INTRODUCTION

From the viewpoint of critical criminology, penal law in its concreteness is a long distance from the totality of symbolic production and the construction of meaning on the reasons for, meaning and fundamentals of punishing (Mosconi, 2006). The high rates of recidivism, despite the continuous rise of penalty, have proven for so long the social futility of prison – at least concerning its declared and manifest purposes (Pavarini, 1997, 2004; Mosconi, 1994, 2001). This may suggest that from the perspective of those who live in prison, it must be obvious that classical criminal law cannot be a reference point for the idea of punishing. In fact, I could personally verify while serving time in prison that the settlement of prisoners in relation to criminal policies is not easily predictable. When in 2006 the Italian left-wing government approved a decree of forgiveness and some thousands of prisoners left the prison, I wrote an article for a prison journal in which I told how for once I could see Italian prisoners – most of them always attached to the values of the right-wing – express a little sympathy for the left.

Those who live in prison know that conflicts seek solutions under force and revenge logic. The penitentiary literature focuses on the culture and the unwritten codes governing prison, as described by Clemmer (1940), and on the informal dimension carried out to resist power relations theorized by Sykes (1958). Personally, I could see how, since the first moment of entry, prison is perceived as a hostile area. Total institutions represent the first hostility itself. The threat coming from the other convicts is equally felt, but since one cannot rely on the institution to solve their problems, security becomes a personal matter. Self-preservation is the first goal and to get it you must therefore show that you are able to react, that you know how to hurt and take revenge.

If we consider only this dimension of prison culture, we can deduce that the inside perspective is closer to classical criminal law and to the retributive function of criminal justice. Actually, suffering hard core prison described
by Richards (2008) and Ross (2007) is unnecessary suffering, since no improvements have been demonstrated in terms of order and safety in the penal system (Mears and Reisig, 2006). This often brings convicts to think differently about the concept of revenge on a personal and institutional level. The abolitionist perspective offers many instruments of critical analysis on the vengeful function of prison: a purpose that derives from an idea of state that preserves the monopoly of force and coercive capability to protect the values and privileges of the dominant class.

Abolitionism offers us an interesting perspective to look at penal law, to observe conflicts and to reason with different concepts of punishment. I think that a prison reality can be analyzed even from inside through critical keys of the abolitionist approach and visualize radical changes that can start abolishing violence and every form of institutional and individual revenge. This article stems from a personal search for discourses and languages within abolitionist criminology that can enrich the cultural horizon of Convict Criminology (CC).

**A FEW WORDS ON CONVICT CRIMINOLOGY**

Prison literature progressively welcomes significant works made by researchers who share a particular characteristic: prison experience. I am talking about empirical research carried out inside prison by people who were serving a sentence or after leaving prison. Using an insider perspective, these scholars denounce the disaster produced by prison policies, even with critical declinations towards classical literature and to those criminal investigations that have often legitimized the repressive practices in the management of prisons and deviance. This ethnographic approach has now coined a term well-known by American scholars as Convict Criminology. As Jeffrey Ian Ross and Stephen Richards (2003), founders of Convict Criminology, explain, CC is a diverse collection of individuals who believe that convict voices have been ignored, minimized, or misinterpreted in scholarly research on jails, prisons, prisoners, correctional officers, and associated policies and practices that affect these individuals (also see Jones et al, 2009).

At the 2011 British Society of Criminology conference in Newcastle, three academics – Rod Earle, Andy Aresti and Sacha Darke – convened a
panel under the title “Putting Prison in its Place”. During the discussion, these panelists considered the viability of establishing a Convict Criminology group in the UK. Since then, British Convict Criminology has recurrently returned to the annual British Society of Criminology conference, bringing its convict perspective. Through its combining of insider and critical action research perspectives on penalty, Convict Criminology is well equipped to challenge public misconceptions on prisons and prisoners (Aresti et al, 2016).

