

Committee: Gisela Hauss, Martin Lengwiler, Loretta Seglias

Research manager: Thomas Huonker, Peter Schallberger

Research team: Ruth Ammann, Marco Nardone, Lorraine Odier, Alfred Schwendener

2. Coordination

The IEC is just one part of current scientific reviews dealing with all groups of persons affected by coercive welfare measures in Switzerland prior to 1981.

Alongside the administrative internees, there are very many more who are uncertain of their family background as a result of forced adoption; who, due to discriminatory practices or placement in often unfavourable foster care relationships, were removed from their parents and also often separated from their siblings – indentured child labourers or children placed

in homes; the adult victims of forced abortions or forced sterilisations as well as those affected by marriage prohibition and concubinage. For those who were subject to forced adoption and foster care, it was often the case that their biological parents were affected by coercive welfare measures. Many of the victims were affected in multiple ways.

The scientific review of the social situation and governmental or other institutional treatment of these affected groups is intended to take place within the scope of further projects conducted by the Swiss National Science Fund national research programme. This is in planning and will be launched at the beginning of 2017.

Moreover, there are currently several (primarily at canton level) projects beginning in the cantons of Appenzell Innerrhoden, Grisons and Thurgau. The focus of these studies is coercive welfare measures prior to 1981. There are also many individual projects (bachelor, master, doctoral and habilitation theses) researching this subject, which has been a key topic of socio-scientific interest for several years now, whether based on individual regions or institutions or individual life stories of the persons affected.

The flow of information and scientific exchange of knowledge are central elements of the scientific review process. This applies both to the exchange of information within the different research areas of the IEC as well as between all projects as far as possible in this overall Swiss research field. Endeavours will be made to establish a broad network of similar research in other countries. To promote this exchange of information and thus also to provide coordination support, the IEC maintains a list of projects for the purpose of making contact with required coordinators (see '*Forschungsprojekte zu fürsorgerischen Zwangsmassnahmen in der Schweiz*' (Research project on coercive welfare measures in Switzerland) list www.uek-administrative-versorgungen.ch). The IEC furthermore considers it one of its tasks to include researchers from these other projects in its conferences and workshops. This is intended to promote scientific exchange, mutual stimulation and discussion as well as to broach the issue of a sensible division of the overall research tasks and provide support.

Basic field A

The basic field A comprises three work areas that are relevant to the entire commission work:

- Project A1 'Interviews / oral history database': Conducting interviews, collecting oral and personal sources from witnesses
- Project A2 'Communication': Communicating research results in digital and analogue form
- Project A3 'Quantity structure / quantitative analysis': Developing qualified estimations on the number of people who were subject to administrative detention

Project A1 'Interviews / oral history database'

a) Basic concept and links to the other research fields

In the basic project, A1, a collection of oral history interviews with persons affected and institutional representatives will be created in the intranet of IEC employees and made accessible (see A2). This will take place under consideration of relevant security standards. The interviews will serve as a resource for all research fields – particularly for research field E. Four team members will conduct interviews with selected persons. This collection will be supplemented by interviews, which will take place in research field E. Where possible, interview data from external research projects will also be integrated.

b) Sample

A minimum of 60 interviews will be conducted. At least 40 will be with persons subjected to administrative detention and 20 with representatives of institutions associated with administrative detention. The discussions will take place in Swiss German, French and Italian. Romansh interviews will be carried out through an external agency. In principle, the selection of the sample is based on samples from the remaining research fields. Furthermore, as broad a range of persons, regions and institutions as possible should be covered. In cooperation with all research fields and employees, the research manager will coordinate the selection of interview candidates and make contact. Due to the limited number of interviews it will not be possible to question all the persons available. The provision of a written and standardised questionnaire aimed at a larger group of surveyed persons is intended to make it possible to integrate further eyewitness reports into the study.

c) Methods and approach

Open, thematic, narrative interviews will be conducted (Haumann / Mäder 2010, Hopf 1995, Przyborsky / Wohlrab-Sahr 2008). A specific catalogue of topics will be determined for each research field in cooperation with the corresponding field. They will be based on the interests of the different research fields and used in interviews with the persons affected and institutions. The interviews will be conducted with an audio recording device. For communication projects, the interviews of four persons affected and two representatives of institutions will be videoed by a professional cameraperson. If required, additional video sequences can be recorded with previous interview partners in a later phase. The video and audio recordings will be fully transcribed verbatim in compliance with transcription guidelines. The transcription method is intended primarily to facilitate the interview analysis. With their permission, any personal documents belonging to the discussion partners will be scanned and stored in the intranet. Two data sheets will serve as metadata for the interviews. Basic personal information will be recorded in one (date of birth, place of residence, family etc.). In addition to this, a data sheet with basic information will be created for every institution in which an interviewee was interviewed.

d) Length of the project

The interviews were begun in February 2016 and will be conducted up until the end of November 2016. Transcription began in March 2016 and will be concluded at the end of December 2016.

e) Care for the interviewees and the interviewers

It is possible that the interviews may once again place the persons affected into an emotionally stressful situation. As the interviewers are not trained in psychology, they are only able to offer limited support. In cases of need, the cantonal contact points and victim associations offer good options for care. Over and above simple technology, supervision meetings equip the interviewers with tools for conducting the interviews and the space to reflect on the interview situations.

Project A2 'Communication'

a) Areas of responsibility

The basic project, A2, is responsible for communicating the knowledge gained to diverse target groups (the public, the victims, schools, social organisations and scientific circles). One important consideration for the IEC is to ensure the knowledge they gain on administrative detention in Switzerland is anchored into the public arena. The IEC has a communication concept in place.

In addition to the communication task, the basic project, A2, is also responsible for the creation and maintenance of an intranet-based collection of sources, documentation and other digitalised work materials.

b) Intranet-based repository with relevant source materials

Relevant source materials of archived and private origin will be collected in a secured cloud and, where possible, equipped with optical character recognition (ORC acquisition) and made available to all team members. In addition to the source material, the cloud will also contain work documents and publications. The repository has also been created with the potential to accommodate future archiving of IEC documents.

c) Communication goal

The IEC's communication goal is to present the research contents and results of the IEC project using a process-orientated approach, i.e. already from the collection stage. The aim here is to improve the public's general understanding of this historical reality. The communication measures also aim to process fundamental 'basic knowledge' within which the communicated content can be understood and presented in a wider context. To achieve this goal, easy access to information must be guaranteed for everyone and the communication means suitable for this must be developed. The strategic selection of communication channels is of key importance in this respect. The basic project, A2, works closely together on the planning process for communicating the content with the basic projects, A1 and A3, as well as the research fields, B, C and D.

d) Communication channels

One key element of communication work is the online-communication platform (IEC website). This is understood to be the central hub for all communication work. It documents the research of the Commission (relevant research, bibliographies, reference texts, image documents and audiovisual documents), presents IEC publications and contains information on relevant

research networks (archives, research projects, researchers etc.). It moreover provides space for general information on the Commission. The platform is intended to be used to ensure communication with the public and to develop cooperation with external partners.

The multimedia website must correspond to current standards of web communication and must be designed and developed such that it is appealing, reflective and meaningful. To ensure this can be achieved, the basic project, A2, works together with external partners (in particular with a *visual designer*). Both the historical and the visual perspectives have the same goal: To develop a concept, which is as appealing and accessible as possible, to communicate the gained content and ensure current developments in the respective specialist fields can be taken into account. Access to the context should also be adapted to make it suitable for the different target groups. This will allow the technical and visual potential of digital media to be utilised to the full. For example, the data collected in the basic project, A3, can be visualised on the online communication platform created from A2 (see A3). This is the reason why efforts will be made to ensure close cooperation with this basic project. The digital presentation should not just be implemented in a classic way (conceived as analogue and presented virtually). The *digital turn* needs to be taken into consideration and consciously integrated: the digital tools that are available should be taken advantage of, in order to present and highlight the research content (visualisation of the research by means of *digital history methods*). The new website will be in operation in summer 2016.

The IEC will also be present on social media (Facebook, Twitter etc.). These channels are very valuable and useful for communication goals. The online presence also allows the working process of the IEC to achieve a good response from the wider public.

In addition to the workshops, the basic project, A2, will develop a range of analogue forms of communication (conferences, workshops, newsletters, *Erzählcafés* (community forums), educational working material etc.). The planning and the implementation of the analogue types of communication is closely connected with the research process and will therefore only be designed in detail in the summer of 2016. It has already been decided that the target groups will be directly involved in this design phase. Depending on the communication project, cooperation with external partners will also take place. This will provide the subproject, A2, with the opportunity to place the content generated by the IEC into a broader context and also to receive additional financial resources for specific communication projects.

Project A3 'Quantity structure / quantitative analysis'

a) Starting situation

The subproject, A3, aims to develop qualified estimations on the number of people who were subject to administrative detention. It furthermore intends to analyse the social origins of persons who were former administrative detainees through information on gender, religion, age structures and education. On the side of the authorities, the intention is to collect quantity structures from statements on governmental interaction as well as reasons behind the commitments and practices. Based on previous knowledge, neither the Swiss federal government nor the cantons have ever quantified administrative detention. Some of the existing data sets are very difficult to evaluate systematically. This is due to different methods of collection, minimal information on data collection (lack of transparency) and shortcomings with regard to definitions relating to inter-regional, diachronic, gender- or age-specific or typological-categorical perspectives.

b) The issues

Quantity structure of administrative detention in Switzerland: Up to now there has been no overall Swiss collection of information on the number of persons in administrative detention. The key issue for research project A3 is thus the development of a Swiss overview of administrative detention (macro perspective). Existing statistics and quantity structures from statistics offices and secondary literature form a contextualising 'estimation range' with an upper and lower limit. The deductive approximation of the total number of administrative detainees must lie within this range (plausibility test). It is deductive in the sense that the data is intended to be retrieved at the highest possible (administrative) level. As a working hypothesis it thus applies that aggregated data exists at higher administrative levels due to the vertical chain of command. Potentially this may offer a better basis for comparison across all cantons.

