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## Online sexual activities (OSA): a definitional issue

Palmina Caruso | Emma Flutti | Sofia Baietta | Giulia Moretti | Guido Travaini

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### Abstract

Studies on *Online Sexual Activities* (OSA) are numerous, while information on the distinctive and comparative elements tends to be scattered in the literature. In which have been found definitional, conceptual, and overlapping issues. To fill this gap, this opinion paper attempts to describe, differentiate, and define three of the best-known OSA, namely *revenge porn*, *sextortion*, and *sexting*. In order to promote a better understanding of the phenomenon and to emphasise the importance of using clear and unambiguous language, the authors additionally propose two new definitions for *sextortion* and *sexting* and a label change for *revenge porn*.

**Keywords:** Image-based sexual abuse, Non-consensual image sharing, online sexual violence, online sexual abuse, online sexual harassment.

### Practice impact statement

This study has implications for promoting the importance of language and the fallout that its misuse may entail in a public health context. To understand the phenomenological divergences between OSA, we sought to bridge the conceptual overlap by proposing new definitions and a change of label. The novelty of the present work is to compare generally confused categories, starting with the adoption of a language that is as inclusive as possible.

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## Online sexual activities (OSA): a definitional issue

### Introduction

The Internet has become an extremely popular tool for interpersonal communication, and sexuality, as an integral part of the human being's psychic life, has also found its manifestation through this channel. The wider and wider of sexual content online has fostered the emergence of OSA<sup>1</sup>, which if resulting in the dissemination of intimate material, could lead to a criminal offence, such as the now notorious *revenge porn*. With respect to this the authors will later explain how the best-known term, *revenge porn*, is itself an inappropriate and problematic locution from a semantic and linguistic point of view. The intention of this paper is to clarify the phenomenological divergences between the disparate existing categories of OSA, to overcome the conceptual overlapping problem found in the literature. To facilitate future work on the topic, it was also decided to propose the abandonment of the term *revenge porn* in favour of the more inclusive label *Image-based sexual abuse* (IBSA) and to share a proposal for a definition of *sextortion* and *sexting*, as the best-known (and most confusing) categories, which would consider the existing plurality of definitions.

### Revenge porn, Sextortion and Sexting: a short brief

The non-consensual dissemination of sexual content has caused growing social concern following several cases in which victims have suffered psychological harm (e.g., distress, depressive symptoms, anxiety, suicidal ideation, attempted suicide, and suicide), reputational damage (based on sex-negative cultural beliefs), economic damage and/or indirect damage related to the use of images as a tool for forms of bullying and harassment (Dodge & Lockhart 2021).

**Revenge porn** (as it is currently defined, although contrary to the thinking of the authors) is a social and heterogeneous phenomenon, generically defined as the non-consensual sharing of sexually explicit images. Although it is a relatively new phenomenon in popular culture, which developed with the advent of photography, the first instance of it can be traced back to the 1950s (Fallik et al., 2022), while the first definition of the term

seems to date back to 2007, when the online Urban Dictionary defined the phenomenon as: «*amateur pornography uploaded by ex-girlfriends or (usually) ex-boyfriends after a particularly aggressive break-up as a means of humiliating the ex or just for fun*». Subsequently, the term was included in the Cambridge Dictionary, which refers to the practice with: «*private sexual images or films showing a specific person being put on the Internet by an ex-partner of that person in an attempt to punish or harm that person*». Both definitions do not mention the absence of consensuality to the sharing, but rather the purpose of the sharing, namely humiliation, personal entertainment or punishment, rather than the harm perpetrated. Over time, some authors have suggested that the extent of harm perceived by victims of revenge porn is comparable to that suffered by victims of physical sexual violence (Nemesi, 2021; Perrone, 2021). Psychological research on the perception of victims and perpetrators is limited to date; however, parallels can be drawn between the two forms of violence as a form of sexual abuse, according to Zvi (2022). In fact, both represent intrusive forms of crime that induce emotional trauma, increase the victim's susceptibility to further negative experiences and finally respond to the same *victim-blaming*<sup>2</sup> dynamics. Such behaviour constitutes a specific form of *delegitimising doxing*<sup>3</sup>, that is the disclosure of personal and intimate information with the intent to damage the credibility or reputation of a specific individual (Pavan & Lavorgna, 2021). Although *revenge porn* often starts out as a romantic communication between consenting partners, the decision to break off the relationship, if not shared, can generate a willingness to publicly distribute previously received intimate pictures of one's ex as a form of punishment for the break-up suffered (Fallik et al., 2022). In this regard, Campagnoli (2021) distinguishes *revenge porn in the strict sense*, which is aimed at avenging the break-up of a relationship, from the more general *extended revenge porn*, which is aimed at harming the victim, discrediting

1 OSA is defined as «*use of the internet for any activity (text, audio, graphics) than involves sexuality*» (Cooper, Delmonico, Griffin-Shelley, & Mathy, 2004, p. 131).

2 Term for the psychological process of victim blaming itself (Caletti, 2019).

3 In the case of merit, it consists of detailed documentation concerning the victim often attached to the photographic material (e.g., name, home address, mobile phone number, e-mail contact and social network references) (Pavano, 2020). When the material disclosed is of an intimate or sexual nature, such doxing presents characteristics that make it comparable to offline forms of sexual violence and abuse (Pavan & Lavorgna, 2021). *Delegitimising doxing* is not always linked to crimes of a sexual nature, but more to the dissemination of videos aimed at public ridicule in a bullying context (Pavan & Lavorgna, 2021).

them and damaging their public image, regardless of whether or not there was a previous emotional relationship. According to what we have been able to ascertain, most experts agree in considering the phenomenon only *in the strict sense*, identifying the following elements as essential for its configuration:

- ✓ the consensual creation of intimate material within a couple;
- ✓ non-consensual dissemination of material, carried out by one partner to the detriment of the other (generally perpetrated by male gender persons);
- ✓ the vengeful purpose of the irreversible action of revenge porn, an element that contradicts it from “normal” pornography, as indicated in the literature.

In cases of distribution, publication, or threats to distribute or publish nude or sexual images, we speak more generically of *non-consensual intimate image distribution* (NCIID), the most typical forms of which (and sometimes prodromal to *revenge porn*<sup>4</sup>) are *sextortion* and *sexting* (Gámez Guadix et al., 2022; Ricci et al., 2022).

**Sextortion** represents a worrying form of NCIID, whose term, still largely unknown and deriving from the union of *sex* and *extortion* (Eldén, Calvo, Bjarnegård, Lundgren & Jonsson, 2020), is representative of a new declination of the extortion phenomenon: it refers to various types of multimedia contents of an intimate nature, used to obtain sexual favours from the victim, through the threat of their online diffusion, even if it never occurs (Gámez-Guadix et al., 2022; Greco & Greco, 2020). In particular, the way in which such content is obtained can vary, and two different types can be identified. The first, where images are the result of a hacking activity<sup>5</sup>, namely unauthorised access to the computer system in use by the victim (the computer’s webcam or other devices or cloud storage<sup>6</sup> services intimate or sexually explicit images or videos produced consensually and for their own purposes)<sup>7</sup>. Therefore, there is no previous contact with the victim. On the other hand, it may happen that *sextortion* develops according to a more complex process that aims

at a greater involvement of the victim. Privileged places of contact are virtual spaces such as chats or sites, mostly linked to online dating services, a reservoir of possible vulnerable users, attracted by a false and ad hoc created profile, as in the case of *romance fraud*<sup>8</sup>, a phenomenon that can be in some respects compared to *catfishing*<sup>9</sup> (Carlton, 2019). The sexual content involved in *sextortion* could initially be sent voluntarily by the person who created it (e.g., sexting), but later be used by the recipient to threaten the victim to obtain other content, participate in *cybersex*<sup>10</sup> or force them to have sexual intercourse in person (Gámez-Guadix et al., 2022). Finally, some scholars have distinguished *sextortion* into two categories: *oppressive*, which takes place in a situation where a person in authority refuses to provide a service unless a sexual favour is provided, and *opportunistic*, which occurs when someone uses their authority to exploit vulnerabilities arising from inequalities and structural relations of power and marginalisation (Eldén et al., 2020). The relative newness of *sextortion*, non-consensual sharing and *sexting* has meant that international law has struggled to keep up with their evolution, sometimes appearing as a confusing dispenser of legal responses.

Quayle (2022), for instance, suggests that appropriately situating **sexting** within the legal system is difficult due to the varied forms it can take (e.g., purely consensual sexting, consensual but forced/unwanted sexting, non-consensual sexting). It is a phenomenon that has developed over the last decade as a result of the widespread use of telematic media and consists of the production and sharing of sexual content (Gámez-Guadix et al., 2022). Starting from the work of Morelli, Bianchi, Baiocco, Pezzuti and Chirumbolo (2016), it was possible to re-examine the first definition of *sexting*, given by Chalfen in 2009: the term sexting, deriving from the union of *sex* and *text-messaging* (Pontani, 2019), means «*the exchange of provocative or sexually explicit content such as text messages, photos and/or videos via smartphones, the internet and social networks*» (p. 163). Originally, it was only used to describe text messages with sexual content, however, with the new mobile device cameras and instant chat applications, the term has also been applied to the exchange of personal images with sexual content (Gómez & Ayala, 2014), relating to the sender, the recipient, or both, when engaged in reciprocal sexting activities (Bradley, Gilea, Overton, & O’Neill, 2020). *Active sexting* refers to the creation, display, publication, sending or forwarding of sexually explicit material to third parties; conversely, *passive sexting* refers to the request or receipt of the same (Barrense-Dias, Berch-

4 Approximately 80% of non-consensual pornography images come from *sexting* activities (Perrone, 2021).

5 Term by which is meant the set of operations and activities aimed at impairing the functioning of digital devices (e.g., smartphones, tablets, PCs) or computer system hardware or software.

6 Term used to describe the activity of storing and preserving computer data on dedicated external servers.

7 Email phishing schemes and malware are methods commonly used to hack into a victim’s webcam, computer files or social media accounts; the recipient of a phishing email is tricked into revealing personal information, such as account numbers or passwords, or into unknowingly downloading infectious malware, which allows the sender to access personal files from Google to obtain passwords from its victims, used to hack into accounts and steal sensitive photos or other personal information (Carlton, 2019).

8 Equivalent term to *romance scam*, Infra footnote 17.

9 *Catfishing* is a method used to induce victims to voluntarily send sexual material or secretly record them performing sexual acts; victims are targeted via fake profiles on social media such as Facebook or dating apps such as Tinder and OkCupid (Carlton, 2019).