A FEW WORDS ON MY EXPERIENCE AS A CONVICT CRIMINOLOGIST

Convict Criminology was also a guide for me while I was in prison and I was writing stories to describe confinement for a prison magazine. Most of my columns described dramatic stories, immersed in the daily suffering of detention. The protagonists were often people I knew or whose lives simply crossed with mine in the prison corridors. Sharing the same spaces of suffering means identifying oneself in the tragedies of others. I translated this process into a need to fix those stories in written word. Therefore, I wrote about true stories, and even though I published them in the prison newspaper, sometimes my stories intrigued some journalist who summarized the pieces and disseminated them to their readers. The episodes of death or suicide were the most popular because a dead prisoner always makes news. However, beyond this “commercial” aspect, for me it was still a “victory”, because, as an old penitentiary saying goes, “a prisoner who dies in silence is a person killed twice”. I enrolled at university and graduated inside prison. Studying a university degree inside the prison allowed me to know and to collaborate with the few sociologists who analyze the total institutions through the lens of critical criminology. I could also follow many students engaged in their thesis on prison. Working with them was a privilege for me because I could observe their working and constantly compare myself. During this period, there was a strong problem of overcrowding in Italy, so I wrote an article explaining what it really means from an inside perspective living in such conditions (Kalica, 2011).

Convict Criminology gave me an important impetus to read more about prison literature. After I read some CC research, I was motivated to carry-out some ethnographic work. I tried to combine my passion for literature with my prison experience and the scientific knowledge that I was acquiring.
Since my first thesis was on labour sociology, I decided to carry-out a study on prison work in which I tried to go beyond the positive conception of work in prison and investigate other aspects that this dimension develops, such as selectivity and discrimination in recruiting prisoners, exploitive practices and arbitrary dismissals (Kalica, 2015). As I have earlier specified this article was inspired by the CC approach, a method that I followed during my research on “actual lifers” in Italy and on long-term solitary confinement (Kalica, 2016). This topic was also the object of my PhD thesis that I completed as a free man. As a free researcher, I continue to offer my knowledge of the prison as a life experience re-reading prison in its relationship with the theoretical and methodological tools I was studying during and after imprisonment. This is not actually an easy process and often I feel the need to reflect on how to position the CC perspective among the various theoretical cultural perspectives of reference.

If the richness of the CC approach lies in the possibility of mixing past and present, it is also important to dialogue with scholars that carry-out research on prison. After leaving prison, I maintained my interest in developing the CC perspective in Italy. Cooperating with some researchers, I thought it could be interesting to put a convict perspective beside scholar’s description of prison. So recently, we published a book (Kalica and Santorso, 2018) that brings together extracts of stories that I wrote while I was in prison and some reflections on the prison environment made by scholars that could enter prison as researchers. The book demonstrates the importance of crossing the knowledge gained from direct prison experiences with those produced by outside scholars can usually gather from interviews made within times and rules conceded from the prison institution. This way, CC shows its potential to deconstruct official discourses on prison (Kalica, 2011).

WHAT PENAL THEORY FOR A CONVICT CRIMINOLOGIST?

The CC approach requires that former prisoners re-elaborate the contents and memories of their prison experience in light of the analytical insights and conceptual tools offered by the literature, with particular reference to their own empirical research. This reworking submits these frameworks and cues under an extraordinarily poignant verification and redefinition process. However, the price of this undoubted analytical advantage sometimes is
paid with perspective oriented towards a pragmatic reformism (Irwin, 2003; Darke, 2012; Aresti, 2012).

Experiencing penal punishment and absorbing the suffering of others often leads the convict scholar to assume pragmatic positions, oriented to the development of treatment opportunities, better recognition of rights, and policies aimed at reducing prison damage. In so doing, CC scholars deprive themselves of the possibility of a radically alternative perspective to the prison system (Vianello and Degenhardt, 2010).

Such an orientation communicates implicitly and necessarily with the ambivalence typical of critical criminology (Sbraccia and Vianello, 2010; Vianello, 2012), forced to deal with mechanisms, however effective, of institutional reproduction. It is from this communication, this contamination between discourses, that a question emerges, is the CC perspective focused to the objective of simply giving voice to prisoners on the prison? Someone might say that there is an impressive amount of autobiographical texts (journalistic, literary, essay, etc.) that already fulfilled this function. In fact, especially in Italy where there are about one thousand prisoners serving life without parole (Vianello, 2015; Kalica, 2016), many lifers have written about their detention conditions to draw some attention to the use of long-term confinement. They write about their own stories, revealing the humiliating spirals of detention and adaptations they have incorporated in their lives to survive (Curcio et al, 1990). What they ask is for their sentence to have an end, since a sentence without an end kills a person every day (Mele, 2005; Musumeci, 2010, 2013).