Topography of administrative institutional commitment and institutional networks: In a narrow sense, there is a cartography of the detention institutions and penal system and their mutual relationship at the centre ('home landscape'). Moreover, there are also abstract forms of topography ('welfare landscape') that take up on the expressed wish for research with regard to a study based on Swiss federalism on the practice of administrative institutionalisation with its regional, socio-spatial and religious diversity ('geography of out-of-home residential placements'). A further concern is that institutions should not be understood in isolation but rather within a mutually dependent network. Reference works and detailed accounts of the penal and involuntary detention institutions were revised and updated roughly

every decade. Detailed statements were made concerning the whole of Switzerland in these specific years. They provide important information from a diachronic perspective on changing spatial circumstances, instances of commitment, geographical catchment area and gender ratios.

Administrative detention at the level of the individual: The two preceding fields of interest illustrate the 'external' normative and structural sphere of influence of administrative commitment to institutions. A micro-perspective method has been chosen to facilitate examination at the individual level of administrative detention. The quantification (interpretability) of raw data (personal or case study dossier) takes place through a detailed and time-intensive study of sources. This can only take place in an exemplary way within the scope of the research project: Case studies are intended to reveal in-depth testimonials on social backgrounds and uncover the quantitatively ascertainable 'experience world' of the persons affected as well provide detailed information on the vertical and horizontal process (administrative level and interaction, governmental and institutions types, etc.). The greatest benefit of this exemplary analysis – in the sense of an inductive approach – lies in its potential to generalise the collated statements to the whole of Switzerland.

Thus, a comprehensive approach will be employed to answer the first two research questions. An exemplary approach will be selected for the third. In the area of 'unpublished sources', the following are available: reports, compilations and appraisals of enquiries into guardianship, prosecuting and judicial authorities at canton and federal level; registry books and the corresponding case files or municipal guardianship authorities or cantonal institutions; records and topical dossiers of inter-cantonal conferences as well as private actors; in the area of 'published sources and brochures with source character': enquiries by the Federal Statistical Office; canton administration statements of accounts, institutions and associations; periodicals from various professional associations (guardians of the poor, gazettes from municipal authorities, institutional gazettes).

c) Establishment of a sample to answer the research questions at the individual level

The most important issue for completing this task is in-depth and meaningful sampling of the cantons and institutional representatives (case studies). The reasoning behind the selection of the cantons is that the quantity structure to be processed is contextualised with the geographically defined surveys that already exist. The cantons selected were Aargau, Basellandschaft, Bern, Fribourg, Lucerne, Neuchâtel, Obwalden, Ticino, Thurgau, Vaud and Zurich.

The selection was based on the geographic, religious, linguistic and economic characteristics, on prior status of research (secondary literature) and the source situation (selected state archives are both custodian archives of inter-canton conferences or private entities from all over Switzerland). At the same time they contain information on statistics related to the population, places of detention, sanctions, criminality and sentencing. At the communal level, the state archives of Bern, Lausanne, Neuchâtel as well as Zurich have all been referenced. The table below lists the location of the archives according to the administrative level.

		Priority
Swiss federal government level	Swiss Federal Statistical Office (Bern)	1
	Swiss National Library (Bern)	1
	Swiss Federal Archive (Bern)	1
Inter-canton and national associations	Conference of Cantonal Justice and Police Directors (custodian archives: Thurgau State Archives)	1
	Conference of Cantonal Social Directors (custodian archives: Bern State Archives)	2
	Conference of Cantonal Guardianship Directors (custodian archives: Basel-Landschaft State Archives)	1
	Schweizerische Vereinigung der Berufsbeiständinnen und Berufsbeistände (Swiss association of occupational counsel) (*1913 Vereinigung Schweizerischer Amtsvormunde) (*1913 association of Swiss guardians of the poor) (headquartered in Bern)	1
	Schweizerischer Armenerzieher-Verein (Swiss educators of the poor) (social archive) / Curaviva (Lucerne State Archives)	2
	Schweizerischer Verband für Schwererziehbare (Swiss association for persons with behavioural problems) / Integras (Zurich)	2
	Schweizerischer Verein für Straf-, Gefängniswesen und Schutzaufsicht (Swiss association for the monitoring of sentencing, the correctional system and protective services) (Swiss National Library Bern / State Archives Basel-Stadt)	1
Canton level	Aargau State Archives (Aarau)	2
	Basel-Landschaft State Archives (Liestal)	1
	State Archives Bern (Bern)	2
	State Archives Fribourg (Fribourg)	1
	State Archives Lucerne (Lucerne)	1
	State Archives Neuchâtel (Neuchâtel)	2
	State Archives Obwalden	2

	State Archives Ticino (Bellinzona)	1
	State Archives Thurgau (Frauenfeld)	1
	State Archives Vaud (Lausanne / Renens)	1
	State Archives Zurich (Zurich)	1
Level	State Archives Bern	1
	State Archives Lausanne	1
Municipality	State Archives Neuchâtel	2
	State Archives Zurich	1
	Guardianship Authorities Canton of Thurgau (State Archives Thurgau, from 1962)	1

d) Linking to the other research fields

Cooperation with the neighbouring research fields is especially intended to take place within the two areas of data collection and data communication. The 'topography of administrative detention' is particularly suitable for a geo-referenced, graphical presentation (potential cooperation with external partners). A visual presentation of the lists of institutions for the years in question and also the networks of the various different institutions or the quantity structure related to persons could make a significant contribution towards a greater understanding of the geographical and quantitative phenomenon. The potential of data visualisation not only lies in the fact that it is an appealing form of external communication but also – in the sense of an internal aid – in the formulation of new lines of enquiry.

Research project line B: “Legal basis/legitimation and delegitimation of administrative detention“

The field of research B will be devoted to the legal and historical study of legislative texts that establish the possibility to lock up, for reasons of social prophylaxis (sometimes for an indefinite period), certain categories of individuals represented as a social and political problem. Firstly, we are looking to determine which categories these are and how they are designated in the legal basis. We will also specify in which legal areas these measures of exclusion are inscribed (for example laws concerning assistance, alcohol drinkers, guardianships etc.). Secondly, the research will aim to establish the social, political and scientific context in which these legal bases appear, are entrenched and are ultimately rescinded. We will identify the actors (politicians, lawyers, psychiatrists, clerics, journalists, people affected etc.) who take part in debates concerning the legislative texts of interest to us, the terms regulating these debates (legal, political, medical, social, moral etc.), the places where these take place (political arena, psychiatric and medical, religious environments, public spaces etc.) as well as the periods of their salience. The aim is to analyse and historicise the power relationships at play in these debates in order to understand the processes that lead, depending on the times and the places, to the legitimation or delegitimation of administrative detention.

1. Project B1: “Legal basis“

NB: Since the initial B1 project “Statistical overview“ has been moved into the scope of research A “Database and distribution database“, the initial project B2 “Legal basis“ has been renamed B1 “Legal basis“.

From an essentially legal perspective, this project aims to itemise, for Switzerland as a whole and as exhaustively as possible, the cantonal legal bases that govern administrative detention from the 19th century (provisions concerning assistance for the poor, etc.) until 1981 (federal legislative review repealing cantonal provisions in this area). This situational analysis is currently lacking in the literature on the subject. Existing and previous work on the subject concern laws defined more restrictively (e.g. Bossart 1965) or a specific canton (e.g. Bersier 1968). More broadly, it is a matter of identifying the different legal provisions concerning social prophylaxis that, through the deprivation of liberty, sanctions categories of people (e.g.

the “lazy”, “alcoholics”, “prostitutes”, “vagabonds” etc.) defined by “habitual” behaviour – lifestyles – considered to be “deviant” and “dangerous” by society (for example “misconduct”, “laziness”, “prostitution”, “alcoholism”, “vagrancy” etc.). These categories of individuals, as well as the criminalised behaviour, will be defined more specifically through the analysis of the legislative texts in question, with these texts concerning administrative, civil or criminal law. In this framework, and in close collaboration with the field of research C1, it will be interesting to analyse the connections between the administrative detention procedures and the measures of coercion taken in application of the law in terms of guardianship, as well as with the forms of detention set out in criminal law and criminal law for minors.. Particular attention will also be paid to the legal and legislative implications of Switzerland’s membership in the Council of Europe (1963) and the ratification of the European Convention on Human Rights (1974) concerning measures of socially-motivated coercion.

Sources used by project B1:

Cantonal laws, provisions and decrees, directives, federal laws and decrees, intercantonal agreements etc. within the area of interest.

2. Project B2: “Legislative process, political debates, expert and lay debates”

In the preamble, we indicated that we decided to merge the projects initially entitled B3 “Legislative processes, political debates, expert debates” and B4 “Administrative detention and society”. However, the preliminary research we conducted showed us that the expert debates and those taking place within the public sphere via the media are intrinsically linked, with experts using the media as a public forum for their disputes. In addition, non-expert debates, specifically those initiated by the people affected by the administrative detention (but who are hence experts in their own situation) are ingrained in political and legislative considerations, resulting for example in the federal law dated 21 March 2014 concerning the rehabilitation of people put under administrative detention.

