

PRESENTATION

SOCIAL EDUCATION IN PRISONS. INITIAL APPROACHES AND POLITICS AIMED AT REINTEGRATION FROM THE PERSPECTIVE OF GENDER¹

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We recognize that an efficient, just and human penal justice system is based on the compromise of protecting human rights in the administration of justice and in the prevention of crime and the fight against delinquency.

(Statement from Salvador, April of 2010).

The ingestion into prison usually consists of a difficult and traumatic situation for those who are deprived of their freedom. The dimension and quantity of people immersed in the prison context is abundant without counting all the affected/victims, the professionals and related institutions and all the components and collaborators that participate in the penitentiary system; and moreover, the resources, measures, equipment, budgets, etc.

The context exposes a field of Pedagogy and Social Education, with multiple complexities and fragilities, limited and partially approached, but supposing at the same time, a scene where educational, re-educational and reintegration strengths emerge that mark some roads to follow. All of this gives evidence to the urgent need to delve into penitentiary studies and actions, from socio-educational points of view and considering the perspective of gender (forgotten on a daily basis). This monograph was born with the purpose of dignifying and improving the quality/conditions of the life of people immersed in this environment, the road is facilitated for us in order to act accordingly.

In order to approach this population dimension we should turn to some data in the world panorama. The *International Centre for Prison Studies* of London elaborates the "World Prison Population List" that details the generic penitentiary population of 218 independent countries and dependent territories. The most recent information corresponds with studies elaborated in 2011 (Walmsley, 2012), of which it is included that approximately more than 10.1 million people are situated in penal institutions all over the world (preventative and sentenced), almost half of them are in the United States (2.29 m), Russia (0.81 m) or China (1.65 m sentenced, to which is added 650,000 that are in "detention centers" without a de-

fined legal situation). To these numbers we should also add the incarcerated people in distinct "centers" of freedom deprivation that are not figured in the official lists and are practically unknown to them.

The same source confirms that the inmate populations continue to grow in five continents, increasing in 78% of the countries (71% in Africa, 82% in the Americas, 80% in Asia, 74% in Europe and 80% in Oceania). In the case of Spain, the evolution indicates that in 1990 there was an average inmate population of 33,058, in 2000 it grew to 45,104, in 2010 the stage with the largest growth was produced with 73,929 (Ministerio de Interior, 2011) and, the newest data, in January of 2013, 68,614 inmates were registered, of which the majority are men (63,405) and the rest women (5,209) (SGIP, 2013).

Despite these large numbers, little is known of what occurs inside the system and between its walls and many problems still exist in the distinct levels of the penitentiary system: in the impact on and daily life of inmates, resources, treatments and programs, processes and methods of intervention. For example, in these last two cases, not much is known about the follow-up and even less is known about the evaluations in regard to their efficiency and their development processes (Del Pozo & Añaños-Bedriñana, 2013). In the same way, the much more forgotten issues are the actions oriented to promoting the participation and motivation of the inmates, the habits and, especially, the work responsibilities or the limited coordination among the training processes and employment (Elías, 2001).

On the other hand, another more important pending issue is the overextension and population density inside almost all the prisons in the world, Spain being no exception. To which should be added the distinct structural difficulties of the penitentiary system, such as: the strong bureaucratic burden; the obstacle of procedures and uses anchored in the XX century; the predominance of the strictly regimental procedures of prevention and security over the actions of intervention, that sometimes suppose insurmountable obstacles for the execution of said interventions; the lack of awareness of a great part of the penitentiary personnel together with the limited training in these materials and the lack of co-ordination of the distinct classes; among others.

However, despite the dark spots described, there exist numerous interventions and possibilities in **Penitentiary Treatment**. The necessity of intervening in order to approach the intervention and the **socio-educational processes of social integration-reintegration and the prevention of relapse** is a relatively new issue. Action in the penitentiary environment, in institutional terms, is called "*Treatment*", a term that takes its name from the primarily therapeutic or clinical focuses of intervention, but today their contents are varied, and the socio-educational issues are contemplated.