10 Infra.

told, Surís, & Akre, 2017). Calvert (2009) distinguished *primary sexting* from *secondary sexting*: the former is consensual and «occurs when someone sends a sexual image or video depicting themselves» in the context of a private relationship or for pure consensual entertainment (Morelli et al., 2016, p. 163), while the latter concerns the unauthorised transfer or dissemination to third parties of intimate or sexual content received from others (Caletti, 2019). It is therefore imperative to establish that *sexting* per se, unlike the categories described above (i.e., *revenge porn* and *sextortion*), does not constitute criminal offences. Ruvalcaba and Eaton (2019) pointed out that the main characteristic of non-consensual *sexting* lies in the unauthorised distribution of *sexually* explicit images of a victim and not in the receipt or production of this content. However, it does not include pressure or coercion to send sexual images<sup>11</sup> and receiving unsolicited sexual content (e.g., *dick pics*<sup>12</sup>), which would instead take the form of online sexual harassment or unwanted sexual attention. *Sexting* can serve positive functions, such as increasing the level of intimacy with one's partner, bringing greater psycho-physical well-being, and fostering the exploration of sexual identity: in such cases, Wolak, Finkelhor, and Mitchell (2012) speak of *experimental sexting*, a practice related to the increasingly common flirting of adolescents in cyberspace where *sexting* becomes a tool of cyber seduction (Gómez & Ayala, 2014). In this circumstance, the production of photos of oneself is exclusively intended one or more significant recipients, with the intention of creating romantic interest or receiving attention<sup>13</sup>. When, the sending of sexual content has the exclusive and improper purpose of causing harm, we speak of *aggravated sexting* (Wolak et al., 2012). This typology is characterised by criminal or abusive elements such as sexual abuse, extortion, threats; malicious conduct stemming from interpersonal conflicts; and the creation or sending or projection of images without the knowledge or against the will of the subject being portrayed (Quayle, 2022). Similarly, to what has been said above, this locution appears redundant. *Sexting* is thus a dual phenomenon that is distinguished by whether it is consensual or non-consensual. It could develop contrary to the initial premises, into the crime of *revenge porn*, precisely because the content shared with any recipient that is trusted, could expose the sender to further dissemination of the image (Caletti, 2019). In conclusion, *sexting* might be considered a lawful social

phenomenon, not deserving of punitive treatment if carried out in its ordinary form: a virtual and consensual correspondence between two or more subjects of an erotic nature (Campagnoli, 2021).

## A label change: from revenge porn to IBSA

Current literature agrees that the non-consensual dissemination of intimate or sexual images encompasses a wide range of criminal behaviour. In the common imagination, this set of practices is colloquially referred to as *revenge porn* and thus reduced to the stereotypical one-off case in which content created and/or shared within an emotional relationship is disseminated by an ex-partner with a vengeful intent. In this regard, some lexicological specifications are in order. Mere non-consensual sharing of sexually oriented content is defined as the distribution of sexually explicit photographs or videos without the consent of the victim, where the motivation triggering the act is not defined (Gámez-Guadix et al., 2022). The term *revenge* appears misleading in some cases, as the purpose behind the offending conduct is not always represented by the revenge triggered by the severing of the emotional bond with the former partner. Sometimes, the motivations that trigger the act enacted are the search for social reinforcement, notoriety, sexual gratification, financial gain, or more commonly, the desire to damage the victim's image and to prevaricate them by exposing them to the disapproval of the society in which they lives, thus damaging their freedom of self-determination (Gámez-Guadix et al., 2022; Pavano, 2020)<sup>14</sup>. Moreover, such a locution implicitly assumes that the victim has done something to deserve the aggressor's punishment, which fuels the phenomenon of *victim-blaming*<sup>15</sup>. There is a belief that victims are responsible for the misuse of their intimate images, having presumably consented to their creation (Haynes, 2018). This approach misrepresents victims' sexual autonomy, does not consider consent when provided in the context of a relationship built on trust, and assumes that consent to production implies consent to dissemination<sup>16</sup>. In any case, even if the acted action implied a malevolent response to victim's intent on leaving a relationship, the revenge carried out cannot, from any moral or ethical point of view, be justified. Legitimising the phenomenon by focusing solely on the action of the victim, rather than that of the perpetrator with the term *revenge*, contributes to

11 Dake, Price, Maziarz and Ward (2012); Tobin and Drouin (2013) called it *consensual but unwanted sexting*, a form of abuse mostly suffered by women, forced by their partners to please them in sexual intimacy (Morelli et al., 2016).

12 *Infra cyber flashing*.

13 In this sense, sexting within an affective relationship is understood as a form of self-disclosure: this term refers to a process in which, through the sharing of personal information, one reveals one's own way of being to the other, which is essential for the birth and development of greater affective intimacy between partners (Sprecher & Hendrick 2004).

14 According to Pontani (2019), if the act of revenge porn is not sustained by a feeling of revenge but rather by the will to cause harm to the person (i.e., prevaricating or exposing they to social dissent), the act could be traced back to a form of cyberbullying, codified in Article 2(2) of Law No. 7 of 29 May 2017.

15 *Supra* footnote 3.

16 This bias has a number of negative implications for victims, especially in the way they are treated by the law, law enforcement officials, victim assistance personnel and the community at large (Haynes, 2018).



representing the victim and their body as an object, whose consent is not necessary (Uhl, Rhyner, Terrance, & Lugo, 2018). Sometimes even the term *porn*, diminutive of *pornography*, appears inappropriate in terms of both creation and dissemination of content. In fact, this term alludes to the dissemination of content for sexual gratification, characteristic of pornographic material, implying a sense of voluntariness and legitimacy, without emphasising the private and non-consensual nature of the content shared. More often than not, sexual content is created outside of the pornographic industry (which would otherwise require consent to the performance), although the non-consensual circulation of the same could become profitable (Pavan & Lavorgna, 2021). On the other hand, images and videos could be illegally found without the protagonist being aware of it, or individuals could have been forced to share them (Pavan & Lavorgna, 2021). In such cases, their dissemination hardly conceals a vindictive purpose, but rather the intention to blackmail the victim or to exert control over them (Pavan & Lavorgna, 2021). The label *revenge porn* is therefore, in the opinion of the authors, contestable as it fails to comprehensively communicate the extent and severity of the harm attached and facilitates an attitude of *victim blaming*<sup>17</sup>. For this reason, focusing on the non-consensual nature of the images rather than the vindictive nature might be conceptually and terminologically more appropriate. In the wake of criticism of the anachronistic use of the term *revenge porn*, the adoption of more appropriate terminological references has been advocated in recent years. In the United States, the expression *non-consensual pornography* (NCP) is used to describe the phenomenon more broadly. This expression emphasises the absence of consensuality and opens up connections between NCP and other non-consensual acts, including material obtained through the use of hidden cameras, or consensually exchanged within a relationship, or stolen photos and recordings of sexual assaults (Franks, 2015). Other authors suggest instead to speak of *involuntary pornography*, emphasising the intentional creation of this content, as well as the non-consensual nature of its disclosure (Barmore, 2015). Although the expressions *non-consensual pornography* and *involuntary pornography* describe a broader range of practices than the term *revenge*, focusing on the lack of consensuality in the dissemination of content, they do not overcome the limitations of the term *porn*, as listed above (Cricchio, 2020). Another terminological term that would seem to obviate the limitations of the syntagma *porn*, while maintaining the focus on consent, is *non-consensual intimate image distribution* (NCIID). However, according to other authors, the more correct expression to talk about the phenomenon should be IBSA, a term coined by McGlynn and Rackley in 2016, as it is capable of encapsulating the magnitude and breadth of a practice that consists of various forms that

transcend revenge and whose disseminated content is not identifiable as pornography (Cricchio, 2020). The umbrella term IBSA denotes a heterogeneous spectrum of criminal and deviant behaviour, consisting of the non-consensual dissemination of sexual and intimate content or the dissemination of illegally found content of the same nature (Pavan & Lavorgna, 2021), and would seem to most aptly and comprehensively describe and encompass all forms of violence suffered online (e.g., upskirting, downblousing, sextortion and photography photoshopping<sup>18</sup>)<sup>19</sup> through private and sexually explicit content. With this explicitation, the focus is placed on the harm, caused to the victim, so that while in the case of *revenge porn* the person may be aware of the production of content, but not of its subsequent dissemination, in other cases the person may not be (as in the case of upskirting, photography photoshopping or *revenge porn* itself). A further reflection must also be made on a purely semantic level. In fact, in the common imagination and according to an increasing number of authors (e.g., Caletti, 2019) the phenomenon of IBSA is to be contextualised exclusively within a relational or couple context. This assumption is definitely limiting since such practices can also occur in situations where the actors involved are unaware (e.g., in circumstances where the victim's computer is hacked, and the contents disclosed without consent). Although most of the IBSA cases are based on self-produced photos that are later shared with one's partner, sometimes this is not the case. Moreover, it is erroneous to assume that cases of IBSA necessarily occur via the Internet or telematic channels<sup>20</sup>. In this regard, one recalls the case of Chesterfield (2007) in which David Feltmeyer disclosed intimate videos of himself performing sexual acts with their ex-girlfriend through the distribution of DVDs left on the windscreen wipers of cars parked in the town in question. The DVD cover was accompanied by the name, telephone number and address of the woman, who, a few weeks earlier, had ended their relationship (Caletti, 2019). Taking into account the perplexities shared above, IBSA, in the writer's opinion, is the most inclusive and respectful term for the situational diversity that could serve as a backdrop for the wide range of so-called OSA that share common features, such as the sexual nature of images, the gender distinction between abused and abuser, the sexualised nature of abuse, and harms conceived as violations of fundamental rights to dignity, autonomy and sexual expression.

17 Supra footnote 3.

18 Term equivalent to *deepfake pornography*, *Infra*.

19 *Infra*.

20 By *technology enhanced sexual harassment* we mean that specific category in which all non-consensual sexual images sent via digital means fall (Freeman, 2020).

## Moving towards a solution: a new proposed definition for sextortion and sexting

However, the line between the categories discussed above is not always so marked. In fact, although it is a widely shared concern of organisations, researchers and scholars, there does not seem to be unanimity on the appropriateness of the terminology to be used for such practices at certain junctures. Language, through symbols and meanings, comes to transform human consciousness, provoking new forms of thought and, consequently, changes in the social imaginary. We therefore feel it is important to delve into the meaning of the various terms used to define sextortion and sexting, while at the same time developing an approach to the concept. Even if these expressions have now become part of common language and are widely discussed by experts, they appear to be characterised by border lability and sometimes by conceptual overlap. The scientific literature review shows that although there are aspects in common between the two categories (e.g., content of a sexual nature, sharing, dissemination, self-production, and the couple as the context of implementation), specific key concepts could be identified for each of them. In the *sexting* category, the most frequent elements are the sharing of sexual content and the use of telematic tools (Kim, Martin-Storey, Drossos, Barbosa & Georgiades, 2020; Lee & Darcy, 2021; Osterday, 2015; Parti, Sanders & Englander, 2023). Few, however, are the authors who highlight the aspect of self-production of sexual content (Harris, Davidson, Letourneau, Paternite & Miofsky, 2013; Judge, 2012). Finally, regarding the category *sextortion*, the key concepts most used in the definitions collected were the threat of exposure of sexual content and the quid pro quo (O'Malley, 2023; Patchin & Hinduja, 2020; Suryosumpeno, 2020; Syauket & Wijanarko, 2022). Another significant aspect was found to be the abuse of power exercised by the offender (Bernstein, 2010; Carna, 2012; Feigenblatt, 2020; Forsyth & Copes, 2014).

Based on the evidence, the following two definitions are then proposed, representative of the theoretical interpretation shared by most experts:

*Sextortion: «a form of extortion consisting of the threat to disseminate content of a sexual nature without prior consent in the absence of submission to certain conditions».* The extortionate and non-consensual nature of this form of violence has been emphasised in accordance with most of the definitions considered, without specifying the purpose of the exchange between the actors, in keeping with its variety. Furthermore, the inclusion of the element *abuse of power* was omitted as it is only present in certain professional relationships.

*Sexting: «the consensual sharing and/or reception of self-produced content of a sexual nature through telematic means».* The writers deemed it appropriate to emphasise the consensual nature of the exchange underlying *sexting*, as an essential and distinctive element of this practice, unlike the other category considered, which constitute a

criminal offence liable to prosecution. Secondly, we wanted to make it explicit that both the sharing and the consensual receipt of sexual material are representative of the category under consideration. Lastly, it was considered important to specify that the content shared is self-produced by the actors involved.