Research project B2 consists of establishing a social and cultural history of legal provisions governing the incarceration of the categories of individuals identified in project B1. Contrary to the above, it is not seeking to be exhaustive but rather, based on studies of pertinent causes (cf. selection of areas, *infra*), proposes a detailed analysis of the conditions of the emergence, continuation, and ultimately repeal of legislative texts that govern administrative detention and, concurrently, shape the types of people (Hacking 1986) considered to be “deviant” or “dangerous” by society. These legislative texts are considered here to be the

stabilisation, historically located, of political and social issues concerning the groups of individuals, of knowledge about these individuals and the “control of bodies” (Fassin and Memmi 2004). Particular emphasis will be placed on analysis in terms of gender, an issue which to date has not been covered significantly on previous works concerning administrative detention. On the base of our preliminary research and by reading existing work (for example Collaud 2013), we have hypothesised that sex and gender are highly relevant categories in the process of the fabrication of legal bases of interest to us, even though these categories are made invisible through the neutrality of the language in the legislative texts themselves. The pieces of research that have studied the performative utterances of sex and gender in the construction of knowledge and show how these scientifically form a hierarchy between men and women will represent an important theoretical resource in this context (for an overview, see Gardey 2005).

In other words, we are looking to get to grips with the process of legitimisation and delegitimisation of administrative detention, comprising both the dynamic mechanisms that establish the power relationships that develop in particular socio-political contexts, in the production of (expert and lay) knowledge and norms (specifically gender with respect to sexuality, work and parenting) and ultimately practices. The latter point establishes significant relationships between project B2 and project C2 “Incriminating behaviour, decision-making processes, scientific expertise”, taking into account the fact that practices and knowledge are brought together in iterative reports to provide categories of individuals and conduct, as well as the legal bases to their administration. The collaboration between the two projects will ensure the good circulation of information and sources in which we share an interest. The analysis of these sources is carried out based on the questions for each specific project, however.

Links with project D “Practices of internment facilities” are also intended. For example, the detention conditions in the detention facilities have given rise, on many occasions, to public debates regarding the appropriateness of measures of administrative detention. Likewise, financial (for examples charges related to assistance) as well as productivity arguments (for example the development of agricultural areas in confinement institutions) have often been used by political circles to implicitly legitimise internment measures (Knecht 2015). The individual resistance strategies used by the administrative internees (for example appeals to relevant authorities, current mobilisation of victims etc.) will also be the subject of our attention... They are involved in contesting measures enforced and, in part, the norms that justify

them. This approach could take place in collaboration with field of research E "Biographies and life paths".

More specifically, we will analyse the cantonal parliamentary debates regarding the creation, potential revisions and revocation and legislative texts that govern the deprivation of liberty in the context of measures of social coercion. These debates frequently broadly take place in the political discussions that accompany the establishment of laws concerning assistance for the poor and/or guardianship measures. We will also pay particular attention to deliberations concerning administrative detention in the federal parliament in the context of legislative revisions in 1978 and 1981. This will not merely involve identifying the arguments that legitimise or delegitimise these measures, and to understand controversies, but also to attribute them to the relevant actors and to define the social, political, intellectual and ideological contexts in which these arguments arise (cf. for example Rietmann 2013; Huonker 2008). For this purpose, for the period in which we are interested, namely the end of the 19th century until 1981, we will study the development of knowledge and discourse concerning, for example, assistance for the poor, the fight against alcoholism and prostitution, both on a local level (patronage and philanthropic groups, community schools etc.), supra-cantonal level (society of social and moral hygiene, anti-alcoholism associations etc.) and international level (international conferences, abolitionist association etc.). We wish to demonstrate the scientific legitimisation (in medicine, psychiatry, social sciences) as well as the combination and instrumentalisation of different areas of expertise (specifically between law and medicine; cf. for example Charbon et Gasser 2000). The way in which the question of administrative detention and being held by force is raised in the public domain, the identification of people involved in discussions on this topic (politicians, lawyers, journalists, clergy, associations of people affected etc.) and the places where these take place (newspapers, television, conferences etc.) is also dealt with. We wish to understand the process of legitimisation and delegitimisation in their dynamic relationships between society, scientific expertise and political arenas. In particular, we will analyse the circumstances of the emergence of disclosure initiatives on the part of the people affected, journalists or social movements (critical "Heimkampagne" movement, for example). Ultimately, we will also study the arguments that legitimise and delegitimise the administrative detention on individual level. Throughout, specifically regarding the study regarding the statements about decisions taken regarding future internees, the transcription of hearings of people in proceedings, potential appeals and other relevant documents, it will be important to determine the way in which the implementation of internment proceedings for

the purpose of social prophylaxis (re)legitimises these measures in each case, while at the same time representing a contested space....

Areas and sources used by project B2:

The different levels of research that we have presented – *supra*, individual, local (communal, district, cantonal), supra-cantonal, national, international – will be organised from the study of specific cantons, with the selection being based on the following criteria: firstly, taking into account the specific mandate of the CIE, the choice of our fields was guided by considerations of regional, linguistic and denominational representation. Ultimately, more directly in connection with our research questions, the forms of procedures governing administrative detention, the temporality of implementation and the nullification of these measures, the types of expertise applied as well as the organisation and the forms that assistance takes are crucial criteria. Finally, the accessibility of sources was also taken into consideration.

This selection covers areas within the field of interest of research B. It may however be subject to amendments and redefinition, partly in regard to collaboration with other fields of research and partly in line with future developments in our own work, and specifically considering the forces available to do so. This selection also does not exclude the fact that we have interest in other cantons for particular aspects of our research and for the purposes of comparison with our main case studies. The canton of Geneva, the only canton to declare that it does not have legal bases that permit administrative detention, for example represents a complementary area of study that is particularly pertinent to our line of research.

Selected cantons with overview of elements justifying the selection:

(Please note the sources used for each of these cantons are considered to be good and their accessibility is guaranteed).

Vaud (Lake Geneva region, French-speaking canton, protestant): specific procedure associated with the cantonal committee for administrative detention (CCIA); has a university psychiatric centre; salient issue of prostitution in Lausanne during the Second World War; strong anti-alcoholic tradition combining medical and legal expertise; etc.

Fribourg (Swiss midlands, bilingual canton, catholic): strong powers for prefects; delayed abolition (1981); has a detention facility in Bellechasse; etc.

Zurich (Zurich, German-speaking, protestant): provisions permitting administrative detention of 12 years; has a university psychiatric centre; referendum on the law governing the administrative detention of young delinquents and alcohol drinkers (1925); etc.

Aargau (north-west Switzerland, German-speaking, bi-denominational): atypical detention procedure providing for judicial control; has two detention facilities (Murimoos work settlement and Lenzburg prison); etc.

Thurgau (eastern Switzerland, German-speaking, bi-denominational): procedures that do not include the right to appeal; referendum on the law governing the detention of drinkers (1910); has a detention facility in Kalchrain; there is a thesis concerning the legitimisation of detention measures prior to 1918 (Lippuner 2005) and interest in continuing the work by including aspects of delegitimation until abolition of these measures; etc.

Lucerne (central Switzerland, German-speaking, catholic): late review of legal provisions governing administrative detention (1966); large-scale social-health survey of the people affected as part of the review; cantonal authorities defend their legal basis in the context of the federal legislative reviews of 1978 and 1981 with arguments in favour of better protection of personal liberty; etc.

Ticino (Ticino, Italian-speaking, catholic): a single law (1929) governs administrative detention with a particularly large and poorly defined scope of application; has a detention facility for men "Casa per intemperanti La Valletta"; connection with psychiatric hospital in Mendrisio; alleged influence by Italian anti-psychiatry; etc.

Research field C: 'Legal practice and expertise'

Administrative detention is understood as a contemporary term in research field C. This assumption implies that the term is used differently in different contexts.

Project C1 takes into account the differences between administrative law, civil law and criminal law bases in the legal discourse for a detention and examines *processes* in which at least one administrative authority was involved (Bossart 1965).

The goal is to demonstrate, in the first step, the diversity of processes and their legal bases as well as their continuity and discontinuity. The aim then is to examine in projects C2 and C3 the specific ways in which these regulations were put into *practice*. This is based on the assumption that there were different detention practices in the cantons. These practices sometimes supplemented each other and, in most cases, were barely able to be clearly differentiated from each other. The majority of cantons had various laws and decrees applicable to different groups of persons (so-called alcoholics, prostitutes, vagrants, the mentally ill, inter alia) or ones aimed at a range of non-compliant life styles and behaviours.

A one-sided focus on cantonal legal bases as a precursor to involuntary commitment would especially overlook the gender bias postulated in the research. One issue that will need to be examined is whether young women and women were more frequently subject to legal guardianship processes in general or only in individual cantons. The argument for taking into account civil law sanctions is that the detention practice according to the Swiss civil code (ZGB) was adapted with the ratification of the European Convention on Human Rights (ECHR) in 1974 and with reference to the introduction of the legal foundation for involuntary commitment of 1981 (BBl announcement 1977).

Because young people were explicitly addressed in the cantonal legal bases, we will look at the civil law measures concerning post-compulsory education. Juvenile criminal law is also of interest here. Its processes were also regulated by the cantons, whereby legal and administrative competences were not always clearly defined. Moreover, the border between juvenile criminal law and custodial measures were fluid and its enforcement was often carried out by the same institutions. The boundaries and possible overlapping with adult criminal sanctions also need to be clarified. Our focus of attention here is on the multi-functionality of many of the correctional facilities. We are only able to incorporate criminal and juvenile criminal aspects

selectively, however. Among the legal bases that ultimately had an influence on the cantonal detention procedure were the regulations of the correctional facilities and inter-cantonal agreements.

We apply the term *dispositive* to administrative detention, whereby the legal bases and the codes of practice are one element of an ensemble of power interests that both enabled and limited the scope for action. We base our analysis on the power / knowledge and dispositive analysis by Michel Foucault (1978, 1995, 2003, 2005). The starting point and the smallest unit of analysis are the interplay and effects of techniques (such as case management) and forms of knowledge (such as the image of humans).

