



Social reintegration of prison inmates. A comparative study between two prisons from Romania and Italy

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Abstract

Lately the “prison system” has gotten a special attention for various reasons. First of all because of the crowding of the prisons and the inhumane conditions in which inmates live. The goals imposed by the European Union haven’t been met almost by anybody with only a few exceptions. That’s why the latest focus is on the re-education of the inmates in order to socially reintegrate them as soon as possible and thus resolve the issue of the crowding. This research is an attempt to show how seriously this aspect is taken into consideration by two prison systems, one large, in Romania (Craiova) and a regular one in Italy (Chieti) by showing the statistics regarding the personnel, inmates, spaces and activities conducted towards social reintegration of incarcerated persons.

Keywords: *societal reintegration; inmates; Romania; Italy; prisons; education; society.*

1. Introduction

Michel Foucault has studied the process of punishment in the penitentiary system and he observed that “the problem of legal punishments, the prison with all the corrective technology at its disposal is to be resituated at the point where the codified power to punish turns into a disciplinary power to observe; at the point where the universal punishments of the law are applied selectively to certain individuals and always the same ones; at the point where the redefinition of the juridical subject by the penalty becomes a useful training of the criminal; at the point where the law is inverted and passes outside itself, and where the counter-law becomes the effective and institutionalized content of the juridical forms. What generalizes the power to punish, then, is not the universal consciousness of the law

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in each juridical subject; it is the regular extension, the infinitely techniques” (Foucault 1978: 224).

Regarding the social reintegration of the inmates, Foucault also considered that thru knowledge they could return useful to the society: “the overall aim was to make the prison a place for the constitution of a body of knowledge that would regulate the exercise of penitentiary practice. The prison has not only to know the decision of the judges and to apply it in terms of the established regulations: it has to extract unceasingly from the inmate a body of knowledge that will make it possible to transform the penal measure into a penitentiary operation; which will make of the penalty required by the offence a modification of the inmate that will be of use to society” (Foucault 1978: 251).

When talking about prisons, Ervin Goffman appreciates that “a total institution may be defined as a place of residence and work where a large number of like-situated individuals, cut off from the wider society for an appreciable period of time, together lead an enclosed, formally administered round of life. Prisons serve as a clear example, providing we appreciate that what is prison-like about prisons is found in institutions whose members have broken no laws” (Goffman 1961: xiii).

To Byrant A. Garner, the social reintegration means “a restructuring of the offender’s character so that he can work in society without committing other crimes in the future” (Garner 2001).

The main focus of the re-education of inmates is to motivate them in order to prevent the recidivism by giving them a purpose in order to live a free crime life so they could reintegrate into the society. The problem is that, even if they acquire the capabilities to return to society and they have the will to reintegrate, the hard life in today’s society, without a follow up by the authorities on the reintegration program, has almost every time the same result: falling into committing other crimes.

2. Background of the Craiova prison

The prison in Craiova, Romania was reorganized for the first time after the communist regime in 1992: “On May 16, 1992, under the signature of the Prime Minister, the Decision no. 265 of the Government of Romania was issued, specifying in article 1 that "the School Center no. 5 in the municipality of Craiova is transferred from the State Secretariat for the Handicapped to the Ministry of Justice - General Directorate of Penitentiaries, with all indicators, personnel and the entire heritage, starting from July 1, 1992, from which it will have the profile of a work school and re-education" (ANP, Detention Center of Craiova: about us). Also, “in May 19, 1993, by order no. 432/C of the Minister of Justice, the name changes into *the Craiova Reeducation Center*. The director of the special school becomes the director of the re-education center at the same time. On August 15, 1997, the Reeducation Center officially ceases its activity, becoming, according to the order of the Minister of Justice no. 1301/C, 1st category penitentiary for juveniles-young people, Craiova. Along with this change and in accordance with the needs imposed by the increasing number of detainees, the personnel scheme was also modified, increasing the number of positions from 278 to 305. Starting with the first of February 2014, the provisions of law no. 254 of 2013 regarding the execution of the punishments and custodial measures ordered by the judicial bodies during the criminal trial, following that the Penitentiary for Minors and Youth Craiova will perform the functions of a detention center, as provided for and by the new applied norm. Thus, in the current activity of that time, the staff of the unit had encountered new situations, generated by the new legal provisions; on 27.02 2014, the first female inmates in the 22-year history

of the unit were taken into custody, and a year later, between January and February 2015, as a result of the establishment of the area of responsibility, the people taken into custody will come from 22 counties in the western half of the country. In 2016, by the provisions of Decision No. 756/2016 of October 12, 2016 for the organization, operation and powers of the National Administration of Penitentiaries and for the amendment of Government Decision no. 652/2009 regarding the organization and operation of the Ministry of Justice, the Craiova Juvenile and Youth Penitentiary officially becomes the Craiova Detention Center. In order to respond to the identified educational needs of persons deprived of liberty in the Craiova Detention Center, the profile of the Special Vocational School Craiova was also changed, so that by Decision no. 81 of 30.03.2017, starting with the 2017-2018 school year, the educational institution becomes the Special Technological High School PELENDAVA Craiova with the levels of primary, secondary and high school education” (ANP, Detention Center of Craiova: about us).

3. Background of the Chieti prison

Regarding the Chieti prison, “the institute dates back to 1961 and stands on the outskirts of the city of Chieti, not far from the Piazza della Chiesa di Sant’Anna. It consists of a central building, in which the male prison sections, the offices of the educational area and the 'infirmary of the institution, from a more external section intended for semi-free prisoners and those in art. 21 O.P. The female prisoners are located on the upper floor. There is also a central space intended for the green area (gardens, fountain, statue of San Basilide) and a detached structure where the management offices are located. The detention rooms are equipped with an internal shower and hot water, those in the female section also with a bidet. There is no refectory for eating meals and there is also no sports field. The institute has a theater which is also used for conferences and other events. The men's section has two social rooms, the women's section a multipurpose room and an outdoor space. The open regime is active throughout the institute” (Ministero della Giustizia, Chieti: casa circondariale, 2020).