Treatment is one of the components with a greater relevance in the Spanish penitentiary system, because the constitution establishes it when it dictates that the sentences and deprivation of liberty measures should be oriented toward social re-education and reintegration². All the inmates, without exception, have the right to participate in the treatment programs, the reason for which the Administration is found with the obligation of designing an individualized program (ITP), for each one of them that permits the resolution of distinct shortages and problems that influence in their criminal activity. However it is confirmed that the simple offer of programs is not sufficient, it is necessary to motivate them so that, in a way, they participate in the planning and execution of the programs if we want them to be followed with success. For this reason, the current penitentiary regulation has wanted to move away from the clinical focus, in favor of a more ample conception of treatment, under the name **penitentiary intervention** that not only covers the therapeutic interventions, but also the aid, formative, job or sociocultural interventions.

The current penitentiary politics are the fruit of a slow process of evolution, from a progressive legislation with more than a 30 years journey since the proclamation of the Organic Penitentiary Law of 1979:

1. At the end of the 80's, the politics decided on a complete **modernization of the penitentiary establishments**, gradually closing down the older buildings handed down from the post-war whose prin-

cipal purpose was containment. This transformation originates with the "Plan of amortization and creation of penitentiary centers" approved in 1991 and that proposed the creation of more than 30 new centers (with the residential model establishment called "type center") and the refurbishment of some of the already existing prisons. These buildings are similar to small cities in order to shelter close to 1,800 residents and are able to have the most diverse infrastructures: classrooms, workshops, sports installations, etc., with the view of facilitating the implantation of formative actions of all kinds.

2. At the same time, from the mid-90s the start of **promoting the offer and diversity of activities** to the disposition of the inmates (very limited until then), in order to cover an ample spectrum, from a formal education (that covers the initial levels up to university studies) to occupational workshops, sports and free-time activities and productive work. From a first stage, in which the politics of intervention were defined as the promotion of "the comprehensive occupation", assuring the eradication of inactivity, until the current age, in which, thanks to the European cohesion and to some social foundation funds, there has been a great offer of formative actions, penitentiary workshops and of accompanying programs generated for the improvement of employability and labor integration.

3. In this last decade the politics **in favor of new forms of sentence completion** (in an open environment and with alternative imprisonment measures) have gained an enormous importance. Paradoxically, our society demands more security and is less tolerant toward certain behaviors every day, therefore in the successive reforms of the Penal Code they have started including new criminal types or the pejoration of the sanctions for the existing types. In spite of this, in these last years the persons responsible for the penitentiary politics have been counteracting this tendency by facilitating the programs that can be developed in the open medium and with assistance from community resources for inmates with less serious criminal profiles. This promotes the inspirational principals of the open regimen such as the reductions of control measures, auto-accountability of the convict, social normalization and integration, avoidance of family de-structuration and coordination with the community institutions of reintegration. In this process, the execution systems of the surrounding countries are already ahead of us. This decision in favor of new forms of sentence completion is sustained in the creation of an important number of new Social Insertion Centers -SIC- (residential model in a regimen of semi-liberty) and the implantation of modern systems of telematics control that permit the compatibility of the sentence with practically normalized labor and family developments. If it is true that under the influence of the economic crisis the labor reintegration process is slowing down, that obligates us to reorient the opportunities toward the strengthening of the formative action in the exterior so that this tendency toward the open environment does not suffer.

4. In a more recent form, the Spanish penitentiary institution decided on establishing the so-called **culture of psychosocial intervention and specific treatment**, designing, implementing and evaluating complex treatment programs in order to offer them to those collectives whose personal, social o psychological problems are based on the crimes committed, under the empirical verification of which the modification of determined attitudes and factors have a clear influence in public safety, reducing the indexes of offences. In general, the majority of the current programs are based on the theory of criminal psychology, called risk-needs-responsiveness from Andrews and Bonta (2006). These programs are focused toward two aspects:

- **To more concrete, vulnerable collectives that require a specific attention**, an egalitarian treatment that does not mean they do not consider particular characteristics of a population profile. Their special vulnerability requiring a different intervention and more attention in order to overcome the difficulties they find. In this case, programs have been instituted for juveniles foreigners, mentally handicapped persons, the elderly -institutionally called "senior citizens"- that remain in prison and,

for the incarcerated women (through a program of actions for equality, that try to counteract the factors of discrimination still present in the penitentiary environment).