We will carry out a comparative reconstruction of the behavioural logic, resistance, assimilation and displacement (dis)continuity and in(equality) of administrative detention. In this way we will explore an important aspect of social and population policies of Switzerland in the 20th century. We will examine administrative detention as a part of social change and the development of modern social statehood.

1. C1. 'Detention procedure'

The project, which takes a jurisprudential approach, examines the administrative detention procedure from the perspective of contemporary administrative and constitutional law. Who initiated detention? How was the procedure organised? Which authorities were involved and what was their composition (laypersons, legal persons)? To what extent was clarification prescribed? Which procedural requirements can be found in legal and administrative literature?

Furthermore, we are also interested in the procedural rights and legal means available to the persons affected and their environment. We will examine what legal means were available at cantonal and federal level and how they were utilised (including complaints to the Federal Council and the Federal Office of Justice). When did legal counsel or lawyers have an influence and what was the status of experts and their evaluations? How were responsibilities regulated? Ultimately, we intend to reconstruct the way in which procedural law has changed during the time period under consideration. The influence of federal law court jurisdiction and the adaptation of cantonal processes as a result of the ECHR will be given special attention. Alongside cantonal legislation, we are interested in the organisation of the federal administration of justice, which regulates the position and the organisation of the federal court as well as federal court procedures.

Administrative detention existed in a controversial relationship to the liberal ideal of the constitution, which considered personal rights to freedom to be one of the most important state tasks, and as such never interpreted the personal as an absolute freedom. Our enquiry therefore leads us to the way in which individual, social and state interests were weighted or, respectively, who was to be protected from a jurisdiction perspective. Intervention into personal rights of freedom require justification (Bersier 1968). Conflicts regarding basic rights such as these are analysed in terms of change over time in project C1. Particularly within the context of federal court jurisdiction, it is possible to demonstrate when and using which justifications administrative detention procedures were considered to be in violation of federal constitutional provisions.

2. Project C2: 'Decision-making process and academic expertise'

The central focus of project C2 is cantonal legal practice. Here, we explore the decision-making processes and the interpretative patterns upon which they were based as well as the construction of the notion of deviance. Scientific expertise is very important to this aspect of study. Ultimately, we will analyse the behavioural logic of actors who had an influence on decision-making processes.

We will *firstly* examine the significance and influence of specific governmental *interpretative patterns* and the images of humankind contained within them relating to social norms throughout all cantons. The justifications for detention stated in the laws – which also varied according to the language region – of 'workshy', 'licentiousness', 'neglect' or 'alcoholism', whose roots go back at least to the 19th century and beyond 1981, require interpretation. The aim is to analyse how government representatives used the terms in their submissions and rulings and which social behaviours they considered to be problematic. Here it must be taken into consideration that the process was generally embedded within a long case-management procedure or was associated with previous welfare sanctions. Negative attributions became consolidated during the course of these procedures. People became known as 'difficult' (Meier 2009: 211f) until, ultimately, deviance was constructed and the decision was enforced rigorously. Of special interest are the specific gender, age and social stratum in the governmental interpretations as well as the stigmatisation and exclusionary processes associated with these. In this respect, political, religious, social and economic characteristics and developments within the cantons need to be taken into consideration. It can thus be expected that sexual behaviour in predominantly Catholic cantons was subject to different values and sanctions than cantons with Protestant majorities (Praz 2015: 107; Jenzer 2014). The same could also be applied to

urban and rural regions. We furthermore assume that governmental interpretations were often situational and amalgamated as well as occasionally contradictory (Lippuner 2005; Hauss / Ziegler 2012: 185; Furrer et al. 2014: 17f; Gallati 2015).

Secondly, the aim is to examine the decision-making processes that led to administrative detention. Different constellations of actors, including a mix of governmental and private welfare institutions, which was characteristic for Switzerland, played a significant role in this respect (Matter 2015; Jenzer 2014). Institutional framework conditions such as the number of cases, institution funds and educational needs were organised differently in larger and smaller municipalities. The degree of professionalism exercised by the authorities influenced the decision-making process, as did internal and inter-governmental work divisions and the exchange of information on the cases. Thus larger cities had access to specialised services to deal with enquiries, and who gathered information on the social environment of the persons affected. This, in turn, made its way into the files of the legal representative or the authorities making the legal decisions (Ramsauer 2000: 91, 219). Depending on the size of the municipalities, authorities relied on verbal or written information, e.g. from the police, welfare services for the poor, teaching staff, employees or from neighbours or the family of persons affected, which they entered into the files. The subject matter of the analysis thus became the act of file management itself (Kaufmann 2008; Galle / Meier 2009) and, with it, the norms of a social order that were reflected in the documentation and actions of administrators who instigated the files 'social support for precisely those sanctions (...), that they kept close at hand and documented' (Tanner 2008: 156).

The knowledge base of the authorities developed within their contexts of practice. We therefore *thirdly* examine the extent to which decision-makers, in addition to internal administrative and socio-spatial determined knowledge generation, referred back to scientific expertise from medicine, psychiatry incl. forensics (Gasser / Heller 1999; Germann 2004; Meier et al. 2007; Bernet 2013), children and adolescent psychiatry, (special) education (Wolfisberg 2002), welfare (Matter 2011) or other disciplines external to the government. We will also look at the types of cooperation that existed between the authorities, on the one hand, and scientific experts on the other. What impact did the prescribed evaluations in the individual cantons have on the decision-making process and which questions did the experts have to answer? How did the status of scientific experts change during the period under examination? These lines of enquiry can be based on the example of psychiatry, which came to have very many influential

actors as a result of their evaluation activities for welfare authorities and courts in the field of social policy at the beginning of the 20th century (Bernet 2013; Dubach 2013; Germann 2015). The question as to why the persons making the reports, filing the applications and decision-makers considered institutional detention to be necessary is closely linked to the question of the intended purpose of detention as such. We therefore *fourthly* look at the issue of how legal terms and justifications corresponded with the sanctions and the *rationale behind the actions*. The intention is to examine the relative weighting factors of regulatory and security policy considerations, economic, educational, moral and eugenic arguments. In the process, discrepancies between intentions and effects of administrative detention will be pointed out. What were the action concepts and strategies of welfare within the context of coercive education or coercive work training? What concrete form did the correctional mechanism take? To what extent was the law also used to represent particular interests? A priority research desideratum is to demonstrate the different coercive welfare measures in the individual cantons and municipalities based on the example of the intertwining of different coercive welfare measures (Germann 2014). We do not consider institutional detention – that often took place in different institutions throughout the course of the case – as isolated but rather we view it in combination with warnings, incapacitation, removal of children, prohibition of marriage or sanctioning of concubinage as well as sterilisation and combination (Heller / Jeanmonod / Gasser 2002; Huonker 2002). Moreover, the spatial logic within which the authorities operated is also an issue of interest. Were citizens of the cantons treated differently to non-citizens of the cantons? We also assume that the subject of homeland and residency policies in combination with financial considerations also played a role. Equally important is the question of whether an authority intended conditional detention to have a deterrent effect in the social environment of the persons affected. The review will consider the theory that cost arguments were increasingly pushed into the background in relation to preventative welfare considerations during the course of the 20th century (Germann 2014: 5; Furrer et al. 2014: 7ff; Leuenberger / Seglias 2015: 232 et seq). Moreover, the different degrees of regulations may also be considered to be significant when ordering a sanction (Bwesier 1968) as well as, not least, the occupancy rate in the correctional facilities (Knecht 2015). A further line of enquiry is whether, and to what extent, public authorities were involved in discourse with other cantons, e.g. in the Conference of the Cantonal Guardianship Authorities or in the Swiss Guardianship Association, and whether they had international networks and participated in discourses about administrative detention, for example through participation in congresses and magazine contributions.

If action logics and sanctions are understood as a part of a declaration of intent, it applies that the asymmetrical power relationship of those involved and the persons affected need to be identified. The skills, relationships and resources of the actors also impacted like codes of practice and action logics on the scope for action.

3. Project C3: 'Supervision of the detention practice by the authorities'

The project examines the way in which state authorities perceived their supervisory obligations. It is concerned with the different supervisory structures that are related to the practice of detention by the authorities. The supervision of the detention within the institutions will be analysed based on examples.

On the one hand, we will examine the extent to which control gaps were contingent on structural factors or certain constellations of actors. In the process, we will take into account the diversity of the cantonal supervisory regulations and examine what significance these regulations had for the administrative detainees. On the other hand, we are also interested in whether the applications submitted by the decision-makers were handed back for revision or were rejected.

We are furthermore interested in the options open to persons undergoing administrative detention to have their concerns and complaints listened to, or respectively, which complaint channels (letters, petitions, assistance from legal counsel etc.) they had access to (Gallati 2015). It is equally important to explore the extent to which failure to act by the authorities intensified the isolation and impotence experienced by the persons affected.

The analysis of the legal means process is of special significance to project C3. The question arises as to how the supervisory authorities evaluated the decisions of those entities under them and whether they corrected decisions where necessary. Did a system for formal complaints exist or were procedural shortcomings acknowledged? Were the sanctions sufficiently justified from the perspective of the supervisory bodies? Did the governmental members possess pertinent legal knowledge? Did the courts reach different evaluations than the authorities? Ultimately, we are interested in whether there was recourse to legal means to improve the legal protection of the persons affected and their scope for action.

4. Samples, body of sources and methodologies

We take an *overall Swiss perspective* in project C1. We reconstruct the detention procedure of the cantons and also incorporate federal law practice. Here, we work closely together with

the project legal bases from research field B. The conditions for implementation and the procedural regulations on the pertinent federal cantonal laws, the collection of federal court rulings, unpublished federal court rulings as well as older state and administrative-legal literature all serve as source material.

