

# PRISON?

## A question instead of a statement

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*Prison is often defined as a deforming mirror of society. The space of detention is closely related to historical events, social situation and political mandate of the moment and it cannot be reconsidered prescinding them.*

*It is not possible to obtain answers from the prison, and it is not possible to offer proposals for it: the only possible way out is to organize the investigation of the doubt itself.<sup>2</sup>*

Prison has not always existed: the idea of confinement as a form of punishment has its origins in the Enlightenment philosophy, as an opposition to tortures and public pillories of the Middle Age. In his masterpiece, *Dei delitti e delle pene*, Cesare Beccaria outlines the values of modern prisons: re-education and not-affliction of the offender's body.

But confinement model has more ancient roots. Critical criminology traces its origins to the birth of the Work Houses, with the first Poor Law<sup>3</sup>: women, children and infirms are taken in charge by the public care, while able, young males are inmates in workhouses, the Houses of Correction. The model spread all over Europe and over the centuries evolved in a series of institutions of social control: from the asylum to the orphanage, the prison is just the latest born. This subsidiary-corrective system is part of an inclusive, anthropophagic model<sup>4</sup>: in the bulimic society, the *hostile* is swallowed with the hope of neutralizing his danger.

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<sup>1</sup> More info at [carcerrario.wix.com/carcerrario](http://carcerrario.wix.com/carcerrario)

<sup>2</sup> This contribution is rooted in a wider work on the spaces of detention, developed in occasion of a Master thesis in architecture. For this reason, datas are to be considered updated to the 2012-2013 biennium. Unfortunately, changes are so slow that we can consider these datas almost current.

<sup>3</sup> Mid-sixteenth century, during the Tudor legislation

<sup>4</sup> Z. Bauman, *Amore liquido*, Rizzoli, Milano 2004

In Italy, in the early years after the 1861 unification, the prison construction is dominated by two architectural models: the reuse of monasteries, castles and palaces adjusted to prisons and the construction of radial complexes explicitly referring to the previous examples in the USA. The first penal code of neo-united Italy<sup>5</sup> triggers the first *Piano Carceri* [Prisons Plan]. The adopted model is the *telegraph pole*: a cellular system of detention buildings parallelly arranged and crossed from just one central link. The scheme, standardized and spread throughout the national territory, claim the best rationalization of spaces, but a drastic reduction of the Plan funding will cause a breakdown of quality, leaving a large number of buildings in extremely poor conditions.

The next turning point comes after the Second World War, when those who experienced the poor conditions and the inhumanity of Italian prisons as partisans, become member of the Parliament. Once the republican constitution is made, the point is to carry out its new democratic principles, considering that the penal code was, and still is, the 1931 one<sup>6</sup>, produced by a dictatorial regime. A parliamentary committee is established and the magazine *Il Ponte*<sup>7</sup> promotes, through the considerations of Resistance heroes, a debate on the reform of the prison institution. Such desired reform will have to wait twenty-five years to see the light.

During this long wait some experimentations are pursued: the *telegraph pole* loses its rigidity and spaces start to articulate. There are some experiences to be mentioned: Mario Ridolfi, with the design of Cosenza and Nuoro prisons; Sergio Lenci, with Rebibbia in Rome; and Inghirami, Mariotti and Campani with Sollicciano institute in Florence. These are the only episodes of real interest in this matter led by architectural culture, witnessing an attempt of spalling the models they inherited.

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<sup>5</sup> Codice Zanardelli, 1889

<sup>6</sup> Codice Rocco, 1931, The main author, Alfredo Rocco, was Minister of Justice under Mussolini government

<sup>7</sup> *Bisogna aver visto* da *Il Ponte*, politics and literature magazine directed by Pietro Calamandrei, 1949

In the meantime Italian prisons are still unbearable and during the late 60's they are flooded by the new wave of protests. Riots give the final push to approve the Reform (1975)<sup>8</sup>, but at the same time they are also an excuse to dull some of its more innovative principles in order to restore control in the institutes. The resulting lack of improvements in prisons triggers a new wave of riots, more structured because of the presence of political prisoners that during the *anni di piombo* overcrowds prisons across the country. The climax of this period is the creation of a compact, new model, with a drastic reduction of the distances and of inmates' open areas. Twenty-eight copies of this prison are scattered across the Italian countryside. The emergency situation encourages a derogation system on transparency in tenders that will end of the *carceri d'oro* [golden prison] scandal.

The '90s witnessed a return to the *telegraph pole*, extended over much wider sites and placed each time more distant from urbanized areas. Despite the general trend of the city to remove the places it wants to hide, until the '70s prisons had been kept within the urban fabric.

The drastic removal has been motivated at the time by security needs, but nowadays responds to a general will. In 2001 a draft law denounces the *unaesthetic features* of the institutes and therefore that keeping them within cities is *anachronistic*.

The current debate is limited about this. The prison *in* the city is more accessible by defenders, family members and volunteers, but often complains crumbling, outdated and hardly adaptable to current legislative requirements facilities. The prison *out*, on the contrary, has wider spaces, adequate and convertible, but it is unlikely reachable by social networks.