We could conclude that only the inclusion and normalisation of such locutions in our vocabulary, as well as the recognition or the possible disavowal of them as forms of gender-based violence, would allow us to start highlighting the different violent situations towards victims and thus start a path towards their resolution. Language matters and has significant repercussions on several levels, especially the legal one. In this regard, it is therefore crucial to frame the phenomenon using clear and unemotional terms, focusing on the behaviour and not on the motivations or intentions of the agents. Unfortunately, the mere definition and differentiation of such practices, although a *conditio sine qua non* in forensic practice, is not sufficient to understand their phenomenological roots and thus work towards their eradication (where necessary), even though initiating a linguistic revolution that facilitates an awareness of the harmfulness related to the phenomenon in question seems to be urgent.

## Conclusion

Although the phenomenon of OSA is not new and specific to the digital era, the characteristics of virtual technology, in combination with networked technology, have certainly influenced the ease and scope of many instances of non-consensual sharing. The current literature has made it difficult for us to adequately recognise and define the plurality of existing OSA. Thus, the present work has attempted to consider the best-known practices (i.e., *sextortion* and *sexting*) in an original manner, to clarify their phenomenology and to propose a definition that is as inclusive and respectful of the situational plurality found. An exquisitely linguistic reflection made it possible to identify in IBSA the term that best describes all the forms that virtual sexual violence can take, including what is known as *revenge porn*. The need to foster a better understanding of the phenomenon related to the panorama of online sexual practices stems from the awareness that the ambiguity of conceptual and linguistic boundaries also implies significant legal implications.

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## Ecoterrorism between knowledge and social perception

## Ecoterrorismo tra conoscenza e percezione sociale

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**Abstract**

Terrorism has ancient origins. Criminology for years has been studying and investigating this phenomenon in its different declinations: terrorism of religious matrix, terrorism of political matrix, without neglecting more recent realities, such as the massacres carried out by the Incel community. Within these new realities under study, there is also room for the so-called "ecoterrorism," the birth of which is traced back to Britain in the early 1970s.

The aim of this contribution is to first provide a historical excursus of the phenomenon, detailing its characteristics on the criminological side, and then to present a quantitative research through interviews whose purpose was to investigate the opinion of Italian men and women with regard to activism (including violent activism) of an environmentalist and animalistic nature. The research was conducted through 1,009 online interviews among compatriots aged 18 to 70, a representative sample of the national population by gender, age groups, geographical location, size of municipality of residence, social class, and educational level.

The interviews were realized using the Computer Aided Web Interviewing (CAWI) method. The research took place in mid-July 2023. In the final part, analysis of the obtained results and discussion regarding them offer information about the respondents' and interviewees' perceptions of how deviant (in the criminological sense) this phenomenon can be considered, even in light of the current climate emergency.

**Keywords:** ecoterrorism, quantitative research, interviews, activism, environmentalism.

**Riassunto**

Il terrorismo ha origini antiche. La criminologia per anni si è occupata di studiare e approfondire questo fenomeno nelle sue diverse declinazioni: il terrorismo di matrice religiosa, quello di matrice politica, senza tralasciare le realtà più recenti, come ad esempio le stragi attuate dalla comunità Incel. All'interno di queste nuove realtà oggetto di studio, trova spazio anche il cosiddetto "ecoterrorismo", la cui nascita viene fatta risalire in Gran Bretagna ai primi anni Settanta del Novecento.

L'obiettivo di questo contributo è quello di fornire in primis un excursus storico del fenomeno, dettagliandone le caratteristiche sul versante criminologico, per poi presentare una ricerca quantitativa tramite interviste il cui scopo è stato quello di indagare l'opinione degli Italiani e delle Italiane relativamente all'attivismo (anche violento) di stampo ambientalista e animalista. La ricerca è stata condotta tramite 1.009 interviste online proposte a connazionali dai 18 ai 70 anni, campione rappresentativo della popolazione nazionale per genere, classi di età, collocazione geografica, ampiezza del comune di residenza, classe sociale, scolarità.

Le interviste sono state somministrate con il metodo CAWI (Computer Aided Web Interviewing). La ricerca si è svolta a metà luglio 2023.

Nella parte finale, analisi dei risultati ottenuti e discussione relativamente a questi ultimi, offrono informazioni circa la percezione degli intervistati e delle intervistate di quanto questo fenomeno possa essere considerato deviante (in senso criminologico), anche alla luce dell'emergenza climatica in atto.

**Keywords:** ecoterrorismo, ricerca quantitativa, interviste, attivismo, ecologismo.

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## Ecoterrorism between knowledge and social perception

*“Non posso fare a meno di concludere  
che la maggioranza dei tuoi simili è  
la più pernicioso razza di odiosi  
e infimi bacherozzi che la Natura  
abbia lasciato strisciare sulla faccia della terra”  
(Jonathan Swift, I viaggi di Gulliver).*

### Evoluzione del fenomeno

Il terrorismo è un fenomeno antico e dalle diverse sfaccettature; quello di matrice politica, quello strettamente religioso, fino ad arrivare in questi ultimi anni a forme meno note (e meno ideologicamente definite) come ad esempio i casi di stragi della comunità Incel (Caruso et al., 2021).

All'interno di questo fenomeno così variegato, trova spazio anche il cosiddetto “ecoterrorismo”, la cui nascita viene fatta risalire in Gran Bretagna ai primi anni Settanta del Novecento con l'*Animal Liberation Front* (ALF), che si proponeva la liberazione degli animali dalle aziende agricole, dai laboratori di ricerca e da altri luoghi in cui gli animali erano rinchiusi e maltrattati. Una decina di anni dopo nasce in USA l'ambientalista *Earth First!* e in seguito, ritenendo che questa organizzazione non fosse all'altezza di fermare i danni contro il pianeta, da essa si separa la sua più determinata costola, *Earth Liberation Front* (ELF).

Però il termine “ecoterrorismo”, che per taluni designa le azioni ambientaliste e animaliste, è discusso.

Di terrorismo parla l'FBI, che si preoccupa: “Durante il trascorso decennio abbiamo assistito a cambiamenti drammatici nel tipo delle minacce terroriste. Negli anni Novanta l'estremismo di destra aveva sorpassato quello di sinistra come minaccia di terrorismo interno. Da numerosi anni, un estremismo che desta particolare attenzione – costituito dall'*Animal Liberation Front* (ALF) e dall'*Earth Liberation Front* (ELF) – si è segnalato come grave minaccia terroristica” (Hirsch-Hoefler & Mudde, 2014).

Andrea Malm (2021), attivista e saggista svedese, scrive invece: “Siamo perfettamente, immacolatamente non violenti” e “Si è evitata con meticoloso zelo ogni azione che si potesse categorizzare come forma di violenza”. Lui e altri sottolineano quanto la violenza contro le persone comporterebbe una cattiva pubblicità per la causa “che invece è giusta”. La diffusione delle idee e la raccolta di consensi sono fra gli obiettivi più sentiti degli ambientalisti, e: “L'estremismo può rendere un intero movimento tanto sgradito da screditarlo del tutto. Di movimenti che si sono azzoppati da soli è piena la Storia”. Però poi anche: “sostengo che per il movimento per il clima sia

arrivato il momento di utilizzare certi strumenti e di contemplare la violenza”.

Al fine di coinvolgere più persone, aumentare la sensibilizzazione ed espandere così l'interesse sul tema, si è assistito ad un maggior utilizzo del web, in questi anni strumento sempre più diffuso per quanto concerne i meccanismi di coinvolgimento e anche radicalizzazione (Merzagora et al., 2016; Rossi, 2021; Giorda, Cuciniello & Santagati, 2018). Anche in questo caso vi sono argomenti pro e contro la pericolosità: da un lato la rete serve a coordinare le attività di persone e gruppi non sempre coesi e che solitamente sono privi di leader, ed è stata usata per insegnare le tecniche al fine di compiere atti di vandalismo e distruzioni, dall'altro il sito dell'ELF ([www.eathliberationfront.com](http://www.eathliberationfront.com)) sostiene che i membri si impegnano solo in un “attivismo non violento” e afferma esplicitamente che “devono essere assolutamente certi che nessun animale o essere umano sia inavvertitamente ferito o ucciso” (Trujillo, 2005).

Carson Varriale et al. (2012) hanno effettuato venticinque interviste ad ambientalisti e animalisti da cui emerge che attivisti e simpatizzanti esprimono intenti non violenti: “Non credo nel gettare bombe contro chicchessia. Non credo nell'andare fuori e fare cose veramente radicali e violente”, e anche: “È moralmente sbagliato impiegare metodi eccessivi o danneggiare per arrivare a un certo punto”; “Credo nell'azione non violenta”.

Malm (2021) afferma che è pur vero che anche la distruzione di beni è violenza poiché danneggia qualcosa che appartiene a qualcuno che non vorrebbe fosse danneggiata, ciò non di meno è una violenza di tipo differente da quella che colpisce un essere umano o se è per questo un animale: “Spezzare la gamba di una bambina e spezzare la gamba di un tavolo sono due fatti ingannevolmente simili”.

Nonostante la rivendicazione alla non-violenza da parte di animalisti e ambientalisti, la risposta istituzionale non s'è fatta attendere. Nel 1992 in USA con l'*Animal Enterprise Protection Act* è stato introdotto il reato federale di “terrorismo animalista” che prevede una pena fino a 10 anni di carcere per chi causi gravi danni fisici o la morte di una persona (Hirsch-Hoefler & Mudde, 2014; Nilson & Burke, 2002). Sotto la presidenza Trump, una dozzina di Stati americani ha previsto pene severe per qualsiasi tipo di protesta che fosse portata avanti nei pressi di gasdotti e oleodotti. Un parlamentare statunitense ha proposto persino la pena di morte per gli ambientalisti (Amster, 2006).

Pellow (2016), acceso supporter dei movimenti ambientalisti e animalisti, paragona queste leggi repressive agli *Immigration Acts* del 1917 e del 1918 che sancivano la possibilità di espellere immigrati e cittadini non statu-

nitensi che si fossero resi responsabili di sabotaggi o danneggiamenti di proprietà, e afferma che la designazione “terrorismo” serve a supportare l'accettazione acritica dei discorsi del potere e delle pratiche repressive.

Per Amster (2006): “la criminalizzazione delle proteste non violente per il clima” e il “talismano” del terrorismo finiscono per diventare una profezia che si autoadempie perché serrano in una morsa il dissenso legittimo e pacifico favorendo il ricorso a metodi più aggressivi e financo violenti. Secondo Elaine Close, portavoce dell'ELF (d'accordo, non la più insospettabile), la sola etichetta “terrorismo” sortisce in un espediente per smorzare il dissenso, ridurre la libertà di opinione e avvantaggiare gli interessi di potere a spese della democrazia.

Secondo altri Autori (Carson Varriale et al., 2012), classificare terroristi questi gruppi e queste azioni è fuorviante perché ambientalisti e animalisti, anche se estremisti, non cercano di fare del male alle persone o addirittura ucciderle. Vanderheiden preferisce il termine *ecotage* che definisce “il sabotaggio economico di obiettivi inanimati” e sostiene che confonderlo con il terrorismo trascura un'importante distinzione morale.

I diretti interessati argomentano che le minacce all'ambiente sono ben più pericolose della violenza da loro attuata (Cooper, 1977), che il vero ecoterrorismo è quello perpetrato ogni giorno dalle aziende statunitensi, dal business, dai governi (Pellow, 2016; Russell, 1998; Trujillo, 2005), che, per costoro, si dovrebbe parlare di “ecocidio” (Agnew, 2015).