In C1, we also refer back to the time of origin of the respective laws and illuminate their persistence and any changes to the procedure up to 1981. Thus, in many cantons, administrative courts or the option of complaints and recourse to the courts or an independent canton commission, for example, were only introduced during the course of the 20th century. However, the date of introduction varied greatly from canton to canton (Knecht 2015). The overview developed in C1 on the detention procedures forms the basis for an in-depth qualitative analysis of the decisions and the supervisory practice.

In C2 and C3 we select an approach with *exemplary cantons* according to language region, which will allow maximum *contrast*. We endeavour to make a comparison between urban, politically more progressive cantons, and rural, politically more conservative cantons, with different professional governmental structures. A further criterion will be the dominant religion in the cantons. We will include university cantons in our sample due to their assumed relationship to scientific and, in particular, psychiatric discourses. What is also decisive is a comparison of cantons with and without forced labour or forced labour institutions in their own cantonal regions, whereby we take into account institutional typology, which is analysed in research field D.

Of great significance to the comparative process are the legal procedures and material provisions. In the study we would like to include cantons without and with legal recourse options as well as those in which the entities available for legal recourse were administrative authorities or a court (Bossart 1965). With reference to the governmental interpretative patterns, we will include one canton in which the conditions for involuntary commitment were openly formulated in the laws and strongly exercised within the circle of the persons affected. In addition we also take into account cantons whose older laws were motivated by laws on poverty or that have laws that placed the protection of public order in the foreground (Bossart 1965; Bersier 1968; Germann 2014).

Not least, the availability and state of development of *source material* is an important criterion for the selection of exemplary cantons. We consider the files containing accounts of the decisions, representatives of the clients and legal representatives, including the expert appraisals contained therein, to be the most important archive sources for C2 and C3. Alongside the

case files, we will also include detention reports, annual reports, reports and meeting minutes as well as judgements in the case of appeals. Supervision of the enforcement practice is examined in close cooperation with research field D. In research field C, we base our work on the regulations and annual reports of selected institutions such as the Bellechasse institution in Suigiez (FR) and the forced labour reform school Uitikon-Waldegg (ZH).

From our sample we excluded cantons such as Grisons or Zug, where research projects on legal practice have just begun or are planned in the near future as well as cantons such as St. Gallen and Bern, which have already been studied. Our research is underpinned by the results of these studies and by an exchange of information with the ongoing projects.

Based on the selection criteria, the *following four cantons* will be included in the analysis for C2 and C3:

The *Zurich* canton recommends itself insofar as, alongside the Bern canton (Rietmann 2013), it had the largest number of administrative detainees due to its large population. In addition, the role of Zurich psychiatry was very important far beyond the borders of the canton. What should be pointed out in this context is that a medical or educational assessment of the persons affected was mandatory in Zurich. The Zurich detention law of 1925 was characterised by its far-reaching and open formulation. As a Protestant economic metropolis, Zurich primarily represents the urban context. It also offers a comparison between larger and small municipalities in the canton. Zurich was a party to the concordat of 1956, which was made in agreement with the eastern and north-eastern cantons.

The canton of *Schwyz*, as a rural Catholic canton, provides the maximum contrast to Zurich. The procedures of administrative detention are marked by manifold and confusing legislative bases. At the same time there is only a weak state welfare system. For example the detention procedure according to the Swiss Civil Code was comprised of law enforcement agencies, decision-makers as well supervisory committees from the same local councils. Moreover, a forced labour institution was located in Kaltbach in the Schwyz canton. Schwyz was a party to the north-west and internal Swiss concordat of 1959.

In Romandy, *Vaud* and *Freiburg* are particularly suitable for a comparative analysis. Vaud is a Protestant-dominated canton, which had comprehensive enquiry procedures for administrative detention and, moreover, has well-kept files. Furthermore, Freiburg is of interest as a bilingual and Catholic rural canton. One special feature of the Freiburg canton appears to be that the district mayor was granted an important role in the procedure. Finally, Freiburg has a relevant

institution with Bellechasse, where persons from outside the canton were also housed as well as from Schwyz and Zurich. The records of far in excess of 6000 personal files are accessible in a database held in the Freiburg State Archives.

The cases studies on these four cantons are to be supplemented with analysis of select aspects that relate to the detention procedure in the cantons of *Thurgau* and *Basel-Landschaft*. The rural canton Thurgau represents Eastern Switzerland, a region alleged to have had rigorous detention practices, which were criticised by the federal courts. In addition, psychiatry began to take an increasingly more significant role in Thurgau, where support comes from a research project in Münsterlingen. The case files of all municipalities are accessible centrally in Thurgau State Archives from the time period of 1962. There is also a special inventory with reports on the Münsterlingen psychiatric clinic, which was created by order of the welfare and guardianship authorities. Basel-Landschaft, a similarly rural canton with a religious majority belonging to the Reform Church and a traditionally low level of statehood will provide insight into detention practices in north-west Switzerland. With Arxhof, the canton has a detention institution for boys that is comparable with the forced labour institution of Uitikon-Waldegg, which will be examined in research field D. The archives of the Guardianship Directors Conference are also located in the Basel-Landschaft State Archives, which will allow the networks extending beyond the borders of the canton to be examined on its basis. Not least, synergies arise with research field A, which is conducting quantitative surveys in Thurgau and Basel-Landschaft.

Moreover, it should be possible to carry out additional lines of enquiry that arise during the course of the research process in fields A, B, D or E and that concern legal practice and expertise. For example, it is conceivable that the surveys conducted in research fields B and D on the canton of Ticino could, in part, supplement findings relating to the procedure.

For C2 and C3 we are restricting the study to the *period of time from 1935 up until shortly after 1981* and will follow the *methodology* as outlined below: Depending on the size of the municipality or canton to be analysed, we will determine specific years in which decisions of the authorities will be examined. We will then select exemplary case files on this basis. This will allow us to demonstrate the logic of action during the course of the case and the significance of expertise as well as to create a reference to other coercive welfare measures. In the process, we will take into account the interaction with criminal law and youth law sanctions. We will also reference the discourse on legislation that is being examined in research field B2. The specific years will be selected from the following four time periods, based on the assumption that the respective economic, social and socio-political developments had an influence

on administrative detention or led to fractures or favoured continuity (cf. the following, in particular Tanner 1994 and 2015):

1935 to 1945 – economic crisis; II World War; diffuse social threats, which found their expression in social welfare policies including eugenics thought patterns; the high point of involuntary detention between 1930 and 1950 (Germann 2014) respectively in the 1940s (Rietmann 2013; Knecht 2015); only very restrictive social insurance instruments provided by the state; the administrative detention concerning emergency legal practices 1939–1945, e.g. in Vaud, in Neuchâtel and St. Gallen; introduction of the federal StGB (Swiss Criminal Code) 1942; defence of liberal values and constitutional principles through legal practitioners.

1946 to 1963 – economic growth phase; halting development of social security instruments such as the AHV (old-age insurance system) 1948 and IV 1960; primarily the economic external relationships in the climate of the cold war, which proceeded at least up until the entry of Switzerland into the Council of Europe in 1963 with a passive attitude towards issues of human rights as well as e.g. in the area of legal guardianship with persisting high numbers of cases in part (Gallati 2015); 1963 first federal court ruling concerning the protection of the intrinsic content of civil rights.

1964 to 1981 – gradual slowing of the phase of growth and crisis; ‘levelled welfare middle-class society’ (Tanner 2015: 356); social and socio-political reform bottleneck, which was evidenced by women’s suffrage (1971 at the federal level), in discriminating foreign regulations or coercive welfare measures, whereby Switzerland displayed ‘an almost defiant will for self-assertion’ (Tanner 2015: 363) in human rights issues; ratification of the ECHR in 1974 with reservations; decreasing case numbers for welfare and guardianship systems led to an increased focus on individual cases (Matter 2011); 1968 with social movements (incl. home campaigns 1971/72) as a social and cultural rupture; involuntary commitment 1981.

1981 to 1985 – Switzerland substantiated the agenda of the ECHR during the economic dynamic of the 1980s; an opposing tendency was evident in that e.g. during the Zurich unrest in 1980 or, respectively, within the context of drug policies, youths were addressed as ‘work-shy’ and that involuntary commitment and foster placements remain in a critical light up to today in view of the high number of cases in comparison to Europe as well as procedural deficiencies.

The team members will carry out their work in field C across all projects in the selected cantons or language regions.