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<sup>8</sup> Riforma dell'Ordinamento Penitenziario, 1975



There are 206 institutes on the Italian territory, hosting an average of 144 people each 100 beds, while the European average is 96.6. Three are the most responsible for the overcrowding: the immigration law, the drugs law and the law on recidivism. It is therefore a social incarceration, counting 37% of foreigners and 40% of inmates for drug-related offenses. The European Court of Human Rights has, however, ruled that the Italian overcrowding is a problem of a structural nature, consistent over time and homogeneous

throughout territory. From the Sulejmanovic case<sup>9</sup> Italy was convicted and fined several times for *inhuman and degrading treatment* and gets continuous reprimands and warnings for the state of its prisons.

Even if the overcrowding is now a constitutive and structural problem of Italy, governments continue to relate to it through a cyclical process, based on state of emergency and the creation of an *ad hoc* laws apparatus. This allows the elaboration of a Prison Plan for the construction of new buildings, derogating city plans, expropriation safeguards and transparency in tenders. The process normally clashes with the severe lack of funds, ending the Prison Plan and postponing the problem.

The Plan philosophy can be summarized in three points:

1) Create modern facilities, designed in accordance with the most advanced programs of detention. But the re-educational strategy in Italy didn't make any progress in respecting the Reform of '75, which still remains largely unapplied.

2) Decongest the most populated areas of large cities, building the new interventions in more decentralized areas as possible. But removal is not compatible with re-socialization and reintegration, which are established by 27th article of the Constitution.

3) The expansion interventions on existing structures should not invalidate re-educational services and existing socialization spaces. But as there are no acquisitions of new lands, we may notice that the only still buildable areas are nothing but currently open air and re-educational services areas.

Who works in prisons knows that once a container is built, it will be quickly filled. The new pavilions are in many cases not enough to solve not even the local overcrowding, and in general all the Plan interventions seem to be a palliative rather than a more radical solution to a structural problem.

Over the past decade the Italian prison system costed 29 billion euro. Each inmates daily costs € 112.81. Of this amount, € 6.48 is allocated to the effective maintenance (food,

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<sup>9</sup> Sulejmanovic v. Italy, 16.07.2009, regarding the applicant's conditions of detention during 4 months in Rebibbia Prison (Rome).

treatment, care and education), while the 87.7% of total spending, € 99, is used to cover the costs of the prison staff.

The economy of control, however, has higher costs rather than purely economic ones. Many studies explore the effects of detention on a physical and psychological level<sup>10</sup>. Prison strongly influences the physical health of the inmate, seriously altering sensory perceptions, even after a very short detention time: anosmia, myopia, disorientation and loss of balance, nerves hyperactivity, panic and generalized anxiety.

Despite the penalty of modernity is the deprivation of freedom, today ancient and modern forms of bodily affliction continue to coexist.

Article 27 of the Italian Constitution states that the punishment cannot consist in treatments which are contrary to the human dignity and must aim at the rehabilitation of the convicted. But our detention model is *infantilizing*<sup>11</sup>, foreclosing and inefficient in terms of re-education: the recidivism rate for those who served their first conviction in prison is 68%.

The prison should be based on law, and yet it represents its systematic violation. It is the space of the systematic use of discretionary policy of who governs it, being one of the major spaces of exception of the contemporary era.

Prison is *res publica*, a subject which should be taken in charge by the community. Yet it remains an object, hidden and hiding, excluded and excluding: if in the Middle Ages we witnessed a spectacularization of punishment, modern society has wisely hidden its dark side from the public view.

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<sup>10</sup> We quote here just two of them: D. Gonin, *Il corpo incarcerato*, Gruppo Abele, Torino, 1994; R. Tomasi, G. Brandi, M. Iannucci, R. Gervasi, *Valutazione dei problemi di salute mentale dei detenuti nella Casa Circondariale di Firenze Sollicciano e degli osservandi nell'Ospedale Psichiatrico Giudiziario di Montelupo Fiorentino*, 2001-2002.

<sup>11</sup> M. Palma, *Due modelli a confronto*, in *Il corpo e lo spazio della pena*, Ediesse, Roma 2011



As three young architects, for a long time we tried to find a constructive proposal, investigating the complexity of the issue and its possible facets: many ideas fascinated us from time to time, but for each one some aspects were so unacceptable to invalidate the proposal itself. Each idea of prison was an impassable road, an *aporia*. *Aporia* is the inability to give a precise answer to a problem because there are different solutions seemingly feasible, but which in their opposing end up to invalid themselves.

We tessellated most of these suggestions, ordering them according to the lines of reasoning that they were sharing. The result is a reasoning on different scales, from the territory to the

cell, and in more dimensions: each piece can be seen in its uniqueness or in the overall composition. It is the design of a city of errors, made of archetypal forms and traces of real patterns. It is the confrontation with the *uncanny*. Freud<sup>12</sup> traces the etymology of the German word *heimlich*, which starting from *home* and passing through *concealed* gets to the meaning of *hidden, dangerous*. It is then something that could remain secret, hidden, and that instead came to the surface. The first effect of the uncanny on the space is the lack of orientation, the difficulty in finding the way. The project is a labyrinth generated by the ethics of doubt, a dialectic space, a round table, an object to interact with both physically and intellectually.

It is the collective research for an escape route.



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<sup>12</sup> S. Freud, *Das Unheimliche*, 1919