4. Research statistic data: comparative penitentiary systems

Regarding the Romanian and the Italian penitentiary systems incarceration levels according with both systems security level we can assert that they are very similar as we can see from the table below.

Nr. Crt.	Romania	Italy
1	Open Regime	Open Regime
2	Semi-open regime	Semi-open regime
3	Closed regime	Closed regime
4	Maximum security regime	Maximum security regime
5		The special detention

		regime (41-BIS/LG354/1975)
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Tab. 1. (Romanian and the Italian penitentiary system data regarding incarceration levels according with both systems security level).

As we can see, the Italian penitentiary system has a special incarceration regime called *41-BIS*, witch had its beginning in 1975 and it is for Mafia inmates or linked to Mafia and its activities.

Regarding the number of detainees incarcerated in the two penitentiaries, Craiova and Chieti, although the Romanian one is much bigger, it is also the most overcrowded as we can observe in the table below.

Catg.	Craiova	Chieti
Number of detainees	814*	106**
Type	Maximum security regime* Closed regime*	Closed regime** Semi-opened regime**
Maximum capacity	529*	80**
Overcrowded %	53%	32,5%

* according to the Report to the Government of Romania regarding the visit to Romania made by European Committee for Prevention Torture and Punishments or Treatments Inhuman or Degrading (CPT), 2021.

** according to Ministero della Giustizia, Chieti: casa circondariale, 2022.

Tab. 2 (Craiova and Chieti Penitentiary no. of detainees).

We must also see the number of personnel working in the two structures in order to have a bigger picture regarding how the educational activities are conducted.

Catg.	Craiova*	Chieti**
Guards	434	74
Educators	30 (of whom 4 psychologists)	3
Medical personnel/ Administrative personnel	13	11

* according APADOR-CH, April 2021.

** according to Ministero della Giustizia, Chieti: casa circondariale, 30 November 2022.

Tab. 3 (Craiova and Chieti Penitentiary personnel).

Regarding the reintegration spaces at detainee's disposal, we have the following distribution:

Catg.	Craiova*	Chieti*
Classrooms	2	2
Chapel	1	1
Library	1	1
Theatre	1	1
Sports/Gym	1/1	1/1

* according APADOR-CH, April 2021.

** according to Ministero della Giustizia, Chieti: casa circondariale, 30 November 2022.

Tab. 4 (Craiova and Chieti Penitentiary reintegration spaces).

School classes are one of the most important activities when it comes to the social reintegration program. At it follows, these are the data regarding the participation of inmates:

Chieti Prison

Class type	Start date	End date	No. of participants	Level
English class	03/02/2020	10/06/2020	15	First level
Basic informatics	07/11/2019	10/06/2020	16	First level
Italian class for female foreigners	30/10/2019	10/06/2020	8	First level
Italian class for foreigners	14/10/2019	10/06/2020	4	First level
Excel class	14/02/2020	10/06/2020	8	First level

Tab. 5. (Source: Ministero della Giustizia, Chieti: casa circondariale, 30 November 2022).

Craiova Prison:

Year	Primary Education/ Graduated	Secondary Education (Gymnasium)/ Graduated	High school/ Graduated
2017-2018	62 (22 females)/ 23 (12 females)	39/ 18	44/ 16

2018-2019	43 (19 females)	24	28
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Tab. 6 (Source: APADOR-CH, July 2019)

We can also say that the inmates have the possibility to work inside and outside the structure, unfortunately not so much in the last years do to the pandemic situation and that’s a big minus in their social reintegration schedule. There is also the possibility for inmates to prepare theater plays, to watch movies, spectacles and play sports or train in their recreational time. The fact that both prisons have a library it is a major plus.

5. Conclusions

The overall data it is not very encouraging, especially since we talk about two systems in the European Union, systems that have to apply European regulations that they obviously don’t.

First of all we still have, no doubt after important reforms and efforts, a high degree of overcrowding. Over 50% of overcrowding for Craiova penitentiary and over 32% for the Chieti prison it is too much in our days. There are slim chances to conduct a viable social reintegration program in such crowded facilities. Let’s take the school for instance, students learn faster in smaller groups than in bigger ones. The same apply for inmates. Then, there is the problem of the lack of specialized personnel, as you cannot have more than 27 inmates per educator, as it is the case for Craiova prison. For Chieti penitentiary the situation it is even worse: more than 35 inmates per educator. One may argue that it wouldn’t be necessary to increase the educational personnel as the statistics says that only almost 18% in 2017-2018 and almost 12% in 2018-2019 of the total incarcerated persons in Craiova prison attended classes. In our opinion one should argue instead that the lack of specialized personnel might be the actual cause for the low attendance. First of all the difference between inmates individual educational levels goes hand in hand with the lack of specialized personnel incapable thus to form multiple groups of classes for every level. Then, there is also the lack of space. It is not possible to educate more than 800 inmates in two classrooms as it is the case for Craiova, or more then 100, although this it is an almost ideal situation, as it is the case for Chieti.

Our conclusion is that the norms approved by the European Union that are compulsory for both countries should be applied, starting with the space and sufficient specialized personnel, better reintegration programs that should follow up even after the release of the person. Also, regarding the Romanian system, the penalties for many superficial crimes such shoplifting should be shifted to the probations system instead of the penitentiary one as it started to happen for some recently.

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