Research field D: 'Institutional practice'

1. Research topic and issue

The conclusion of the research in research field D is intended to provide insight into key aspects of institutional practices as well as involuntary detention with reference to administrative detention in Switzerland up to 1981. This includes economic aspects and the discharge practice as well as how it was embedded within the context of a superordinate organisational layer beyond the borders of the country. Involuntary detention here represents the result of socio-political negotiation processes and their normative establishment with regard to dealing with behaviours corresponding to the norm or deviating from it, and changes in terms of space and time (cf. e.g. Schwerhoff 1999; Becker 1966). At the same time the institutions also had a specific internal life of their own, which was in part decoupled from its own social environment. This opens up an established conflict area at different levels between expectation and feasibility, between the intended and the implemented institutional practice. Specific questions for individual sub-projects are posed along these lines.

a) Project D1: 'Implementation of the sanctions'

Based on the theory that institutions operate according to specific goals, characteristics and rules, the starting point should thus be the individual institutions and their individual internal structures. The different agencies behind them are to be taken into account here, especially with consideration of the role of strongly limited private and state organisations. The framework conditions of an institution have an influence during this process on the group of persons that are committed to the institution but also on the respective organisation of institutional life. Questions equally arise here regarding the different types of sanctions related to the reason behind the admission and the (work)day (i.e. specific types of behaviour dealing with alcoholics) as well as the production of 'gender' (Jenzer 2015) in institutional practice and how the sexuality of the committed persons was dealt with. To reconstruct the specific realities of the institution, it is necessary to take into account the level of unofficial regulations both with reference to the placement as well as the staff members (Heiniger 2016). One possible approach could be the disciplining instruments that were demonstrated in the different systems of sanctions, but also in the systems of reward such as tiered involuntary detention. It provides information about specific hierarchical structures and also on the individual scope for action

and the strategies of co- and self-determination within the context of the lives under examination. Not least, it enables the behaviours of the institution inmates to be categorised (cf. Goffman 1973). If the interplay between individuals and systematic mechanisms (cf. Habermas 1981) led to developments and innovations in dealing with the institution clients, what was the role of supervisory committees internal or external to the institutions? An exciting approach to answering these questions, especially with reference to long-term case studies, is the concept of critical moments due to external or internal events. The question includes responsibility for corresponding transformation discourse and transformation processes without losing sight of the reference to 'normality' (cf. Koselleck 2006; Heiniger 2016; Tanner 2005). Closely connected to this is also the question of the professionalism of institutional practice and of the 'limits to educating': From what point in time did people on the side of the institution begin to reflect on possible limitations and to what did they attribute this? The issue that also remains to be answered is whether a periodisation for institutional practice can be derived from this knowledge in individual cases as well as generally. With reference to the discursive level as well as the practical implementation, as discussed in research fields B and C, the question arises as to whether such periodisation can be assigned to socio-political developments and correlated with it.

b) Project D2: 'Economic dimensions of administrative detention'

Preliminary remark: The still vacant position for this subproject, D2, will be filled in summer 2016. The expertise of this researcher will be to pursue whether any special methodological considerations regarding this subproject still remain largely outstanding.

Closely connected with the question of expectation and feasibility and thus with the practice of involuntary detention is the issue of the economic dimension of administrative detention. This has as its basis the assumption that the individual institutions in many ways depended for their existence on internal as well as external economic conditions and the different problem fields that were able to be derived from this (Leuenberger / Seglias 2015). This concerns economic aspects of internal institutional processes as well with reference to the (work)day or the living situation. It also takes into consideration the independencies of the authorities pronouncing the commitment order and the institutions carrying it out. One point of key interest, among others, is the economics of housekeeping costs for the residents, the general influence of the financial situation of cantons, municipalities and institutions on the operation of the institution as well as the subvention practice of the federation and cantons on the type of institutional detention and also its duration. In connection with research field B2, the question

also arises of the extent of influence of open debate with reference to the financing of institutional placement. Special consideration is given here to the complexity of voluntary and state tasks with reference to the financial aspect. Further questions arise within this context that concern the economics of the institution and the function of agricultural or commercial operations in the area of conflict between work training and economic necessity. This continues with the question of possible financial compensation for work performed and the potential claim for social insurance premiums arising from this (since their introduction). With reference to the subproject C2, of interest is the extent to which the development of social insurances caused a weakening of the financial line of argument for institutional commitment procedures. Finally, the management of individual financial assets are of interest. For example, for making a financial contribution to the residential stay in the institution but also with reference to the availability prior to, during and after the period of institutionalised internment and its relationship to specific goals of the institutions under examination.

c) D3. 'Discharge practice'

If admission to an institution under the umbrella term of administrative detention is interpreted as being a consequence of behaviours that deviate from the norm, then, with reference to the discharge practice, the central question arises of which conditions and circumstances need to be fulfilled in order to end the stay and under what conditions this took place (incl. the possibility of early and conditional discharge). Based on the premise that disciplinary and normalisation processes were manifested within a dynamic and unequally distributed 'power field' (Lüdtke 1991) and the involved individuals were required to submit to them, the issue arises as to what individual and specific scope for action existed. Taking into consideration discursive debates on the negotiation of deviant notions in research field B, the existence and use of instruments of recourse and complaints will be examined. Which internal institutional structures promoted support through fellow internees or external persons? And which behavioural strategies during detention benefited or hindered discharge? Leaving an institution could mean that the conditions for returning to society were considered to have been fulfilled. However, it could also have meant that the individual internment conditions had been intensified by transfer into another institution. Such relocations could point to the institutions being part of a network based on 'escalating' institutional placement. The act of leaving the institutions thus did not always mean the end of (para-)governmental influence. A range of different forms of follow-up supervision existed, which also needs to be examined in detail. Above all with reference to the question of where a released person went and which conditions and

ascriptions, if any, led to renewed commitment. Also the aspect of voluntary, seasonal commitment and the corresponding socio-economic function of institutions should be examined here. This is the reason why efforts will be made to ensure close cooperation with subproject C2. It is concerned with the decision-making processes that led to institutional commitment and offers a strong connecting thread to the discharge practice related to the issue of restoring a person to norm-compliant behaviour.

2. Approach

The IEC has been tasked with studying administrative detention from an overall Swiss perspective. The period of investigation for research field D is based on the foundation data of the institutions to be studied up to 1981. Due to the high density of various different institutions over a long period of examination, the varying availability of written resources – the fact that the archives of many institutions are no longer complete – as well as due to limited resources, it may be the case that this requirement cannot be fulfilled to the same extent in all the known institutions with a comprehensive study. Stringent methodology is necessary to meet all the requirements to an equal degree. This methodology should contain definitions of representative criteria and a corresponding selection. This is implemented for research field D by means of a three-phase approach:

Study of the 'key institutions': Qualitative analysis methods will be employed to conduct in-depth longitudinal and individual case studies of key institutions, selected according to a type grid. These take into account socio-geographical criteria (cantons, including concordats and catchment areas, language regions, religious denominations and organising institutions as well as urban-rural considerations), the group of persons admitted and types of residence (gender, age, reasons for commitment, size, open/closed institutions), chronological criteria (founding dates of the institutions, diversification and specialisation) and, not least, the accessibility of the archives.

Institutional typology: In order to be able to present the variety of institutions for the selection of the case studies as broadly as possible, a representative sample is of key importance. In particular the federal structures of Switzerland open up the question of the differentiation of administrative detention compared to other welfare practices. The supposed clear and narrow setting of the term is deceptive with regard to the range of interpretations and applications of this concept. The sample selection is therefore based on as broad a concept as possible. For the selection of representative institutions – also with reference to interesting

contrasting aspects – a mix of inductive and deductive approaches was selected: Tangible contemporary witness reports (able to be viewed online), published literature by researchers, contemporary listings as well as surveys within the circle of specialists of the IEC and beyond revealed information on important institutions. More details will be added in the second step through preliminary explorations in archives with easy access at the federal and canton level. This type of research will make it possible to carry out initial categorisation of relevant types of institutions: *(forced) work institutions for adults (women and men), work colonies for adults (women and men) educational institutions for young adults (mixed types), educational institutions for juveniles, rehabilitation for alcoholics, penal institutions, psychiatric institutions, communal houses for the poor, mother/child institutions and homes for babies as well as institutions for people with special needs.*

Based on the list above, the following five institutions were selected for in-depth longitudinal individual case studies:

The *Bellechasse institutions* (FR) were canton-run, mixed-religion concordat institutions that accepted admissions from all over Switzerland. They were made up of different locations, some of which exist today, with a broad range of admission reasons, also with reference to gender and age. The comprehensive source materials are well developed and easily accessible (Freiburg Canton Archives).

The canton-run *Hindelbank institutions* (BE) interned women with a criminal conviction as well as those under administrative detention. The authorities making the admissions originated from all over Switzerland. The women's prison, which remains in existence up to today, lists administrative detained women in its annual report up to 1984. An institutional archive of material is not known: Indirect access was necessary here.

The *Uitikon-Waldegg educational work training institution* (ZH) was a canton-run, mixed-religion institution for male juveniles and young adults that accepted admissions from all over Switzerland from 1926 and today still operates as a detention centre. It possesses comprehensive source material (State Archives Zurich).

The *Casa per intemperanti 'La Valletta'* (TI) was a canton-run institution for administrative detainees for work training (work colonies) or for the purpose of alcohol withdrawal from 1932-1975. The institution displays connections to the psychiatric clinic, Mendrisio, which needs to be examined in more detail, as well as international connections to the development of psychiatric practice in Italy. It possesses comprehensive source material on site.

The reform home *'Zum gutem Hirten' in Altstätten (SG)* was a non-state, Catholic-run institution for re-educating young women from different cantons from 1868 to 1989. The scope of their records as well as the access to them is still being clarified.

'The system of relationships between institutions': Based on knowledge gained from the studies on the key institutions and to fulfil the requirements of representativeness and comparative purposes, a further approach will be made through the 'system of relationships between institutions'. Based on personal records, eye-witnesses and contemporary witness interviews – including those discussions with representatives of the institutions carried out by IEC team members (A1) – the aim is to reproduce the possible detention stations based on a representative number of extracts from life stories. This will allow – in addition to expanding the empirical basis – different institutions to be examined at the municipal level and to develop further typical features of institutional residencies by means of a structured collection of core data. Over and above the key institutions examined in depth, this will also allow us to incorporate other state-, private- and / or church-run institutions such as in Vaud (e.g. Les Etablissements pénitentiaires de la Plaine de l'Orbe) or in Aargau (e.g. Lenzburg prison) and in Thurgau (e.g. the Herdern work colony or the Kalchrain forced labour institution), which will reveal geographical points of intersection with other research fields. Also with reference to specific issues, such as all those regarding the construction of the notion of 'gender', interactions with those suffering from alcoholism or the conditions of discharge, other regions of Switzerland can also be incorporated into the studies (such as 'La Maison de la Suisse romande pour femmes victimes de la boisson Béthesda' in Lausanne (VD), la Colonie agricole et industrielle de l'Armée du Salut 'Le Devens' (NE), the correctional institution for 'alcohol-addicted, licentious, unstable' women and men Realta (GR) or through archives of the cantonal councillor in Schwyz for national guardianships in the canton (1928-1969).

