

ABSTRACT

The occurrence of suicide into the walls of penal institutions has nowadays become, not only in Italy, an extremely significant issue, waiting to be stamped out through a specific regulatory intervention. According to what outcomes from an operation of research, it is possible to notice how little and careless is the attention for a long time dedicated to the topic. The smug attitude taken towards the matter, which initially was easily solvable, turned it into a serious national trouble. Today, several journals and organisms talk about a “ silent massacre”, underlining with a clear critical tone the alarming conditions affecting numerous Italian penal institutes. As a matter of fact, several Italian penitentiaries have recently conquered the first page of relevant journals and the interest of different competent authorities, because of the high rates of suicide, often related to the incredible level of overcrowding.

Basically the aim of the following thesis is indeed to examine, from different perspectives, the above mentioned political and social phenomenon, that silently claims an ever rising number of victims. A correct sociological analysis impose, before pointing out the statistical data, the reproduction of the environmental and situational background in which the individual, as a potential self-killer, is introduced.

Prisons are a clear example of total institutions, inasmuch as they wield a totalizing control on the captive, as far as they forbid social exchange and restrain from freely leaving the same institution. The Canadian sociologist Erving Goffman deepened the topic regarding total institutions, extracting a comprehensive classification. Depending on the objective which qualifies each institution, it is possible to distinguish them in: institutions protecting non dangerous individuals, others which aim at the preservation of people who might, or not, represent an intentional danger for the society and moreover those following an instrumental activity or finally the institutions set apart from the social context, such as monasteries. According to the current dissertation, the prison is to be considered a total institution with the specific purpose of punishing and contemporary reeducating captives, inasmuch socially dangerous individuals.

The custodial solution, consisting precisely in the privation of one’s freedom, was set up as main punishing form only at the end of 18th century, bringing along an epochal turning point which witnesses the aberration of medieval torture and the acceptance of more human practices. This

evolution is the concrete result deriving from a matured conception of punishment, which is no longer directed to prisoners' bodies, but rather to their souls. In a world where human rights' protection is leading to a progressive modification of global prison systems, denying one's freedom is the most extreme solution, as much as the medieval torture, even though it is not equally violent for sure.

Inside the prison the social mobility, to be intended as that process of exchange and movement from a starting to an arriving point inside a social system, between the class composed of staff and the group of captives is highly reduced, due the discriminatory approach often put on by the first towards the second ones. In the 18th century the English philosopher Jeremy Bentham draw an architectonic project, known as Panopticon, which translates in practice the intimidating nature of prison; the structure of the edifice, elaborated in detail, was supposed to guarantee a constant control above all the people imprisoned by the few members of staff.

The eradication of the individual from his ordinary reality and the consecutive integration into a world governed by diametrically opposed rules, generate the so called process of culture-decreasing (progressive loss of habits and customs life-long learned), activating simultaneously a mechanism of adaptation to the new behavioral and cultural dictates commanded in the penitentiary. Isolation, compulsion to submission, privation of his own possessions and above all divestment of civil roles may carry serious psychological traumas to prisoners, who consequently feel ever more the estrangement from the society.

The psychological damage involves serious consequences; the prisoner is tendentially carried to adopting variously predictable behaviors, depending on the shock resulting from the mix of external (environment, staff, rules and privations) and internal factors (intrinsic to one's personality). The effects suffered by the captive reveal their real entity especially when the guy himself, at the end of the custodial period, is supposed to be sent back to the society to which he belonged. The reintegration phase of man in the society is clearly delicate, because the difficulties of social and psychological recovery processes are proportionally connected to the success previously gained through mechanisms of exclusion and violence. The insecurity and inadequacy, felt by the individual when nearly to be released and to return to society, are an evident proof of the distorting effect deriving from detainment. Synthetically the contradiction is the following: people, at the beginning of detainment, desperately yearn for freedom, but at the moment they leave their prison jails freedom is admired with panic and anxiety.

In order not to seal the victimization of prisoners by the justice, nowadays has been universally recognized the reeducating valence of punishment, replacing the afflicting one. The reform of the prison system of 1975 signed this changing, declaring the abolition of retributive practices in contrast with the sense of humankind (previously introduced during Fascism by the prison system reform of 1931) and promoting a correcting conception of punishment itself. Therefore, between captives and society must not be built a separating wall, but rather realized a permanent relationship with the external world so that it could alleviate the sense of loss and isolation and facilitate the following resocialization.