• **To contain social situations and pathologies of greater importance in criminal activities** with specific programs aimed at determined collectives that present some common characteristics, being stable or temporary: sexual assailants or abusers in the family environment, the mentally ill, drug addicted, road safety offenders, inmates in the closed regimen, etc. These specific interventions of high complexity are based on the most recent and contrasted scientific theories and maintain the standards of quality of the programs that are found internationally agreed upon.

As an example of this socio-educational diversity, we cite the specific principal programs (number of penitentiary centers where they are developed -C- and average participation -mp-), in the framework of the General Administration of the State -GAS-³ (SGIP, 2011). The most extended programs in the system are: "suicide prevention" (69 C and 328 mp), "modules of respect" (67 C and 15,726 mp), "disabled" (38 C and 557 mp) and "Therapeutic Units" (34 C and 3,051 mp); on the other hand, the programs with prominent gender aspects are: "gender violence" (35 C and 474 mp), "control of sexual aggression" (32 C and 262 mp) and "Ser mujer es" -attention to women who are victims of gender violence- (8 C and 85 mp).

In this line, the **formation** of a high percentage of **professionals** from the institution has been initiated in order to undertake these problems, at the same time they have been equipped with the instruments and techniques for their development (normally a manual that collects the theoretical framework as well as the unit developments and varied examples of the exercises in order to design each one of the sessions)⁴, instruments and scales for the evaluation of the efficiency of these interventions. They are intense long-term programs (sometimes one or two years), because in the development of the work they bear an heavy emotional exhaustion, due to the fact that they have to fight with a series of situations that form a part of the group dynamic itself: confrontations, resistance, relapses, conflicts between members, demotivation, abandonment, etc. These interventions are developed in multidisciplinary groups where it is frequent that professionals from external organizations participate: universities, public organizations and fundamentally NGO's⁵ and what seems really interesting, is the gradual implication of the prison guards of the centers, transcending the work of mere custody (as it already occurs on a daily basis with their ordinary integration into the teams of the therapeutic modules and the modules of respect).

5. The Spanish Mediterranean idiosyncrasy, that consecrates the public space, conforms to a penitentiary regimen where the great majority of the inmates have many hours of cohabitation and temporary spaces for common activities, in contrast with the regimens of our field where the isolation is broken for only a few hours throughout the day. In this sense, the objective that remains ideal for penitentiary treatment would be the ability "to direct the organization of the penitentiary centers toward **strictly socio-educational spaces** where each incarcerated person finds the motivation, environments and resources necessary for overcoming these shortages or specific problems that contributed to their criminal activity" and, in definitive, prevent that the inmates' stay in the penitentiary centers constitutes of idle or lost time.

"In order to guarantee the success of these interventions it is essential to create a safe and organized environment beforehand. An organizational system with clear rules of cohabitation that minimizes the tension and reduces the possibilities of incidents. A system that emphasizes the interpersonal relationships, based on mutual respect, between the inmates and personnel" (Yagüe, 2011, p. 4).

In the current moment of politics and strategic objectives in which the institution is found more committed is in the creation of new **systems of organization and functioning** of daily life in the establish-

ments. This by expanding new and pioneer initiatives such as the so-called **therapeutic modules and the modules of respect**, where the implication of the inmate in the organization and functioning itself of the daily life of the module takes president. This system is a different way of “*being in the prison and living in the prison*”, inmates move from feeling that everything is imposed upon them (schedules or activities) to perceiving that they have the capacity to improve their quality of life in prison and they find sense in occupying their time in activities for the intrinsic value that they have. This focus has many elements that can contribute to improving their self-esteem and facilitate their process of social reintegration.

Based on these efforts, distinct external observers do not doubt in confirming that the Spanish penitentiary system, even with its strong shortages, can consider itself one of the most advanced systems in the world, because it tries to be coherent with the sense that the deprivation of liberty in its legal rules gives and in response to the principals of Social Pedagogy. However, on this road there cannot lack support or compromise of the responsible community institutions of concrete social politics and the organizations of our geographic area implicated in the objectives in which we work.