This three-phase process that has been outlined requires a staggered approach to determine the source materials to be examined. Thus the knowledge gained from studying the key institutions will be analysed at a later stage of research and will be examined for cognitive interest and coordinated with work in other research fields – also with respect to methodological considerations. Subsequently, a definitive identification of all source material related to the 'system of relationships between institutions' will be conducted. The final level of approach also comprises the reconstruction of the biographical worlds, which displays points of intersection with other research fields. When compiling the same and taking into consideration

existing research work orientated towards institutions as well as in cooperation with all research fields (in particular subproject A3), it will furthermore be possible to embed the institutional practice into the overall context of Switzerland. The aim is to reveal insights into international relationships with reference to an overview of the federal structures involving a striking number of voluntary and layman, as well as a broadly diversified network of institutions.

Research field E: 'Biographies and life stories'

Of key interest in research field E are the biographies of the persons affected by administrative detention. Particular attention will be paid to the way in which internment had an impact on institutional detainees with respect to education, health, income and subsequent work and employment opportunities. Moreover, an examination will take place into the way in which the experiences associated with institutional detention influenced the further course of their private lives and which difficulties and loss of options in life were associated with this. The analytical discussion of the life stories of the affected persons is not intended to be related exclusively to the life phase *after* detention in the institution. The phases of childhood and adolescence are included in the study to (a) be able to understand why the persons affected developed different strategies to deal with the experiences and (b) be able to take into consideration that, due to the different primary social backgrounds, not all persons affected had identical opportunities after their discharge from the institution to cope with 'normal' life. The reasoning behind the decision to take into account the entire life span of the persons affected, is firstly based on the assumption that individual coping strategies were contingent on primary habitual dispositions, whose origins lie in childhood and adolescence (cf. Bourdieu 1982; Oevermann 2001). Naturally, this also applies to the survival strategies of those persons affected who, due to the adverse effects they suffered in detention, lived their life afterwards as, for example, a federal disability insurance ("IV") recipient, a recipient of social welfare or who continued to be committed to institutions. The analysis of the childhood and adolescence of the persons affected will also contribute to clarifying the issue of which resources of economic, cultural, social and symbolic capital (cf. Bourdieu 1983) were relevant to providing opportunities for the persons affected to enable them to continue their lives following institutional detention.

1. The issues

The issues that are intended to be examined in research field E by means of biographical research and analysis methods as well as by methods of oral history can be laid out in detail as follows:

Firstly, the aim is to research which persons, due to their social origins, their background of social experience as well as with reference to their practical life skills, were subject to administrative detention during the period of time being studied. This will have as its basis an analysis of a series of individual biographies in which, in addition to interviews recorded in writing with the persons affected, archives and memoirs are also included. The aim is to narrow things down to the ideal type (cf. Weber 1988) to determine and characterise the constellation of social situations, social origin and the practical position in the life of the adolescent associated with an increased risk of becoming a victim of public discredit and intervention by the authorities. The official pronouncements or evaluations regarding the supposed 'character', the supposed 'inherited predisposition' or regarding the 'environment' of the person affected found in personal dossiers or other archives is intended to be subject to a systematic sociological and historical reinterpretation. This is contingent on whether the files contain the required data and information and are thus accessible. The approach used for this will be closely based on, in particular, research fields A3, B and C. What is especially worthy of note in this respect is also the issue of why in particular the persons affected – i.e. people of *their* origin, people with *their* background socialisation experience and people with *their* practical life patterns – were subjected to moral and norm-derived discredit. Why were they forced by state authorities or influential private organisations to undergo corrective, disciplinary or normalising interventions based on their life practices? The classic research methodology of the Frankfurt school of *projective* mechanisms could be particularly instructive in the search for answers to this question. This is used for forming prejudices (for example cf. Löwenthal 1986; Adorno 1995). Similarly useful could be studies that follow the theory and research approaches of Norbert Elias and John L. Scotson (1965), Georges Devereux (1973) or Mario Erdheim (1988).

Secondly, the aim of research work is to document systematically the way in which the experience of strict discipline and forced labour, physical and psychiatric violations to integrity as well as the different types of hostility, the discredit and stigmatisation they were exposed to impacted on the lives of the persons affected in the phases *before*, *during* and *after* institutional detention. With reference to the phase of institutional detention, a close exchange of information is planned, in particular with project team D. Special attention should be paid to the issue of what practices and strategies were employed to attempt to (a) fight public defamation and stigmatisation, (b) fight the actions of state authorities for detention, (c) fight fixed classifications of discrimination on the part of the scientific experts and (d) fight, for example, the unfair, exploitative, degrading or invasive institutional regimes that were permitted. In order to systematically take into account insights into the corresponding legal and institutional

scope of action, close exchange of information is planned with research fields B, C and D. Of specific interest in research field E are individual strategies of defence, self-assertion, adaptation and subversion (cf. Goffman 1975), as well as strategies that required solidarity with other affected persons (or at least with a section of the institution's personnel), and where applicable – related to the context of the institution – the emergence of an 'organisation underbelly' (Goffman 1973) as a consequence. It is not just of interest to examine the means, capabilities and strengths that the persons affected possessed individually or as a collective somehow to counter the power of public morals, the power of state authorities, the power of 'science' or the power of institutional management. It is also important to look at what consequences – sometimes even ones that increased their own powerlessness – were associated with attempts at defence and self-assertion.

Thirdly, the study should examine the physical, psychological and mental state of the persons affected at the point in time they were able to leave the institution or after a long institutional career had come to an end. Based on the corresponding individual findings from the biographies, furthermore, the aim is to add the *dynamics of change* displayed in the later life of the interviewed persons to a generalised structure based on typification (cf. Kelle / Kluge 1999; Oevermann 1986). With an emphasis on typology as well as solidly based on an examination of a series of individual biographies, different patterns will be elaborated, which can explore the life stories of the persons affected after their discharge from the institution. The corresponding results should reference (a) the career and employment biography of the persons affected, (b) the situation of their life experiences (experience of relationships, starting of a family, personal emotions, etc.), (c) participation and involvement in public life as well as (d) the consequences of detention for the following generations. What needs to be analysed in particular are what mechanisms of external- and self-exclusion impaired the biographical course of their lives. What special efforts did the persons affected need to develop to establish a stable position within the social fabric after discharge and what factors tended to have either a positive or a negative effect on whether they were ultimately successful or not. Attention should be paid in particular to influencing factors that have been organised at the following levels: (a) at the level of the (primary) habitual constitution of the persons affected, (b) at the level of their physical and psychological condition after institutional detention, (c) at the level of the scope and the nature of economic, cultural, social and symbolic capital that was able to be fallen back on after discharge (taking into account such things as relevant qualifications for the world of employment that they possessed or the support that was offered to them by third parties), (d) at the level of the intellectual climate at the time in which the discharge took

place and (e) at the level of economic conjectures as well as the organisational structures and organisational characteristics of the economic life in the period after detention.

Fourthly, the strategies and practices of immunisation or self-protection (cf. Goffman 1975) the persons affected employed after their discharge in an attempt to avert the risks of suddenly finding themselves again in a situation of stigmatisation or discredit. The focus here is not intended to be purely on the strategies in and of themselves, but also on the consequences associated with them. It can thus be assumed, for example, that using both *defensive* strategies of silence, of concealment and repression as well as *offensive* strategies of struggling to be heard and for recognition, depending on the time period and the historical context, both entailed the risk of renewed social isolation or respectively the risk of being stigmatised once again.

In order to answer these questions, research field E will mainly employ sociological-based methods of biographical analysis as well as methods not based on *empiricism* but on the *structure* of generalising typification. The starting point of typification forms the analysis of the life stories of approximately 60 persons subjected to administrative detention. The basis of the data material takes the form of reconstructions of habitual dispositions, biographical resources, individual experiences and response patterns and life histories of the dynamics of change, for example the non-standard research interview with persons affected that were carried out in research field A1. To complete the samples, the team members of field E will also carry out their own interviews. The selection of biographies does not follow the logic of *statistics* but rather is based on a hypothetical contrast formation of *theoretical* samplings (cf. Glaser / Strauss 1998): Following on from the biographical analyses already conducted, the issue of which person subjected to administrative detention *could* have had circumstances that differed fundamentally or in relevant individual ways to those that could be reconstructed from analysis of the previous life, will be raised respectively. The reference points and the criteria for the search for respective follow-ups and comparative biographies will be derived step by step, based on knowledge already gained up until that point in time and not *ex ante* from statistically derived characteristic values. Biographical analytical studies are not aimed at statements regarding the statistical *frequency* and *distribution* of specific phenomena, but rather at the act of determining divergent expressions of an interesting topic. Consequently, with regard to the *quality* of the sample, the question is not whether it is *representative* but rather much more the question of whether it is sufficiently *saturated*. This criterion of *saturation* can only be considered to be fulfilled if no fundamental patterns of divergence to the

topics of interest can be found during the analysis of follow-up and comparative biographies or, respectively, if it can be assumed on this basis that the typifications established during the course of analysis are now complete.

In addition to the recorded and transcribed interviews with the persons affected, selective and also archived sources as well as published eye-witness accounts, memoirs or other biographically relevant texts will also be incorporated into the analysis work. Specifically relevant to research field E are the sources and documents that (a) provide information about the social and socialisation backgrounds of the persons affected by administrative detention, from which (b) information can be derived on the issue of the practices and strategies the persons affected used as an attempt to defend themselves against the authorities as well as against the stigmatisation and loss of integrity during and after their internment, that are (c) informative with regards to the question of which practices the persons affected used after detention to demand public attention and recognition of what had happened to them, or ones that are (d) memoirs or documents containing individual reviews of the experiences.