I criminologi della *Green criminology* sostengono che semmai il cospicuo consumo di combustibili fossili dovrebbe essere considerato reato (Natali, 2015; Lynch et al., 2013; Natali, 2019; Natali & Cornelli, 2019). Più in generale, costoro definiscono *green crime* un'azione che produce un “danno” e una “ingiustizia” ambientali, pur non violando norme legali; occorrerebbe, addirittura: “mostrare aspetti del potere – inteso nella sua nozione più estesa – che, anche se avvengono nelle trame della legalità, producono gravi conseguenze sull'ambiente” (Natali, 2015).

I gruppi ambientalisti e animalisti raramente commettono atti significativamente violenti. “Raramente”, però, non vuol dire “mai”. Un censimento delle azioni di distruzione commesse dal 1970 al 2017 attesta che esse costituiscono il 9,3% negli Stati Uniti e l'1,1% in Gran Bretagna di tutte le azioni perpetrate (Michalski, 2019).

Secondo Hirsch-Hoefler e Mudde (2014), il termine ecoterrorismo potrebbe essere usato per una parte minoritaria delle azioni del movimento *Radical Environment and Animal Rights* (REAR), consumate da una piccola parte di individui all'interno della più vasta compagine. Per altri si dovrebbero porre distinzioni fra le differenti organizzazioni a seconda del loro minore o maggiore coinvolgimento in azioni violente (Nilson & Burke, 2002; Trujillo, 2005).

Fra le azioni dannose recentemente messe in atto in Europa da giovanissimi attivisti per la difesa dell'ambiente occorre ricordare gli attacchi alle opere d'arte, alcuni dei

quali nel nostro Paese: in questi casi non vi è stata perdita di vite umane, ma minaccia o perdita di patrimoni dal valore incalcolabile, di beni comuni.

Da parte delle organizzazioni qui esaminate ad oggi non vi sono stati omicidi (Hettinger, 2022).

L'ideale alla base degli ambientalisti e soprattutto quello alla base degli animalisti è che “gli esseri umani sono solamente membri qualsiasi della comunità biologica, non più importanti di, tanto per dire, una balena o di un orso” (Eagan, 1996; Nilson & Burke, 2002; Young, 2017). Molti si rifanno al filosofo norvegese Arne Naess, secondo cui l'essere umano non è se non uno dei membri della comunità biologica che a tutti i membri di tale comunità si debbano riconoscere uguali diritti, e auspica una riduzione dello sviluppo urbano e industriale e persino della civilizzazione umana così come è ora intesa allo scopo di ricreare un equilibrio ecologico adatto allo stesso modo a tutti gli animali, umani e non umani (Trujillo, 2005; Carson Varriale et al. 2012).

Naturalmente si può peggiorare, visto che pure in altri ambiti ci sono state formazioni terroriste che non sono nate da subito come tali, e si fa notare che gli attivisti politici spesso hanno cominciato come gruppi non violenti, magari attraverso proteste con scopi legali e pacifici (Nagzaam & Lentini, 2008).

Anche per gli ambientalisti/animalisti può verificarsi quel processo di radicalizzazione (Travaini et al., 2017) che poggia sulla constatazione del fallimento dei metodi non violenti per raggiungere gli scopi prefissi, e alcuni studiosi affermano che recenti riscontri hanno mostrato la propensione a intraprendere azioni sempre più aggressive (Mobley, 2002; Grubs, 2010; Beck, 2007; Enders & Sandler, 2000; Trujillo, 2005; Boyd, 2022).

L'ELF (*Earth Liberation Front*) ha perpetrato attentati, in particolare incendi, di luoghi che considera in vario modo una minaccia per l'ambiente. L'azione più eclatante è stata l'aver dato fuoco a un condominio di 206 appartamenti a San Diego che ha comportato un pregiudizio di 20 milioni di dollari, ma nessuna perdita di vite umane<sup>1</sup>.

Per Craig Rosebraugh, portavoce di ELF: “Il terrorismo può essere OK, può essere giustificato, e gettare bombe o uccidere in certe circostanze possono essere forme legittime di autodifesa contro l'oppressione politica”. Di nuovo l'ELF sosterrà che: “Mentre vite innocenti non dovranno mai essere danneggiate dalle azioni che intraprendiamo, dove sarà necessario non esiteremo a impugnare le pistole per instaurare la giustizia” (Ackerman, 2010; Hirsch-Hoefler & Mudde, 2014).

I movimenti ambientalisti sono stati paragonati alle angurie, verdi fuori e rosse dentro (Burkett, 2016). Che alcuni gruppi ambientalisti siano in contatto, e pure in accordo, con formazioni che invocano una maggiore giustizia sociale è dovuto alla constatazione che i più danneggiati dal disastro ambientale sono i meno abbienti, anche

1 <https://www.sandiegouniontribune.com/news/public-safety/sdut-ecoterror-arsons-elf-fbi-2013sep14-htmlstory.html>

nel senso che i peggiori cataclismi si sono verificati nei Paesi del sud del mondo, in quelli più poveri.

Il periodo di maggior attività del movimento ambientalista si colloca tra gli anni novanta e gli anni duemila, e in quel periodo è cosa nota che l'ELF non sia stata coinvolta in violenze contro le persone (Ackerman, 2010), o al massimo, dall'analisi di 707 azioni commesse, solo lo 0,85% sarebbe consistito in attacchi o minacce di violenza contro esseri umani (Loadenthal, 2014). Ad oggi, proprio in ragione del sopracitato calo di azioni terroristiche da parte dell'ELF, non vi sono dati aggiornati riguardanti eventuali danni perpetrati a persone. Per scongiurare danni alle persone nel corso delle azioni di sabotaggio un attivista riporta: "Perquisivamo le abitazioni per verificare che non ospitassero alcuna forma di vita, e abbiamo persino rimosso da una casa e posizionato dalla parte opposta della strada un serbatoio di propano per il timore – nello scenario peggiore – che i pompieri potessero rimanere feriti" (Malm, 2021).

Anche nel caso dell'ELF c'è chi ha sostenuto che la definizione di "terrorismo" sia iperbolica e che tale etichetta finisca per consentire la criminalizzazione del dissenso (Loadenthal, 2014).

Infine, una domanda potrebbe essere: questi ideali sono condivisi dai cittadini? E se sì, cosa sarebbero disposti a fare per portarli avanti? O invece, il nostro oramai proverbiale comune cittadino ritiene le posizioni degli ambientalisti malvage e pericolose, ideali pervertiti insomma (Merzagora & Caruso, 2022)?

## La ricerca

L'importanza di conoscere le opinioni dei nostri connazionali è evidente per poter predisporre politiche che, in quanto condivise, possano avere maggiore probabilità di riuscita. Natali sostiene l'importanza della "componente della 'desiderabilità sociale' perché una politica ecologica – qualsivoglia politica, invero – per affermarsi deve poter contare sulla consapevolezza e sulla condivisione da parte dei cittadini" (Natali, 2015).

Quanto alle opinioni in merito all'approvazione o meno di metodi violenti in ambito ambientalista e animalista ne è manifesta l'importanza per valutare l'eventuale radicalizzazione e il possibile bacino di reclutamento estremistico.

Si è così dato incarico alla società AstraRicerche di realizzare una ricerca sull'attivismo anche violento tramite 1.009 interviste online somministrate a Italiani dai 18 ai 70 anni, rappresentativi della popolazione nazionale per genere, classi di età, collocazione geografica, ampiezza del comune di residenza, classe sociale, scolarità. La ricerca si è svolta a metà luglio 2023.

### Metodologia

Sono state proposte al campione delle interviste online, somministrate con il metodo CAWI (Computer Aided Web Interviewing).

Va ricordato che AstraRicerche adotta sistemi di controllo di qualità dei dati come

- controlli di coerenza delle risposte
- controllo di qualità delle risposte aperte
- controlli sul tempo di compilazione complessivo e di ogni domanda

### L'indagine

Si sono voluti vagliare la conoscenza, la condivisione e il personale coinvolgimento riguardo a due recenti argomenti che, per notorietà e vicinanza nel tempo, abbiamo pensato potessero essere conosciuti dal nostro campione. Il primo è stato così descritto:

*I movimenti di "disobbedienza civile non-violenta" come Ultima generazione in Italia e Just Stop Oil in Gran Bretagna agiscono attraverso una serie di azioni aggressive di "resistenza civile" per portare a termine i loro obiettivi in ambito ambientale. Parliamo di interventi quali il blocco stradale, l'interruzione di manifestazioni fino all'imbrattamento di opere d'arte, e all'incollare le mani a muri e asfalto per rallentare l'intervento della polizia.*

Il secondo è stato così descritto:

*Movimenti per il salvataggio di animali dagli allevamenti intensivi in cui sono prigionieri – dove hanno poco spazio per muoversi, dove vengono uccisi ancora giovani dopo un periodo di rapido ingrassamento o addirittura appena nati se non rispettano gli 'standard di qualità' richiesti. Agiscono liberando alcuni di questi animali per porre fine alle loro sofferenze e rivendicando pubblicamente questa liberazione. Il loro scopo è quello di compiere un gesto di disobbedienza civile per aprire un dibattito etico e politico.*

Una volta proposti questi esempi al campione, è stato chiesto quale fosse il livello di conoscenza in merito:

*"Ora che Le è stata presentata questa descrizione, con riferimento a questo caso specifico ma anche a movimenti che con finalità analoghe hanno posto in essere atti dimostrativi di questo genere, Lei affermerebbe...:"*

- ne so abbastanza/molto,
- ne ho sentito parlare ma ne ho un'idea vaga, non ho mai approfondito/letto in merito;
- no, non so di cosa parliamo.

Relativamente al primo argomento, quindi alla conoscenza dei movimenti di "disobbedienza civile non violenta" e di "resistenza civile" ambientalisti, sono risultati conosciuti "molto" nel 24,4% dei casi, "non in modo approfondito" nella metà dei casi (49,9%). Il 25,8% delle risposte è che non li conoscevano affatto.

Circa i movimenti per il salvataggio di animali (secondo caso descritto), la risposta di avere "molte informazioni in merito" è scelta dal 22,8% dei soggetti e di non averne affatto dal 17,2%. Fa la parte del leone la risposta intermedia: "ho avuto notizia, ma in modo non approfondito" (60%) (Grafico 1).