Prison literature is important to give a voice to the voiceless person. Nevertheless, a CC has a different approach. They must pause to analyze deeper how their perspective faces both faces of criminal law – crime and punishment – and critically confront all levels of theorizing on the criminal question. An inside perspective must look towards a cultural horizon that rejects prison as a solution to problems and inequalities.

**THE POTENTIAL FOR A MORE RADICAL CRITIQUE OF THE PRISON**

Critical criminology focuses on the relationship between the individual and the social through consideration of the boundaries placed upon everyday interactions, choices, meanings and motivations by determining
structural contexts (Barton et al, 2006). It disputes the classic approach of criminology that focuses on “crime” without problematizing the social and economic relationships on which the law is founded, and the mechanisms of criminalization and stigmatization that define the quality of crime and criminalized subjects (Baratta, 1982, p. 79). It means that the object of the criminologist’s attention is not so much the fact in itself, but the process of social reaction to the facts considered deviant and the process of criminalization both in the perspective of the elaboration of the rules and in that of their application (ibid, p. 93).

The historical analysis of the criminal question shows how those behaviours considered crime are defined according to changing values and interests. The definition of crime is not therefore the manifestation of what is already intrinsically present in social relationships, but only the functional and instrumental schematization of values perceived as consolidated. The central point of this discourse is the study of the social physiognomy of the norm defined by a set of conditions (economic, political, social and historical). It is an intuition of Marxian inspiration for which law reveals itself as a system of relationships that responds to the interests of the dominant class and is guaranteed by organized force.4

It is difficult to find a definition of abolitionism. Mathiesen (1974, 2011) states that abolitionism is a stance: it is the attitude of saying “no” to prisons. For Scheerer (1983), it is a scientific perspective that has as its object social control in modern societies and manifests itself in terms of radical reforms. According to Ruggiero (2010a), abolitionism is an approach, a perspective, a methodology, in other words a different way of looking at crime, law and punishment.

It is clear that in the abolitionist position, we find the most radical criticism of the defining of crime. The doctrine says that modern criminal law is designed to offer guarantees that protect the individual from the State that punishes, but in fact, punishment itself is a form of disproportionate revenge. Thus, abolitionism refers to a radical critique of the entire penal system that draws up proposals aimed at eliminating an institution that is built to inflict “legal suffering”. Radical alternatives must implicitly or explicitly compete with, and contradict, current penal ideologies, discourses, policies and practices (Mathiesen, 1974). These alternatives have to focus on non-penal interventions that try and fix what is wrong and take responsibility for moving things forward, rather than looking back, blaming and punishing (Scott, 2018).
Abolitionism’s cultural and political influences can be found in anarchist positions (Marconi, 1983), in the exaltation of spontaneous movements (Pavarini, 1985) and in the anti-state discourses of Christian tradition. The abolitionist proposal appeals to tolerance and forgiveness, concepts that evoke the highest Christian philosophy.

Within penal abolitionism described above, there are at least two positions: (1) radical abolitionism, which bases its political action on the critique of the prison institution; and (2) penal reductionism, which aims at reducing the criminal legal sphere. The principal characteristic of radical abolitionist movements is repelling the hierarchy of secularized values that enjoy universal consensus. Therefore, abolitionism is conceived as a critical process that begins at a personal level by abolishing criminal justice within ourselves. For Hulsman (1985) it means refusing to speak the same language and, especially, abolishing criminal law, which reconstructs reality through its own specific language. The very concept of “crime” is a simplistic construct that depends on the place, the time and the interests at stake (Hulsman and de Celis, 2001). Criminal reductionism is an abolitionist approach that proposes the minimum use of prison to abolish it at least in one dimension (Ferrari, 2010). Reductionism fights to propose and introduce reforms focused on creating alternative measures to prison. This position provokes criticism from the most radical abolitionists that consider reform as a palliative to a non-functioning system: accepting the last severe punishment justified by a presumed necessity means accepting the premise of punishment itself (Ruggiero, 2010b). Mathiesen (2015) draws on Gorz’s (1964) notion of non-reformist reforms to denote reforms that may facilitate the improvement of conditions for those incarcerated, but which do not entrench, expand or bolster the penal system (Mathiesen, 2015).