The research work in field E will be conducted within the scope of two subprojects designed to be relatively independent:

2. Project E1: 'Experiences in homes and institutions'

The subproject E1 focuses on the documentation, analysis, presentation, commentary and communication portraying the experiences of the persons. This not only includes the period of internment in the institution but also the periods before and afterwards. The research work is based on methods of oral history as well as narrative and discourse analysis incorporating research and methodological approaches by Norbert Elias, Lutz Niethammer, Fritz Schütze, Pierre Bourdieu, Georges Devereux, Mario Erdheim, Axel Honneth, Bettina Dausien, Kenneth J. Gergen and others (see Bibliography). In addition to the interviews with victims or, respectively, the persons affected, interviews conducted in subprojects A1 and E with representatives of the institutions as well as former institution managers or former representatives of the institution personnel will be documented and included in the analysis. The goal is to outline a differentiated image of institution life based on the individual impressions of the inmates as well as those responsible for the institution and to develop and draw links between the respective baseline discourses and narrations.

Attempts will be made to work in three directions:

(a) An annotated edition of historical sources, which are of exemplary importance to individual biographies, biographical watersheds, forms of resistance, searches for identity and files, self-assertion and autonomy endeavours, social connections and changes within the different historical phases. The aim is to cover the regions of origins and life situations as broadly as possible. A sample separated according to canton or institution, such as was carried out in research area E, was not able to be used here as the biographies to be examined were often strikingly inter-regional. The time frame ranges from the first introduction of forced labour and correctional institutions, i.e. from the mid-19th century up until it ended in 1981.

(b) In subproject E1, moreover, a series of documented biographies (biographical documentaries) will be developed, analysed and annotated. These will be based on personal dossiers from many different sources composed by the persons affected themselves (letters, complaints, appeals, statements in 'hearings' by detention institutions, pertinent police interrogations, self-descriptions of their course of life, diaries, etc.). Parts will refer back to earlier phases of administrative detention and will correspondingly reach back into the 19th century. The focus of the commentary and analyses will be on individually specific aspects, key moments and situations of institutional detention in their various historical forms, which also occur at the same time in several biographies. As opposed to research field D, the central focus of attention here will be on subjective experience and processing of that subjective experience in eye-witness accounts and narratives of the persons affected and other actors.

(c) Subproject E1 is ultimately intended to explore the issue of the relevance of these life stories and the information that can be derived from them regarding the experience, perspective and arguments of the persons affected and the institutional actors within the discursive and social context of marginalisation and discredit versus recognition, rehabilitation and endeavours to humanise the institution. This will incorporate increasingly wider debates on human and legal rights as well as arguments related to financial damages suffered by victims of coercive welfare measures and endeavours to compensate them. In the processes this will cover the subjective lines of argument put forward by the persons affected and the institutional actors in Switzerland with reference to international differences and parallels. This will thus enable life reports and lines of arguments concerning forced education and training and social disciplinary actions to be presented and explored with reference to their specificity, time frame and cross references – also to some extent for international comparisons.

3. Project E2: 'Individual long-term consequences'

The focus of subproject E2 is the systematic account of biographic dynamics of change in the years after internment, under consideration of habit-forming processes and the structure of opportunities in childhood and in adolescence. The methodologies followed in subproject E2 will be sociological procedures for reconstructing biographies as well structured generalisation by means of typification. The aim is to achieve an integral presentation of the knowledge gained in the form of a 'collective biography' of those subjected to administrative detention. In the chapters on the individual life phases (1. childhood, 2. adolescence, 3. discredit phase, 3. phase of institutional detention, 4. employment and status in day-to-day life following institutional detention), the aim is to systematically compare different patterns of starting situations, the progression, the experience, the act of putting up a fight, the practical life status or dealing with the experiences, all with an emphasis on typology. The term 'collective biography' must not be misinterpreted in this respect to mean that the representation of the results implies a levelling or narrowing process for the *different* life realities and life experiences to a 'statistical average type', where it would follow that this would nullify everything that constituted the individual life, experience and suffering. On the contrary, the book monography is intended to illustrate a detailed and multifaceted image of what administrative detention meant to the persons affected. The way in which they lived *their* life under the characteristic conditions of their life. The segmentation of the analysis work based on life phases (or respectively the presentation) should make it possible also to incorporate documents on life stories of the persons affected into the analysis work that are not exclusively to do with the stated phases of life, i.e. do not relate to the entire life span. In the research into adolescence or the phase of discredit for example, any eye-witness accounts and memories of deceased persons that can be found by research or archive work should also be included.

During the analysis, interviews with the persons affected as well as further documents attained in subproject E2 will be used. They are a combination of, the one hand, *coded* and, on the other, *hermeneutic-sequential* methods of analysis of non-standardised data. To ensure the findings, gained step by step, can be systematically recorded, a previously developed analysis grid will be used. In addition, all interviews and source documents will be coding using MaxQDA software. When creating the individual codes, not only will a *content-analytical* approach be used for labelling; the content will be summarised comprehensively or paraphrasing will be used. Always in cases where latent meaning (cf. Oevermann 1986) or, respectively, 'documentary sense' (cf. Mannheim 1964) is called for, selected texts or document passages will undergo a *hermeneutic-sequential* process of fine analysis. The findings attained here will

then be stored in summarised form with terminology in the coding software MaxQDA for further processing.

4. Joint publication field of E1 and E2

In addition to the publications specific to the subprojects, a joint publication by the two project teams will be published based on research work in research field E. This is intended to take the form of a collection of journalistic portraits of the people who were affected by administrative detention. It is intended that researchers from other project teams will also be able to make contributions to this collection of portraits.

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UEK Administrative Versorgung - Übersicht der berücksichtigten Archivbestände auf kantonaler Ebene
Die Farben markieren die Anzahl Forschungsfelder, die in den Kantonen vertiefte Untersuchungen vornehmen:

grün: 4 Felder blau: 3 Felder gelb: 2 Felder rot: 1 Feld

	Grundlagenfeld A			Champs de recherche B: Bases légales/légitimation et délégitimation de l'internement administratif		Forschungsfeld C: Rechtspraxis und Expertise			Forschungsfeld D: Anstaltspraxis			Forschungsfeld E: Biografien und Lebensläufe	
	GF A1 Interviews: 60 Interviews nach dem Sample der übrigen FF	GF A2 Vermittlung	GF A3 Mengengerüste	FF B1 Bases légales	FF B2 Processus législatifs, débats politiques, débats experts et profanes	FF C1 Versorgungs- verfahren	FF C2 Entscheidungsprozess se und wissenschaftliche Expertise	FF C3 Aufsicht über die behördliche Versorgungs- praxis	FF D1 Vollzug der Massnahmen	FF D2 Ökonomische Dimension der administrativen Versorgung	FF D3 Entlassungspraxis	FF E1 Erfahrungen in Heimen und Anstalten	FF E2 Individuelle Langzeitfolgen
Aargau			KtAG	KtAG	KtAG	KtAG			KtAG	KtAG	KtAG		
Appenzell Innerrhoden*				KtAI		KtAI							
Appenzell Auserrhoden				KtAR		KtAR							
BaseLandschaft			KtBL	KtBL		KtBL	KtBL	KtBL					
BaseLStadt				KtBS		KtBS							
Bern			KtBE, SIBE	KtBE		KtBE			Anstalten Hindelbank	Anstalten Hindelbank	Anstalten Hindelbank		
Freiburg			KtFR	KtFR	KtFR	KtFR	KtFR	KtFR	Anstalten Bellechasse	Anstalten Bellechasse	Anstalten Bellechasse		
Genf				KtGE		KtGE							
Glarus				KtGL		KtGL							
Graubünden				KtGR		KtGR			KtGR	KtGR	KtGR		
Jura				KtJU (ev.)		KtJU (ev.)							
Luzern			KtLU	KtLU	KtLU	KtLU							
Neuenburg			KtNE, SINE	KtNE		KtNE			KtNE	KtNE	KtNE		
Nidwalden				KtNW		KtNW							
Obwalden			KtOW	KtOW		KtOW							
Schaffhausen				KtSH		KtSH							
Schwyz				KtSZ		KtSZ	KtSZ	KtSZ	KtSZ	KtSZ	KtSZ		
Solothurn				KtSO		KtSO							
St. Gallen				KtSG		KtSG			gutem Hirten-, Altstätten	Erziehungsheim -Zum gutem Hirten-, Altstätten	Erziehungsheim -Zum gutem Hirten-, Altstätten		
Tessin			KtTI	KtTI	KtTI	KtTI			Casa per interperanti -La Valletta -	Casa per interperanti -La Valletta -	Casa per interperanti -La Valletta -		
Thurgau			KtTG, VBTG	KtTG	KtTG	KtTG			KtTG	KtTG	KtTG		
Uri				KtUR		KtUR							
Waadt			KtVD, SILA	KtVD	KtVD	KtVD	KtVD	KtVD	KtVD	KtVD	KtVD		
Valais				KtVS		KtVS							
Zug				KtZU		KtZU							
Zürich			KtZH, SIZH	KtZH	KtZH	KtZH	KtZH	KtZH	Arbeitserziehungsanstalt Ulikon-Waldegg	Arbeitserziehungsanstalt Ulikon-Waldegg	Arbeitserziehungsanstalt Ulikon-Waldegg		
Interkantonale Institutionen			Diverse	Diverse									
Bund			BIS SñB BAR	BAR, BGAR		BAR, BGAR							

* In den rot geschriebenen Kantonen wurden oder werden Forschungsprojekte zu fürsorgerischen Zwangsmaßnahmen durchgeführt.