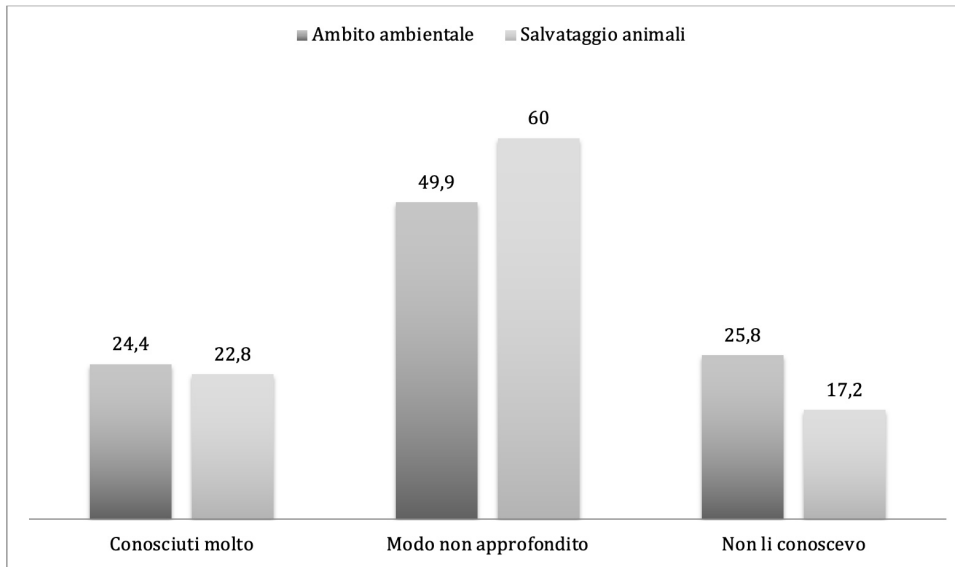


Grafico 1: conoscenza dei movimenti di “disobbedienza civile non violenta” e di “resistenza civile” ambientalisti e animalisti

Sempre riguardo questi due specifici argomenti proposti al campione, si è voluto indagare la condivisione “morale” dei movimenti di disobbedienza civile in ambito ambientale e in quello del salvataggio degli animali. Le ipotesi di risposta proposte erano:

- rischiano di avere un effetto “boomerang”: anziché generare supporto e consensi rispetto al tema difeso rischiano di attirare la disapprovazione e finanche l’ostilità delle persone;
- sono azioni ai limiti o oltre i limiti della legalità che non vanno mai giustificate;
- rischiano di togliere l’attenzione sul tema portante del movimento invece di far focalizzare l’attenzione e il dibattito sugli atti dimostrativi in sé e sulle loro conseguenze;
- è relativo a una causa, a un obiettivo che ritengo valido, senza pensare a come questo obiettivo venga ricercato;
- a prescindere da considerazioni sulle manifestazioni e sugli atti dimostrativi in sé, è una forma efficace per sensibilizzare sul tema e protestare contro l’immobilismo della società e dei governi;
- è una forma di coinvolgimento attivo e di impegno delle persone (spesso delle giovani generazioni) e come tale ha una valenza positiva;
- lo comprendo, ne giustifico ragioni e azioni. Potevano fornirsi più risposte.

Le risposte “condivido molto” e “abbastanza” delle ipotesi da noi prospettate, che rappresentavano le opinioni più interessanti per la nostra ricerca, sono le seguenti (Grafico 2):

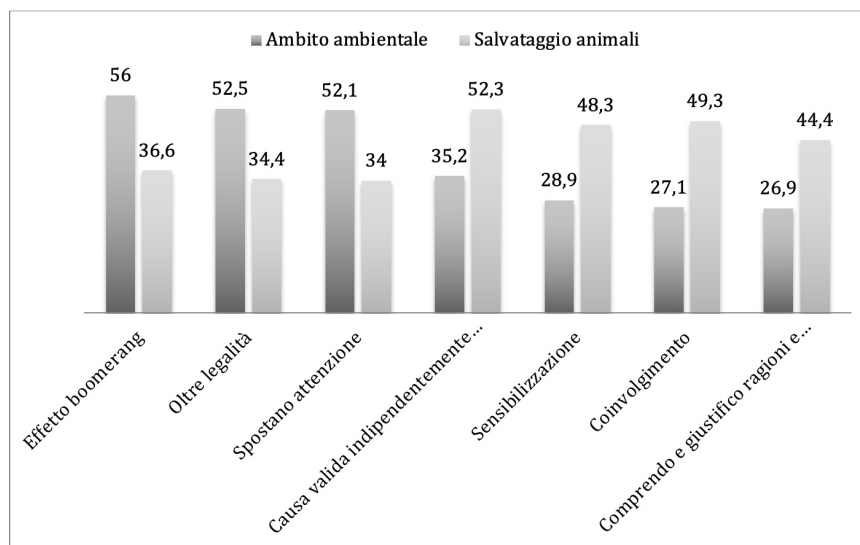


Grafico 2: Condivisione “morale” dei movimenti di disobbedienza civile dei movimenti ambientalisti e animalisti (risposte “molto” + “abbastanza”)

Le risposte circa l'effetto boomerang in ambito ambientale sono in percentuale maggiore. Questa era una delle preoccupazioni espresse dagli ambientalisti almeno per le forme di violenza contro le persone, che secondo Malm (2021) comporterebbero una cattiva pubblicità per la causa "che invece è giusta".

Per il salvataggio degli animali la risposta che accoglie più numerose adesioni è: "è relativo a una causa, a un obiettivo che ritengo valido (senza pensare a come questo obiettivo qui venga ricercato)", 52,3%, e per i movimenti ambientalisti essa supera il 35%.

Dal punto di vista criminologico interessavano in modo particolare le risposte di condivisione (molto+abbastanza) all'opzione "è relativo a una causa, a un obiettivo che ritengo valido, *senza pensare a come questo obiettivo venga ricercato*", insomma le risposte dei "pronti a tutto" che, come si è visto nel grafico 2, per quanto riguarda l'ambiente sono il 35,2% e per quanto riguarda la tutela degli animali sono il 52,3% di tutte le risposte. Anche per la più approfondita analisi, abbiamo distinto le risposte relative alla tutela dell'ambiente da quelle della tutela degli animali.

I più battaglieri sono gli uomini, con un certo distacco rispetto alle donne, e i più giovani rispetto ai meno giovani, in quest'ultimo caso con uno scarto rilevante soprattutto per quanto concerne la difesa dell'ambiente (in questo caso "pronti a tutto" sono nel 46% i 18-24enni, il 26% i 55-70enni). Sono poi più battaglieri coloro i quali si autodichiarano come appartenenti ad una fascia di reddito superiore e coloro che hanno più elevato titolo di studio.

Quanto detto si mostra sia per la difesa in ambito ambientale sia per quella relativa al salvataggio degli animali, mentre si rileva una differenza in questi due ambiti nel senso che tutti, indipendentemente dalle caratteristiche socio-demografiche, sono maggiormente agguerriti nella difesa degli animali che in quella dell'ambiente (Grafico 3).

La tutela dell'ambiente non fa propendere a soluzioni drastiche soprattutto i meno giovani (26% delle risposte), forse perché la sensibilità ambientale è relativamente recente. Costoro, invece, sarebbero maggiormente "pronti a tutto" per gli animali (49%), con un notevole stacco rispetto al primo ambito.

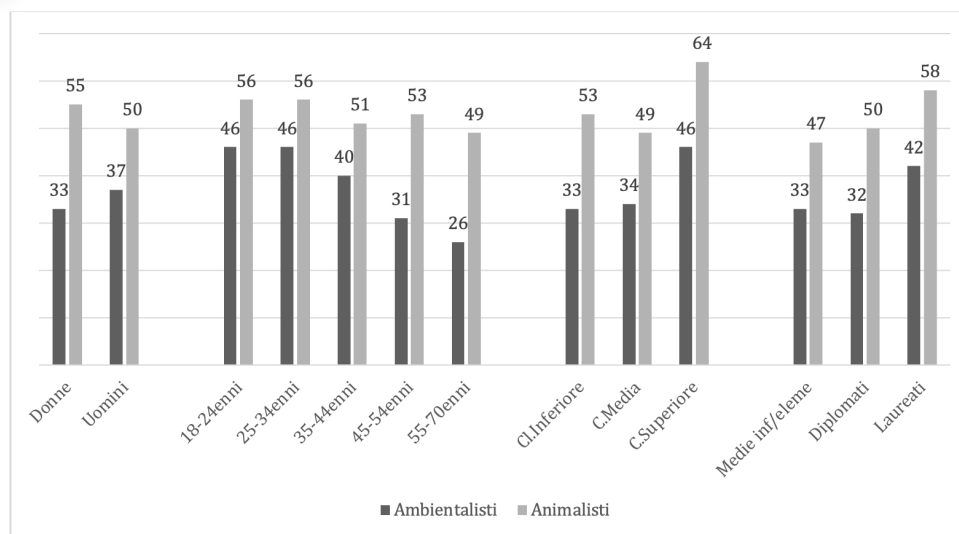


Grafico 3: distribuzione degli intervistati dichiaratisi "pronti a tutto"

Quindi: che cosa si è disposti a fare per l'ambiente e gli animali?

La propensione ad un personale coinvolgimento nei fatti sopradescritti in ambito ambientalista e in ambito animalista è indagata dalla domanda:

*In quale misura concorda con le seguenti affermazioni?*

Le risposte potevano essere:

- sosterrei/sostengo questo genere di movimenti, con donazioni economiche, promuovendoli, parlandone

con amici e conoscenti, sui social network, etc.;

- prenderei/ho preso parte in prima persona a movimenti, manifestazioni di questo tipo;
- userei la violenza se la ritenessi utile a sostenere una causa, un tema, un diritto a cui sono particolarmente vicino.

Per i movimenti di disobbedienza in ambito ambientale e per quelli del salvataggio degli animali le risposte "certamente sì" e "probabilmente sì" sono quelle evidenziate nel grafico 4:

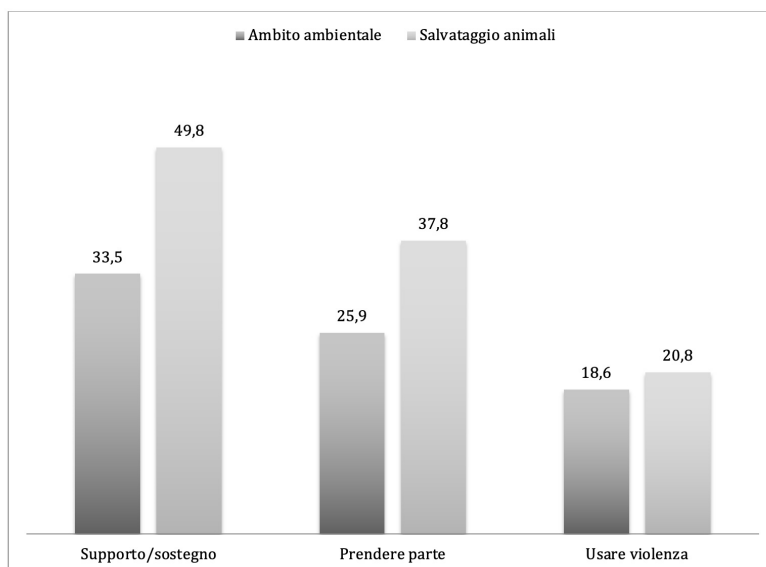


Grafico 4: Pieno coinvolgimento ai movimenti animalisti e ambientalisti: disponibilità alla tipologia di azione

Il “supporto” e il “prendere parte” sono la quota più cospicua delle risposte; l’ipotesi dell’uso della violenza è minoritaria ma non è assente.

Coerentemente alla nostra materia ci interessavano soprattutto le risposte “userei la violenza”, che pertanto riportiamo in modo più analitico, confrontandole per genere, età, fascia di reddito autodichiarata, scolarità, e distinguendo movimenti ambientalisti e animalisti.

Per gli ambientalisti, le risposte certamente sì + probabilmente sì alla domanda “userei la violenza per sostenere questo genere di movimenti” sono date più dagli uomini (23%) che dalle donne (15%), e dai più giovani (28% per i 18-24enni) con un netto distacco relativamente ai più anziani (10% per i 55-70enni).

Sempre per l’ambito ambientale, coloro che si dichiarano appartenenti alla fascia di reddito superiore sono i più inclini all’uso della violenza (36%) con rilevante dif-

ferenza con gli appartenenti a quella inferiore (15%), e lo sono i meno scolarizzati con il 32% di propensi alla violenza per la scolarità elementare o media inferiore e il 19% per i laureati.