Radical or reformist, abolitionists have the merit of giving a valid critical analysis of the instrumental function of punishment and prison. From any perspective we look, the penal system fails in pursuing its utilitarian (prevention), repressive (retributive) and re-socializing (correction) purposes. Criminal law proves to be a failure also due to its inability to be an instrument of social control since it does not address conflicts, but rather incentivizes them as long as it generates inequalities. The system of legal punishments is in fact preordained to the preservation of the existing social reality (Pavarini, 1985). In fact, the complex evolution of the advanced capitalist economic structure uses punishment as a tool for controlling
marginality (Melossi and Pavarini, 1977). The fact that the victims of the prison tend to come more from the weaker social classes is evidenced by the link between penal justice and social inequality (Scott, 2014).

CROSSING BOUNDARIES INSIDE PRISON

According to Mathiesen and Hjemdal (2017) abolitionism may be seen as a stance – the attitude of saying “no” – and as an important academic exercise – an opportunity to think and loudly express what may be imagined although it is not yet anywhere near practical policy. However, there is also a third form of abolitionism made of ‘expeditions’ and actions favouring basic change in the outside world, notably at key points in our prison and penal policies and culture. As Mathiesen and Hjemdal (2017, p. 143) explain, “this third form of abolitionism, crosses boundaries with stamina and resolve, brings in deep and prolonged interaction with those who are subject to the so-called criminal justice system – the prisoners – and is up to a point practical”.

As Richards and other convict criminologists explain (Jones et al, 2009), the convict perspective is concerned with the definition of crime and the prison-solutions proposed. More specifically, it concerned with the devastating impacts of those decisions on people labelled as ‘criminals’, record high rates of incarceration, overcrowding of penal institutions, and other results of the revolving-door criminal justice system (Maruna and Immarigeon, 2004; Richards, 2003; Richards and Jones 1997, 2004).

Convict Criminology is a perspective that uses direct observation, face-to-face interviews, auto-ethnography, and retrospective analysis to penetrate the reality of distant social worlds (Richards and Ross 2001; Ross and Richards, 2003; Murphy et al, 2011; Lenza, 2011; Richards et al, 2010, 2011). But, as Richards explains, its theoretical perspective requires more formal development if it is to become operational as a theory.5

In reality, the CC prospective is coterminous with many of the epistemological approaches found in critical criminology. CC scholars often refuse to use the words of criminal justice administrators and state funded researchers when discussing defendants, prisoners, and prisons (Ross and Richards, 2003). Criminal justice “hate words” are the linguistic foundations for the domestic colonization, so apparent in the criminalization of poverty and the mass incarceration of marginalized populations in the US (Richards, 2013).
Similarly, abolitionism aims to develop a new language supplanting the language of criminal justice, and to create a civil rather than penal frame of reference in society. For Louk Hulsman (2001), one of the founders of penal abolitionism, criminological language defines crime as an act that violates norms and must be traced back to a responsible person and a punishment. From this point of view, the development or reconstruction of a different language to use when talking about ‘problematic situations’ or ‘conflicts’ instead of crime, would certainly lead to a change in perspective of the experts and also of the common people involve, which means starting to dismantle the perceived need for a penal system.

The insider perspective denounces the failure of prisons as they are built to warehouse and punish, and not to rehabilitate (Richards and Ross 2001). We can find the same point made by those abolitionists who see the correctional model as a merely ideological function useful to construct in a symbolic way a common sense of legitimacy around the official functions of punishment and prison (Mathiesen, 1996; Mosconi, 2001; Pavarini, 2002). In fact, the abolitionist analysis deconstructs the categories of criminal law precisely to reveal its deforming effect on reality without any consistency of method or theoretical substantiation (Mosconi, 2011).