Despite the legislative predetermination, today the penal institutions that positively respond to the parameters of professionalism and carefulness are still few. A record, concerning the quality of the service provided, has to be devolved to San Vittore Penal Institute (Milan) which represents a flagship in the Italian penal survey, thanks to its highly-skilled staff and enviable reeducating plan. It is also appropriate to mention the National Institution for Observation of Rebibbia (Rome) since it focuses its work on the diagnosis and further classification of captives, according to a detailed procedure starting at the beginning of detainment, by promoting innovative probationary techniques.

International law has considerably contributed to the achievement of reeducating principles of punishment, regulating them in detail by politically relevant documents; a significant number of nations officially acceded to the agreements, underlining their fundamental importance. Italy ratified several treaties which confirm its leading position in the field of human rights protection and mark such loyalty to juridical certainty and to the related political doctrine. The main and most known documents, about individual's legal protection when imprisoned, are: "Rules of United Nations on basic standards in prisoners' treatment" of 1957 and the recent "Rules on prisons of European Union" resolved in 2011. It must be recognized to the certificates mentioned above the worth for giving dignity the right ethical and political value, declaring how not even the cruelest crime can cause its loss.

In order to verify the abidance of the basilar principles, it was necessary to institute organisms whose duty is to relieve the compliance with the law and in particular possible infractions made by staff or other authorities. The National Commission for the protection and promotion of human rights and the Guarantor of prisoners and people deprived of their personal liberties have the

important function to guarantee the prisoner juridical protection and to supervise compliance with the acts.

Statistics currently emphasize a pathologic rejection of penitentiary context by the captive, which generally shows off through having recourse to self-destroying actions (as defined for the first time in Amato's letter in 1986). The literature dealing with suicide appears definitely rich; its origins sink into Greek philosophy, but also Roman illustrious thinkers (especially during Christian period) offered their contributes to defining the conception of suicide. Nevertheless suicide hardly received a definitive identity; European contemporary literature, the Italian in particular, always wrote on suicide according to colliding points of view, causing an ever changing appearance of the topic.

Besides the literary aspect, it is understandably important to examine the other side of the problem, that is to say the legal side, which turns out equally disputed. Even though Italian civil law does not contemplate suicide in the list of crimes, it underlines the contradictions between suicide and the right to physical integrity (art.5 civ. Code) and the wider right to health (art. 32 Cost.).

The requirement to inspect the occurrence of suicide is not so ancient as the historical origins of the phenomenon itself. For ages, suicide had been superficially dismissed as a scourge of God, denying its psycho-sociological complexity. Only at the beginning of 19th century, during Victorian reign, some researchers started to analyze suicide as index of political and social sanity.

Psychic instability and the missing integration into the new social context make captive strongly restless and unable to bear not only the moral heaviness related to the awareness of crime committed, but also the psychologically destroying treatment he is held against.

Starting from this observation is now possible to analyze the different socio-psychological reasons which lead prisoner to mental elaboration of suicide such as a medicine assuring an immediate relief. The first sociologist who concentrated on suicide an entire dissertation is Emile Durkheim with his literary masterpiece "The Suicide". For the first time in social sciences, the subject is studied from a different perspective, which conciliates traditional methods and new scientific points of view. Durkheim finally gets to elaborate a classification of suicide, identifying three ideal-types: selfish suicide (caused by the missing involvement in social groups), altruistic suicide (the involvement in society is excessive) and no-rule suicide (caused by the lacking of values and rules).

Robert K. Merton, precursor of the functionalist doctrine, dedicated instead an exhaustive research to the phenomenon in the specific penal environment, substantially deducing two alternative profiles: suicide as form of rebellion or surrender. The intricate labyrinth of frustration, moral dejection and loss of self-determination outlines the picture of a no-way out tunnel, with the consequence that prisoner, lacking perspectives of improvement, gets inevitably to committing suicide, considering it an instrument whether of desperation or definitive escape. From this strong and extreme manifestation, disclaimed by social ethics, is possible to infer the deviant nature of suicide. Depending on the psychological meaning of each case of death, the individual behavior can be labeled as positive or negative deviance.