Per gli animalisti, la risposta certamente sì + probabilmente sì alla domanda “userei la violenza per sostenere questo genere di movimenti” è di nuovo soprattutto maschile (26% contro il 16% delle donne), soprattutto e nettamente per i più giovani (34% contro il 12% degli ultracinquantacinquenni), anche qui, come per gli ambientalisti, sono maggiormente e significativamente propensi all’uso della violenza gli appartenenti alla fascia di reddito superiore (37% contro il 15% della fascia di reddito inferiore), stesso dicasi per chi ha scolarità più bassa (il 32% per la scolarità elementare o media inferiore e il 21% per i laureati) (Grafico 5).

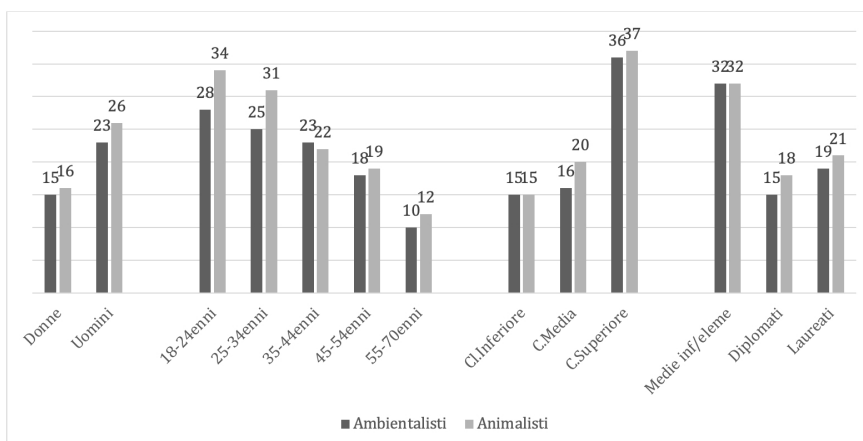


Grafico 5: Disponibili all’uso della violenza; distribuzione delle risposte

Relativamente alla propensione all'uso della violenza in ambito ambientalista e in ambito animalista, si evidenzia che il confronto fra le posizioni reciproche per caratteristiche demografiche mostra una quasi completa sovrapposizione. Gli ambientalisti e gli animalisti, cioè, sono simili nel loro profilo almeno per quanto concerne l'attitudine ad una scelta violenta che però, lo ribadiamo, è contemplata rispettivamente "solo" dal 18,6% degli ambientalisti e "solo" dal 20,8% degli animalisti fra coloro che hanno risposto.

## Discussione e conclusioni

Il cosiddetto "ecoterrorismo" è un fenomeno relativamente recente; un primo problema è certamente quello di una adeguatezza definitoria: si può definirlo come terrorismo?

La risposta non è univoca, come abbiamo visto nella letteratura sin d'ora esaminata. Crediamo si tratti di una criminalità di tipo ideologico, motivata da ideali politici e di cambiamento sociale, ma difficilmente identificabile come movimento terroristico in senso stretto; ad oggi, a parere di chi scrive, pare assente l'elemento essenziale del seminare terrore e paura nella popolazione. Le azioni sin ad ora condotte hanno avuto la forma di "ecotage" o di interruzioni stradali o di servizi e non hanno visto quali vittime persone fisiche. Da qui una paura limitata o del tutto assente nella popolazione.

La preoccupazione del Law Enforcement deriva dal rischio che l'eventuale percezione dell'inerzia delle azioni fatte sin ora possa far propendere gli attivisti verso azioni maggiormente aggressive. Preoccupazione legittima ma, se valutiamo i dati qui riportati, questa "escalation" non vi è mai stata e, al contrario, sembrano prevalere posizioni ideologicamente più moderate. Per un movimento che si impegna per salvare la vita agli animali non umani pensare di colpire gli animali umani sarebbe qualcosa non solo contrario all'ideologia stessa ma anche controproducente per la diffusione di un consenso nei confronti del movimento. Vi è, però, da considerare un altro aspetto: la sempre maggiore consapevolezza del bene "ambiente" potrebbe allargare la platea di persone che si avvicinano a tali movimenti con il possibile rischio di infiltrazioni di soggetti violenti per il gusto di esserlo, distanti dalla condivisione delle motivazioni ideologiche, e questo potrebbe portare a una crescita di violenza nelle proteste stesse. In tal caso, però, si tratterebbe di un cambiamento nei modi di protestare non direttamente riconducibile, in termini di responsabilità (quanto meno morale) al movimento, ma diventerebbe semmai l'ennesima conferma del dato, ormai noto, che le personalità con indole particolarmente violenta colgono l'occasione di proteste anche legittime per estrinsecare tale aggressività. Questa distinzione della genesi della violenza, va ricordato, è un aspetto criminologicamente e concettualmente importante per non cadere in facili generalizzazioni, non solo definitorie.

Questo allargamento della "platea" di interessati a questi movimenti viene confermata dai dati del nostro sondaggio.

Vi è un elemento ulteriore che emerge dalla nostra ricerca e che certamente merita una riflessione: quando cioè, nel questionario, si fa riferimento alla possibilità di utilizzare la violenza per perseguire i propri obiettivi ideologici. Le percentuali sono minoritarie: il 23 % degli uomini e il 15 % delle donne, ma anche in questo caso crediamo occorra svolgere una riflessione. Nella domanda non era specificato se la violenza potesse essere, ad esempio, indirizzata verso cose o persone o se s'intendesse una violenza di tipo "passivo", come accade, ad esempio, in caso di blocchi del traffico stradale. Questa significativa percentuale, pertanto, potrebbe anche racchiudere soggetti disposti a passare a vie di protesta che non necessariamente si tradurrebbero in reati contro, ad esempio, le persone.

Di più è difficile dire, in quanto lo strumento di analisi utilizzato non permetteva un approfondimento sul punto, avendo scelto di usare un concetto ampio di violenza e di non specificare, al contrario, la tipologia di possibili condotte devianti.

Ancora dobbiamo considerare un ulteriore aspetto di interesse criminologico: chi protesta per la tutela dell'ambiente crede che sia non solo legittimo, ma anche volto a tutelare la collettività nel senso più ampio del termine (persone, animali, cose).

Questo agire per un bene collettivo potrebbe condurre, criminologicamente parlando, all'utilizzo di tecniche di neutralizzazione che vanno a giustificare le proprie azioni, in particolare il vantaggio collettivo potrebbe ridurre la percezione del disagio e del danno che si può andare a creare.

La consapevolezza di questi due ultimi elementi deve sempre essere presente.

Per concludere, siamo consapevoli di aver solamente iniziato un percorso di conoscenza di un fenomeno che criminologicamente è ancora nuovo e soprattutto in veloce divenire. Mentre era in corso la redazione di questo articolo arrivavano notizie di manifestazioni in cui vi erano stati "contatti" non solo verbali tra manifestanti e persone infastidite dai blocchi stradali, e giungeva la notizia dell'uccisione di un cervo che aveva attivato forti tensioni sociali perché considerato la mascotte di un comune del bellunese.

Il che non fa immaginare un futuro così roseo, ma sappiamo che per statuto professionale i criminologi non sono e non possono essere ottimisti.

Ambientalisti e animalisti, in sintesi, sono terroristi o no, dunque? Pericolosi o no? Si potrebbe concludere manzonianamente "Ai posteri l'ardua sentenza", sempre che se continuiamo a trattare così la Terra di posteri ce ne saranno.

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## Environmental restorative justice in Italy: a pilot study of lawyers' perceptions

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**Abstract**

In this paper, we investigate perceptions of restorative justice (RJ) and environmental restorative justice (ERJ) of lawyers in the Busto Arsizio Bar Association, which includes all registered lawyers working in the north-west area of the city of Milan, Italy.

**Aim of the study:** to establish whether lawyers in this area of Italy know about, and have engaged with, RJ in their work, and whether they entertain the possibility of engaging in ERJ in their future work.

**Methodology:** we started our research by drafting of a short, rigorously anonymous, questionnaire. Percentages were tested by binomial test while relationships between questions were assessed by Fisher's exact test or Chi-square, as appropriate. A significance level  $\alpha < 0.05$  was considered for each test. Exact p-values were computed by means of permutation methods to avoid any asymptotic approximation or distributional assumption.

**Findings:** although many lawyers in the Busto Arsizio Bar Association have worked on judicial cases involving environmental harm, not many of them seemed to know much about RJ or ERJ. The results also show that lawyers: did not see RJ applicable to the area of environmental protection; did not have a positive opinion of the effectiveness of RJ tools in general; and had mostly never heard of ERJ.

**Conclusions:** our study highlights the need for the establishment of a solid training in RJ processes and tools for Italian lawyers, which – in the longer term – could also lead to the more regular and effective application of RJ and ERJ.

**Keywords:** environmental restorative justice, green criminology, environmental victims, Italy, legal profession.

**Credit author statement**

Authors Caruso, P., Travaini, G., Cermenati, N., Ratti, E., curated the data collection for the article. All the other authors contributed to the development of the theoretical, analytical and discussion parts.

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1 Views and opinions expressed in this article are those of the author only and do not necessarily reflect those of the European Commission.

## Environmental restorative justice in Italy: a pilot study of lawyers' perceptions

### Introduction

Since its outset in the 1990s, green criminology has represented a laboratory where scholars from all over the world have been able to address crimes, harms and injustices against the environment, human and non-human animals, plants, ecosystems and biospheres, among others (Beirne, Brisman and South 2013; Lynch and Stretesky, 2003; Natali, 2015, 2016; Natali and Cornelli, 2019; Natali and Hall 2022; Natali & White, 2019; White, 2008, 2013a, 2013b). Currently, green criminology focuses on three main ideas of justice, all summarized under the main heading of 'eco-justice' (White, 2013a, 2013b): 'environmental justice', which focuses on human struggles for justice at the intersection of various systems of oppression (including race, ethnicity, gender, class, etc.); 'ecological justice', which aims at protecting specific environments; and 'species justice', which considers the protection of nonhuman animals and plants in particular, avoiding to hierarchize them (Walters, Westerhuis & Wyatt, 2013; White, 2008, 2013a, 2013b). These three ideas of justice reflect grassroots struggles around the world, which have denounced structures of oppression that victimize people, nonhuman animals and Nature<sup>2</sup> in general, and which have forced criminology to develop new concepts and ideas to more comprehensively understand environmental harm and crime (Walters, Westerhuis, & Wyatt, 2013).

Central to green criminology (and its critical sub-area in particular), is the idea of 'harm' – a concept that goes well beyond that of criminal harm (or the harm which is protected by way of criminal law) and that encompasses all damages caused to human and nonhuman animals and the environment by human action or inaction, regardless of them being formally protected or not by the legal system.