Abolitionist theory has two main sides: an analysis of the distance that separates the abstractions of criminal law from the concreteness and complexity of reality, and the aberrant effects of such abstractions, where prison is an expression of violence and revenge. For Hulsman and de Celis (2001, p. 59) the situation in prisons is a portrayal of the deprivation of liberty that contains corporal punishment. We have been told that corporal punishments have been abolished, yet it is not true because prison still degrades the body. Politicians and judges are also indifferent to the drama of prison. The legislator ignores the reality of prisons, acting as a mere tourist and the judge does not care about the conditions suffered by the prisoner, and is “impervious to any human proximity”. For this reason, the hypothesis of a humanized prison, in which arbitrariness and violence are controlled, must be rejected because its pathology is incurable, necessitating the end of systematized punishment.

According again to Mathiesen (1996), abolition can take place in three ways. The first consists of progressively decreasing maximum penalties. The second and proceeding requires the material dismantling of the prison estate, which should take place in parallel with the reduction in the number
of prisoners produced by the reduction of maximum sentences. Finally, abolition should take place through the continuous transfer of the resources previously assigned to the prison system to the system of social services.

This non-penal perspective could be read as a utopia, but in fact, this is an inevitable conclusion of any theory that comes from a CC perspective. To replace prison punishment with new practices of aid and solidarity is a goal that should push CC scholars to better reflect on how far they want to go in the deconstruction of penality.

**CONCLUSION**

Personally, since the very first moment that I stepped in jail and for the whole duration of the time I spent inside, I could see around me a level of affliction that was only pure revenge. I did not experience rehabilitation or re-education, but suffering that reproduces the same inequalities (Scott, 2013) imported from outside prison. For the prison staff, the purpose of retribution is clear in their unrelenting commitment is to preserve the security of the institution and to maintain order between prisoners. Security and order are two concepts that find their synthesis in keeping people locked in a cell (or, in some fortunate cases, in the hallway of a detention unit) as long as possible. The peephole at the cell door represents, in a symbolic and practical way, the range of communications given to all convicts. From the peephole, I received food, mail, medicine and purchased items. Through the peephole, I called the agent when I wanted to go to the yard, the shower, the infirmary or to make a call phone.

In Italian prisons, this suffering is called re-socialization. For the prison staff, the concept of re-socialization was – more than as an institutional purpose – a legitimizing rhetoric of prison itself. Since we stay in locked cells watching armed sentinels on the walls, it was easy for us to guess the deception. However, that rehabilitative narrative of the prison and the treatment agreement that we had to adhere to turned useful to us because it offered us a glimmer of hope. Re-socialization was for us the key that could open the prison door. We therefore had to “show” by writing letters to the prison administration and periodically communicate our interest to work or to attend professional courses, regardless of the real opportunities. We also had to write at least one letter to make the so-called “critical review of the delinquent past”: an autobiographical explanation of our crime, enriched
with details, concluded with a felt consciousness for the harm done and with the promise of never repeating it again.

Inside these games of masks, I spent a good part of my life. I had to show every day that I accepted the part that the system gives to every actor (Goffman, 1961) and the only rule to follow was for each to stay in their place. This means that the ‘inmate’ must be an ‘inmate’, the guard must be a guard and the director must be a director. Nobody can come out of their character otherwise the punishment increases.

My prison experience has taught me that revenge is definitely something rooted in our culture, but that we can change its nature. CC deals with punishment in its tangibility of prison life. However, this important work sometimes risks being only an act of accusation without taking into consideration its potential of criticism as an implement of transformation. As CC scholars, we privilege reflective, independent and critical thinking, but we must be more attentive to use our work for transforming aims. In light of the fact that we have the chance to observe the routine of suffering and the desolation of institutional castigation, we should shape an emancipatory ‘critical consciousness’, and search for new ways of interpreting prison and understanding society. In our socio-cultural structure, the penitentiary has become the symbolic architrave of security and even redefined as a war device for the neutralization of other subjects and groups considered enemies. However, if we imagine a world without prisons we can better understand the aberrations that the use of prison produces today. Hence, I believe that taking a critical position inside prison means also trying to imagine other ways of resolving conflicts, which in the first place means to refuse revenge. Moreover, I think that we need to adopt more of those analytical elements that radically criticize the prison institution, such as abolitionism.

Since prison seems to be a laboratory in which we find tendencies that are widespread in outside life, we need to weave our own prison experience with social inequalities, power relations, intercultural practices, patterns and dynamics that exist within society. This could help us to realize the link between social order and vindictive vocation of institutions, between overcrowded prisons and inhumane conditions, despite the images and symbols of legitimacy and reform-ability with which penal systems continue to be re-proposed.