On the other hand, all the studies that have been carried out on this material rotate around the necessity of working in the field of crime prevention and of relapse and better -and more complete- if we have in mind the perspective of gender in said framework. There are clear indexes that the well-planned strategies of crime prevention do not only prevent crime and victimization, but also promote the safety of the community and contribute to the sustainable development of countries (ONU, 2007). In this line, everything indicates that the responsible politics that give positive results in relation to the prevention of crime improve the quality of life of the whole society, at the same time, producing long-term benefits in reducing costs related with the formal system of penal justice, as well as other social and personal costs resulting from criminal acts. Also, they give the opportunity of offering programs with more education and social focuses toward the problems of delinquency.

In the present monograph, under the title of “*Social Education in Prisons*”, from our flagship magazine, the planning, realities, experiences and critical proposals are outlined, which we will present in continuation. Furthermore, we will try to look at the themes from the gender point of view, because we want to highlight the fact that the situation despite representing lower percentages of the population in the national data as well as the international data, is even more unfortunate and obscured. The repercussions of the ingestion into prison are more negative for the females, their children, families or in the context, as well as being more exposed and attended with less quality in the penitentiary system.

The work of Fanny T. Añaños-Bedriñana, Ma Pilar Sánchez Fernández and Juan José Llópiz Llácer “*Approach to the context in prison. A socio-educational perspective*”, as a starting point situates and contextualizes the penitentiary environment, in order to know its dynamics, organization, forms and intervention procedures; as well as analyzing the diverse life regimens established in relation to the spaces, times and consequences of imprisonment. For their part, Gilles Chantraine and Nicolas Sallée offer us “*Education put to the prison test*”, an article that goes inside the penitentiary establishments for minors in of France, focusing their aim on the differences of the security and education logics observed in the practices of the educators as well as the prison guards.

“*The environment in prison: The care provided to female prisoners and intramural relations*” is the work of María del Mar García-Vita and Miguel Melendro Estefanía. They delve into the internal dynamics inside the prison, analyzing the relational environment, support and the attention received during sentence completion, arriving at the identification of protection factors that lead to the facilitation of reintegration. The block is concluded with the article “*Treatment with women: Socio-educational action and employment in prisons*” of Francisco del Pozo Serrano, Francisco Jiménez Bautista and Ángel Turbi Pinazo, in which they study penitentiary intervention through socio-educational and socio-labor programs, making visible the evaluations of the participants, the holes, weaknesses and the strengths of these programs.

We hope that these contributions help in configuring and amplifying penitentiary issues, that in long-term or opportune periods, they were taken out and are taken out in a countless number of political, social, economic, idyllic, etc, processes. However, in the field of education, save exceptions, these processes have not been very significant. Also, we hope to be contributing to the attraction, motivation, critical reflection, studies, production, solicitation and actuation, from the academic, professional, administrative scenes and all the people involved and/or interested.

Finally, we thank the magnificent expert collaborators of this monograph for their valuable proposals to *Pedagogia Social. Revista Interuniversitaria* that have made a courageous wager in shining a light on this area of Social Education and, especially, to all the inmates that gave, in one way or another, their testimonies or are the object of our reflections

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Notes

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² Restricted declaration of the 25 article of the Spanish Constitution of 1987.

³ General Administration of the State -GAS-. Is composed of all the Autonomous Communities with the exception of Catalonia who has had the competencies in penitentiary material transferred.

⁴ Under the epigraph of “Penitentiary Documents”, the manuals can be found in: <http://www.institucionpenitenciaria.es/web/portal/documents/publicaciones.html>

⁵ Despite that an important number of NGOs are making enormous efforts to maintain this collaboration, it should be noted that in the light of the budget cuts in social politics, the large diffusion of the NGO collaborations of the last decade is significantly declining because of the lack of financing. For this motive, the majority of these programs are maintained with the impulse of the penitentiary professionals themselves and opening new channels of collaboration, fundamentally with universities and formative centers.