Harms are also central to the idea and practices that go under the heading of Environmental Restorative Justice (henceforth: ERJ) (see e.g. Perini, 2022; Natali and Hall, 2022; Mazzucato, 2016; Pali and Aertsen, 2021; Pali et al., 2022; Mannozi & Mancini 2022). As put it by Pali, Forsyth and Tepper (2022: xi) in their recently published *Handbook of Environmental Restorative Justice*, ERJ is an "ethos and set of values and practices that respond to environmental harm through focusing on healing the

harm, repairing relationships, deep listening, participation of everyone involved, and ensuring accountability for harm caused in ways that prevent its re-occurrence". Grounding its roots in many Indigenous cultures and cosmologies (which often hold the belief that humans and Nature are fundamentally interconnected and interdependent), ERJ embraces an eco-centric perspective and promotes the establishment of safe spaces where broadly defined victims and offenders voluntarily come together and engage in meaningful dialogue and efforts directed at healing and repairing the caused harms. It is worth clarifying here that ERJ is mainly focused on repairing *past harms*, or harms that have already occurred, rather than on preventing the occurrence of future harms through e.g. extractivist megaprojects and policies (however, the application of ERJ has recently been suggested also for protest and civil disobedience, see e.g. Di Ronco and Chiaromonte, 2022; and Jolly, Gehman and Burford, 2022). But by addressing past harms, ERJ also seeks to avoid reoccurrence of harms in the future: indeed, it contributes to (re)constructing relations within the community – and between the community and Nature – enabling it to build capacity to prevent future harms (Forsyth et al., 2022). As Forsyth and colleagues (2022: 6) also suggested, the key idea is that ERJ "can support an agenda of reconnecting humans with the environment in ways that recognise our essential interdependence and seek to put limits on extractivist ideologies".

From a southern green criminological perspective (Goyes, 2019), however, we can identify some crucial epistemological issues regarding both the fields of (green) criminology and ERJ. First and foremost, there is the issue of the coloniality of Nature (Escobar, 2011). According to decolonial epistemology, the detachment between humans and Nature has been achieved through a process of differentiation which resembles that promoted between humans through the category of "race", in particular during the European expansion to the Americas in the 16th century (Quijano, 2005; Walsh, 2018). The perception of an external "environment" rich in "natural resources" worked as an ideological justification to promote capital accumulation through the plunder of the conquered territories and the murder and enslavement of the peoples that lived there – *the others* (Mignolo, 2018). Nowadays, we should address this epistemological issue – an endeavor which also helps us to critically approach the current, rampant, global capitalism and the serious environmental harms it has caused in its relentless search for profit, choosing its victims according to a hierarchization of knowledge, beings (humans and more-than-humans), and territories. Indeed, there is a racial-capitalocene (Vergès,

2 For 'Nature', we refer to a whole set of phenomena belonging to the physical world, which is made of plants, nonhuman animals, the landscape, rocks, various forces, features and products of our planet Earth. We drew for this definition on the Oxford and Cambridge language dictionaries.

2017; Pulido, 2018) going on, which risks to endanger many species because of the reproduction of the modern (profit-driven) rationality. This perspective suggests that we cannot safeguard Nature without overtaking epistemic racism, in the search for cognitive justice (Santos, 2016; Goyes & South, 2017). While a new perspective of justice is needed, it should move beyond the rationality rooted in modernity/coloniality that characterizes (among others) the criminal justice system. Should this not happen, the risk is to uncritically reproduce the structural injustices that underpin environmental harms and crimes (see also Rodríguez, 2022).

Over the past two decades, some countries have institutionalised ERJ and have introduced it into their legal and criminal justice systems, such as in the cases of Australia and New Zealand (Forsyth et al., 2021; Hamilton, 2021; Haluska, 2023). Even in the jurisdictions where it is regularly used, however, ERJ is not devoid of challenges (Forsyth et al., 2022; White, 2022). Among others, there are the issues of participation and representation in ERJ circles and conferences. While participation refers to the often scarce interest and willingness of multinational corporations to directly and meaningfully engage in ERJ to acknowledge and ultimately repair the harms they have caused, representation speaks to the challenges of having the voices of future generations and of the more-than-human heard within ERJ processes (see e.g. Mazzuccato, 2016; Mannozi, Mancini, 2022). In practice, the challenge of representing Nature is often resolved through the involvement of human-‘guardians’, or custodians with local knowledge and a distinctive place attachment, such as Indigenous Peoples, local communities, and also environmental activists (Forsyth et al., 2021), who speak for the harmed more-than-human in ERJ circles and conferences.

Issues around representation also alert us to the fact that the concept of ‘victim’ has recently been challenged – and extended – specifically in the field of environmental regulation and justice (see Williams, 1996; Skinnider, 2011; Hall, 2013). Firstly, considering the issue of victim identification, it has been observed that often victims may not be aware of their status (Varona, 2019). Secondly, as mentioned above, in the case of environmental harms and crimes it is hard to ensure that the interests of all victims – including the more-than-human – are effectively represented in the courts of law. Thirdly, as discussed earlier, when it comes to environmental remediation, it is necessary to take into consideration also the interests of future generations (Perini, 2022), which have increasingly been recognized as legal subjects in constitutional texts (see e.g. the recent amendment to art. 9 of the Italian Constitution). Although scholars have envisaged ways through which to ensure that future generations are represented in court (Jenkins, 2018), at the moment they have done so only at the theoretical level because of some important practical issues (Natali & Hall, 2022).

When environmental harm or crime occurs, moreover, victims are often considered as passive subjects, made vul-

nerable and helpless by the harm they have endured. However, embracing a restorative justice (henceforth: RJ) paradigm urges practitioners to consider the victim as an agent – a knowledgeable person who regrettably gained a unique experience of an environmental issue. Practitioners should embrace victims’ subjectivities, actively listening to the stories and experiences these people may wish to share. Paying attention to these often “disqualified” (Foucault, 1980, 81) knowledges may open up “new subjectivities” (Rosignoli, 2022, 2) and trigger *agency through knowledge* that becomes empowering and enfranchising (see also Natali, Berti Suman & de Nardin Buddò, 2023; for the often disqualified knowledge produced by environmental movements, see also Di Ronco & Chiaramonte, 2022). Gathering and sharing environmental knowledge thus becomes an act of resistance (Berti Suman, 2022). Recognizing environmental victims as agents and experts in the judicial arena as well as in institutional fora may reduce the worrisome gap between victims and legal professionals, and promote a fair(er) judicial process.<sup>3</sup> Furthermore, valuing the knowledge of people affected by environmental harm can open a space for the victims’ *imaginaries* (Berti Suman 2022), which can inform the work of practitioners in the field while designing just and participatory restorative processes.

In this paper, we investigate perceptions of RJ and ERJ of Italian lawyers in the Busto Arsizio Bar Association, which includes all registered lawyers working in the north-west area of the city of Milan, Italy. Ultimately, the aim of the study is to establish whether lawyers in this area of Italy know about, and have engaged with, RJ in their work, and whether they entertain the possibility of engaging in ERJ in their future work. The article starts with outlining the aims of the research and continues with its methodological background. As method for data collection, this study chose to rely on a questionnaire which was sent to the relevant Bar Association and – through it – was then disseminated among its members. Among the Bar’s members, a total of 194 lawyers filled in the questionnaire. In the remainder of the article, we analyse the findings and discuss their implications for ERJ in Italy.

## Methodology

### *The research: objectives of the study*

In this project we wanted to investigate whether and to what extent lawyers in Italy are prepared to engage with (E)RJ after the recently enacted new regulations on RJ. New regulations on RJ have indeed been introduced in Italy through the so-called ‘Cartabia reform’ (law No

3 As results of the ongoing Sensing for Justice research project demonstrates, see <https://sensingforjustice.webnode.it/>. The project explores how ordinary people’s knowledge on environmental harm can become a source of evidence in environmental justice litigation and a tool for environmental conflict mediation.



134/2021 of 23 September 2021), which borrows its name from the Minister of Justice during the Draghi Government (from 13 February 2021 to 22 October 2022), Marta Cartabia. The law introduced new guidelines to inform the implementation of the reform of the Italian criminal process. The goals of the reform arise from the needs to: speed up the criminal trial; strengthen the guarantees for defendants and the protections for victims of crime; and introduce innovations to guarantee a 'reasonable duration' of appeal proceedings<sup>4</sup>. Among the key principles of this new legislation there is the duty of several justice operators (including: police officers, magistrates, prosecutors and lawyers) to inform victims and offenders of their possibility to access RJ circles (see Maggio, 2023). The aim of this research is, therefore, to explore whether lawyers have knowledge of RJ, and whether they are prepared to support their clients through RJ pathways. In Italy, lawyers are the only professionals who are entitled to represent offenders and victims in the judicial process – this is why our research specifically focused on them (and not on e.g. legal scholars and judges).

#### *Methods of data collection and analysis*

We started our research with drafting of a short questionnaire (Annex A). This rigorously anonymous questionnaire is made up of eleven "closed-answer" (Yes/No or other multiple choices) questions and divided into three macro-brackets. The first three questions are aimed at collecting general data on the composition of the sample, identifying their age, gender, work experience in the fields of civil, criminal or administrative law. The next four questions (4-7) refer to the respondents' level of knowledge on RJ. Finally, the last four questions (8-12) focus on respondents' personal ideas and considerations on the possible applications of RJ in environmental matters.

The questionnaire was administered for a three-week administration period during the month of October 2022, where a general group made up of 1176 lawyers was targeted through the help of their Bar Association – the Busto Arsizio Bar Association<sup>5</sup>. Busto Arsizio is an Italian

municipality of 82,951 inhabitants in the province of Varese, in the Lombardy Region. The Busto Arsizio Bar Association covers a geographical area that includes another 55 neighboring municipalities, for a total population of around 700,000 inhabitants. We chose this Bar Association for a number of factors, including: the relative high number of members in comparison with other Italian Bar Associations; the fact that it operates in a strongly industrial and highly polluted area; and the willingness of this specific Association to take part in the research. Once our questionnaire was ready, we sought the approval of the Board of Directors of the Busto Arsizio Bar Association. Once that was secured, the Bar Association helped to share the questionnaire to its members via their main channels of communication, including its regular newsletters. We received 194 responses, for a response rate of 16.49% (for a full account of the findings, see following section).

Percentages were tested by binomial test while relationships between questions were assessed by Fisher's exact test or Chi-square, as appropriate. A significance level <0.05 was considered for each test. All analyzes were performed in R environment ver. 4.2.2 (R Foundation for Statistical Computing, Vienna, Austria. [www.r-project.org](http://www.r-project.org)).

## Findings

194 responses were received, for a response rate of 16.49%.

The questionnaire was completed by 135 women (69.6%), 58 men (29.9%) and 1 person who preferred not to specify their gender (0.5%). In terms of age: 80 respondents (41.2%) were between the ages of 40 and 50; 76 (39.2%) were over 50; and 38 (19.6%) were under 40. Among the 194 lawyers who filled in the questionnaire: 154 (79.4%) operated in the field of civil law; 31 (16%) in the field of criminal law; and 9 (4.6%) in that of administrative law.

149 participants (76.8%) declared that they have never dealt with environmental crimes, nor have they worked on environmental cases, while 23.2% (45 people) confirmed to have dealt with them, distributed as follows: 29/135 women, 16/58 men ( $p=0.562$ ); 6/9 administrative law; 24/154 civil law; 15/31 criminal law ( $p<0.0001$ ).

From the answers provided, it appears that the vast majority of lawyers (77.3%) do not know at all about RJ (150 vs 44;  $p<0.0001$ ). Indeed, among the only 40 lawyers who knew what RJ is, 29 identified *victim-offender mediation* as the best-known RJ tool (72.5%), while *family group conferencing* (5%) and *restorative circles* (22.5%) seemed to be much less known. Question 7, which covered the application of RJ to the area of environmental protection, was answered only by 41 lawyers out of 194: answers here seemed to be almost equally divided between positive and negative views of ERJ (51.2% and 48.7%, respectively;  $p=0.999$ ).