Abolitionism remains at the margins of academic communications. Carrier and Piché (2015) explain that this marginality comes from the self-
referentially and in the complexity of both its aims and the logics that sustain the abolitionist thought. I think this is another reason why abolitionism can find a fertile ground in prison. A CC that adopts an abolitionist prospective could become a sort of red thread that unites the apparent multiplicity of abolitionist aims, for instance those discourses that distinguish prison, penal and carceral abolitionism. Carrier and Piché (2015) insist that the diversity of abolitionist logics resides in discourses, such as the notion of ‘crime’, the malign neglect of the needs and interests of victims and communities; heteronomy; the impossible justification of punishment; the irrational pursuit of harmful failures; the prison industrial complex; and global carceralization. CC logic is to use its knowledge to display how criminal systems do punish, that is how they actually apply the use of violence and pain. This potential for producing narratives that deconstruct a hidden side of criminal systems can dialogue well with all the abolitionist logic.

Abolitionist Louk Hulsman (1986) recommends that critical criminology continue to describe, explain, and demystify the activities of criminal justice and its adverse social effects. To succeed, he suggests comparing in concrete fields of human life the activities of criminal justice (and their social effects) with those of other formal control systems. As Convict Criminologists, we know that academic criminology needs our voices (Aresti et al, 2016). Thus, we should offer them our voices, but we should work harder to give them our ideas as well. This means crossing boundaries inside with those that imagine a society without prisons. If we just start problematizing the concept of prison, for instance, we could try to think about suggestions for addressing problematic situations without using any criminal justice options. As suggested by Hulsman (1986), critical discourses need to raise questions related to criminal justice and public problems that will generate alternatives to criminalization, which can be discussed without the bias of the present “control babble” (Cohen, 1985).

ENDNOTES

1 Two of the original papers from the British Society of Criminology meetings in Newcastle were published as “Developing a Convict Criminology group in the UK” (Aresti, 2012) and “Prison and university: A tale of two institutions?” (Earle, 2011). The third paper, an ethnographic study of prisoner-guards and prisoner self-governance in Brazil, was published as “Entangled staff-inmate relations” (Darke, 2013).
Ristretti Orizzonti is a journal managed by prisoners and volunteers in a prison in Padua since 1997 (www.ristretti.it).


To begin the composition of a formal Convict Criminology theory Richards (2013) suggests the following hypotheses: the longer a person is in prison, the more likely they will return; the higher security-level of imprisonment, the more likely they will return; the more people in prison, the more social class inequality will exist; and the longer a prisoner spends in solitary confinement, the more likely they will be mentally and / or physically damaged.

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ABOUT THE AUTHOR

Elton Kalica completed a PhD in Social Sciences: Interactions, Communication, Cultural Construction. He has personally experienced detention. Having immigrated from Albania to Italy for economic reasons in the mid-1990s, he was arrested when he had just turned twenty-one. In prison he applied to enrol at Padua University. Due to his status as an immigrant his application was rejected. Some university professors, outraged by the decision, collected signatures and presented a petition to the Rector in order to accept Elton’s request. In 2002, he was finally enrolled in Political Science.
Science where the curriculum focused on “International Relations and Human Rights”. In October 2007, he graduated with the maximum of votes. Later, he registered for a second degree course in Political Science, where the curriculum focused on “Political Institutions of Human Rights and Peace”. In February 2010, he again graduated with the maximum of votes. Once released from detention, he was admitted to a PhD program in Social Sciences, where he conducted research on life sentences without parole in Italy. As a researcher using an ethnographic approach while also drawing on his prison experience, he took interest in Convict Criminology. Recently, he edited a book entitled *Farsi la galera* (2018), which explores some important aspects of prison research and the need for scholars to draw on the lived experiences of incarceration to inform their work. His current research areas are: critical criminology, prison sociology, Convict Criminology, research methods to document and make sense of the deprivation of liberty, criminal mediation and restorative justice. He is member of the scientific board of the 1st level Master in Critical Criminology and Social Security. He is also a member of the editorial boards of the prison magazine *Ristretti Orizzonti* and of the *Associazione Antigone Veneto*. 