The reason which justifies the choice to write about this theme is expressed in its topical interest, especially in Italy. Illustrating the massive sociological studies, besides the significant political and juridical steps, represents an effective pair of binoculars in order to focus the matter and to identify any correcting measures. Penal Administration Department has recently pointed out quite alarming data as far as concerns to the related chapter of overcrowding, so to mark the urgency of the problem. At the beginning of 2012 the number of captives in Italian penitentiaries amounts to 67.444; this quantity is certainly enormous, since normal capacity does not exceed 43.000 individuals. The huge overload imposed to institutions, at a structural level, and to prison staff makes the service, provided to captives, disappointing and pejorative. Obviously this negative result positively weighs on the increasing of suicide rate. In the previous years numerous laws and decrees have been issued, as Gozzini law in 1986, in order to introduce measures such as indult and amnesty; nevertheless these acts of grace only brought temporary and superficial benefits.

Even though state interventions, attempting to solve the problem, have been several so far, the deriving effects turned out poor and inadequate. The realization of how this problem is widely shared, affecting also other European nations such as Spain, should be a stepping stone for the definition of a united commitment aiming at a total expulsion. The critical points where state intervention is urgently demanded are the following: legislation about clandestine immigration, penal and trial jurisdiction and the strange case of "ghost prisons" (penitentiaries potentially functional, but never used or even abandoned). A structural examination of the Italian trial penal system constitute the first and most significant step of a regulatory therapy; the not very forceful discipline about clandestine immigration and the unbearable bureaucratic slowness of penal system are the two targets to be put down. Therefore, what our government is required is a

concrete and timely involvement, that looks forward to the political bases of the pathology through a tough normative operation. The critical conditions which affect Italian prisons is a globally recognized theme, exactly for this reason the European Council of ministers convened a meeting, which will take place in Strasbourg at the beginning of October, that will be focused on this issue.

The process of adaptation to the world of prison triggers a predictable shower of highly traumatic repercussions on captives; these negative consequences may be even more amplified by aggravating circumstances, according to what is observed in numerous overcrowded penitentiaries.

In the meantime, famous international organisms directly involved in the sector, have been doing a lot in enforcing the social role of prevention which, also in this specific field, seems to be the strongest weapon. Thanks to an intense work of propaganda and information, The World Organization for Health and The Bioethics National Committee permitted the abandonment of the ancient specialist approach and consolidated the universalistic vision of prevention. This new conception has not to be intended as the involvement or carefulness only provided by specialist staff, but rather as the synergic collaboration among all the people surrounding the prisoner.

Exactly through a modern and extended conception of prevention, it is possible to understand how the respect and the actuation of few behavioral rules actually have a basilar function. The possibility for prisoners to ask for help to a listening and psychological supporting service, the effective continuity of communicative relationships and the permission to meet their own familiars, radically change the entire perception that captives feel about the context they fill.

The previous examples, which show how real and simple is to reduce one's pain, motivate the necessity of introducing and diffusing training courses for the whole staff; the first purpose of these courses must be the recognition of priority to the theme of prevention and the clarification concerning the security and reeducating qualities, contemporary expressed.

What society has to learn is: the most slippery floors which force men to look for a solution into a knife or a rope gripped around the neck, do not consist in the custodial punishment itself, but rather often in the sense of abandonment and in the confirmation to be forgotten, besides punished, by the world.

Obeying consciously to the rules contemplated in the numerous documents dealing with the field of prevention, would quietly permit the spread of a new and different cultural approach of prisoners towards justice. The trauma caused by the integration into a new social context remains, regrettably for the captive, but a more sensible treatment and a greater helpfulness can help an individual change his way of getting into a relation for sure. He, indeed, would begin to rely on the effectiveness of reeducating purpose and afterwards would play an active part in all the initiatives and procedures provided, whether inside and outside the penitentiaries. The best part of this project is exactly the conclusion: the percentage of risk for the prisoner to hide himself into the mental elaboration of committing suicide turns out significantly reduced.