4 In Italy, restorative justice was introduced in 1988 (Presidential Decree 448/88) in the field of juvenile justice. In this field, a meeting between the victim and the perpetrator is essential to enable the extinction of the crime or the termination of the proceeding. Beyond this specific field, in 2000 the legislative decree No 274 introduced the possibility for criminal proceedings pending before the Justice of the Peace to access mediation in *ad hoc* (public or private) centres. In April 2014, the law No 67 established the possibility for adult-offenders to suspend the trial to carry out activities aimed at eliminating the consequences of their crime and/or compensating eventual damages to the victim(s). Finally, mediation can be accessed also in the execution phase of the sentence, and can lead to the granting of measures alternative to detention to the convicted offender.

5 The Authors would like to thank the Busto Arsizio Bar Association for the kind cooperation.

With respect to the role that RJ can play in relation to accomplishing justice, 42 lawyers preferred not to answer. Of the remaining 152 respondents: only 1 participant found RJ incompatible with justice; 90.1% of lawyers (137 individuals) defined it as complementary to formal criminal justice;<sup>6</sup> and 9,2% (14 individuals) defined it as an alternative to justice.

We now come to question 10, relating to the training of lawyers on RJ in Italy: 8 respondents preferred not to answer this question, and, of the remaining 186 participants, the majority declared that there is no adequate training on RJ (73.1%). Only 1.6% thought that training is adequate, while 25.2% did not know.

Question 11 investigated lawyers' opinions around the participation of non-human victims in RJ processes. Surprisingly given their prior answers, among the 176 individuals who answered, 68.1% expressed themselves in

positive terms, while 31.2% believed that the participation of non-human victims to ERJ process is not possible.

Question 12 received answers from all 194 lawyers: it investigated the possibility that the respondents have heard of, or have personally experienced, concrete cases of ERJ. The majority, i.e. 82.4% (160 individuals), declared to have not heard nor had first-hand experiences of ERJ; only 3 people claimed to have had concrete experiences of ERJ, while 31 people (15.9%) have only heard of it.

By conducting some bivariate analyses, it is possible to obtain some further information on the collected data. For example, the responses to the questionnaire show that the majority of those who claim to have dealt with environmental crimes also claim not to know RJ (table 1).

Item			
Q.4 In your profession, have you ever dealt with environmental crimes or advocated for environmental causes?			
Q.5 Do you know the paradigm of restorative justice (RJ)?			
Item Q.4	Item Q.5		Total (%)
	No	Yes	
<b>No</b>			
N	122	27	149
Row (%)	81.88%	18.12%	76.80%
Column (%)	81.33%	61.36%	
Total (%)	62.89%	13.92%	
<b>Yes</b>			
N	28	17	45
Row (%)	62.22%	37.78%	23.20%
Column (%)	18.67%	38.64%	
Total (%)	14.43%	8.76%	
<b>Total (%)</b>	150 77.32%	44 22.68%	194 100.00%

Table 1

By cross-referencing the sample described above and the question regarding the effectiveness of the RJ tools analyzed (family group conferencing, restorative circles, victim-offender mediation), the interesting fact emerges that

the majority of those who have dealt with environmental crimes not only does not know about RJ (see above) but also does not believe that RJ can find an effective application in the field of environmental protection (table 2).

6 Legally, RJ is only accessible after a regular trial is opened and suspended, to allow for RJ processes to unfold. In this sense, RJ processes complement or integrate a formal criminal justice proceeding.

Item			
Q.4	In your profession, have you ever dealt with environmental crimes or advocated for environmental causes?		
Q.7	If you answered Yes to question n. 5, do you think that some of these tools can be effectively applied in the field of legal protection of the environment		
Item Q.4	Item Q.7		Total (%)
	No	Yes	
<b>No</b>			
N	9	14	23
Row (%)	39.13%	60.87%	56.10%
Column (%)	45.00%	66.67%	
Total (%)	21.95%	34.15%	
<b>Yes</b>			
N	11	7	18
Row (%)	61.11%	38.89%	43.90%
Column (%)	55.00%	33.33%	
Total (%)	26.83%	17.07%	
<b>Total (%)</b>	20 (48.78%)	21 (51.22%)	41 (100.00%)

Table 2

In addition, most of the lawyers who have dealt with environmental crimes has never heard about ERJ or had concrete experiences with it (table 3).

Item				
Q.4	In your profession, have you ever dealt with environmental crimes or advocated for environmental causes?			
Q.12	Have you heard or personally experienced concrete experiences of restorative justice paths related to environmental matters?			
Item Q.4	Item Q.12			Total (%)
	I have not experienced it or heard of it	Yes, I have experienced it	Yes, I've heard of it	
<b>No</b>				
N	125	1	23	149
Row (%)	83.89%	0.67%	15.44%	76.80%
Column (%)	78.12%	33.33%	74.19%	
Total (%)	64.43%	0.52%	11.86%	
<b>Yes</b>				
N	23	2	8	45
Row (%)	15.44%	4.44%	17.78%	23.20%
Column (%)	74.19%	66.67%	25.81%	
Total (%)	11.86%	1.03%	4.12%	
<b>Total (%)</b>	160 (82.47%)	3 (1.55%)	31 (15.98%)	194 (100.00%)

Table 3

As far as RJ training is concerned, the majority of lawyers who knew about RJ stated that there is not adequate training for lawyers who want to assist a client through RJ processes (table 4).

Item				
Q.5 Do you know the paradigm of restorative justice (RJ)?				
Q.10 Do you think that in Italy there is adequate training for lawyers who want to accompany a client in a path of restorative justice?				
Item Q.5	Item Q.10			Total (%)
	No	I don't know	Yes	
<b>No</b>				
N	99	42	2	143
Row (%)	69.23%	29.37%	1.40%	76.88%
Column (%)	72.79%	89.36%	66.67%	
Total (%)	53.23%	22.58%	1.08%	
<b>Yes</b>				
N	37	5	1	43
Row (%)	86.05%	11.63%	2.33%	23.12%
Column (%)	27.21%	10.64%	33.33%	
Total (%)	19.89%	2.69%	0.54%	
<b>Total (%)</b>	136	47	3	186
	73.12%	25.27%	1.61%	100.00%

Table 4

The same sample also claimed to have never heard of any RJ training or to have ever undertaken it concretely in the workplace (table 5).

Item				
Q.5 Do you know the paradigm of restorative justice (RJ)?				
Q.12 Have you heard or personally experienced concrete experiences of restorative justice paths related to environmental matters?				
Item Q.5	Item Q.12			Total (%)
	I have not experienced or heard of it	Yes, I have experienced it	Yes, I've heard of it	
<b>No</b>				
N	133	1	16	150
Row (%)	88.67%	0.67%	10.67%	77.32%
Column (%)	83.12%	33.33%	51.61%	
Total (%)	68.56%	0.52%	8.25%	
<b>Yes</b>				
N	27	2	15	44
Row (%)	61.36%	4.55%	34.09%	22.68%
Column (%)	16.88%	66.67%	48.39%	
Total (%)	13.92%	1.03%	7.73%	
<b>Total (%)</b>	160	3	31	194
	82.47%	1.55%	15.98%	100.00%

Table 5

The perception of a lack of RJ training in Italy is further confirmed by the majority of participants who viewed RJ as a complementary form of justice (table 6): indeed, those who saw RJ as a complementary form of justice also

underlined the lack of adequate training on the subject, thus suggesting their possible hesitancy in engaging with RJ.

Item				
Q.9	According to you, restorative justice with respect to justice is as follows: Alternative, Complementary or Not Compatible			
Q.10	Do you think that in Italy there is adequate training for lawyers who want to accompany a client in a path of restorative justice?			
Item Q.9	Item Q.10			Total (%)
	No	I don't know	Yes	
<b>Alternative</b>				
N	8	5	1	14
Row (%)	57.14%	35.71%	7.14%	9.27%
Column (%)	7.14%	13.89%	33.33%	
Total (%)	5.30%	3.31%	0.66%	
<b>Complementary</b>				
N	103	31	2	136
Row (%)	75.74%	22.79%	1.47%	90.07%
Column (%)	91.96%	86.11%	66.67%	
Total (%)	68.21%	20.53%	1.32%	
<b>Not Compatible</b>				
N	1	0	0	1
Row (%)	100.00%	0.00%	0.00%	0.66%
Column (%)	0.89%	0.00%	0.00%	
Total (%)	0.66%	0.00%	0.00%	
<b>Total (%)</b>	74.17%	23.84%	1.99%	100.00%

Table 6

### Some concluding thoughts

In this article, we aimed to investigate whether Italian lawyers registered in the Busto Arsizio Bar Association had any awareness of RJ, and whether they had used it in their career – in general and in the area of environmental crime and harm in particular. We are aware that this is a pilot study specifically focused on one area in the north of Italy and that it will have to be extended to other geographical areas and Bar Associations to offer statistically significant and not merely indicative results. However, this is a good starting point to provide a glimpse into the understandings and uses of (E)RJ by lawyers in the Italian context – an area which is currently under-addressed.

In spite of the limitations of this study, there are some preliminary findings that we consider of interest. For example, not many lawyers in the Busto Arsizio Bar Association seemed to know much about RJ – a finding that probably explains why RJ may not be effectively implemented in practice, in the area of environmental crime and harm as well as in other areas. Among those who had little knowledge of RJ, there are also the lawyers who personally dealt with cases of environmental crimes and harms in court. Interestingly, the latter not only did know very little about RJ, but also: did not see RJ applicable to the area of environmental protection; did not have a positive opinion of the effectiveness of RJ tools; and had mostly never heard of ERJ. This may change should ade-

quate RJ training be introduced, also addressing environmental crime and harm.

The results obtained in question 11 also deserve some reflection: despite not knowing much about RJ and ERJ, lawyers were generally open to the idea that non-human victims could participate in RJ circles and conferences. Future qualitative studies should expand on this point and further examine how – in lawyers' own view – such a participation could effectively be granted.

Finally, the analysis that compares the data relating to question 5 and question 12 is interesting: those who know about RJ choose not to use it. A possible interpretation of this finding could be related, once again, to the perceived lack of training received by the lawyers surveyed in this study. This finding could also be confirmed by the analysis of the answers to questions 9 and 10 of our questionnaire: those who consider RJ as complementary to traditional justice also think that there is no adequate training on RJ. This could be a further indication of lawyers' willingness to engage with (E)RJ should relevant training be provided.

In conclusion, our study highlights the need for the establishment of solid training in RJ processes and tools for Italian lawyers, which – in the longer term – could also lead to the more regular and effective application of RJ to the area of environmental crime and harm. At the moment, however, both RJ and ERJ seem to be far from being effectively used in Italy, at least in the perceptions of the surveyed lawyers.

## Annex A (questionnaire)

- 1) Gender  
F / M / I prefer not to specify
- 2) Age  
<40 / between 40 and 55 / >55
- 3) Professional field  
civil / criminal / administrative
- 4) In your profession, have you ever dealt with environmental crimes or advocated for environmental causes? Yes / No
- 5) Do you know restorative justice?  
Yes / No
- 6) If you answered Yes to question n. 5, what tools of restorative justice do you know?  
Victim-offender mediation (VOM) / Family group conferencing (FGC) / Restorative circles
- 7) If you answered Yes to question n. 5, do you think that some of these tools can be effectively applied in the field of legal protection of the environment? Yes / No
- 8) If you answered Yes to the previous question, which tools do you consider effective for the accomplishment of restorative justice?
- 9) According to you, restorative justice with respect to justice is as follows:  
Alternative / complementary / not compatible
- 10) Do you think that in Italy there is adequate training for lawyers who want to accompany a client in a path of restorative justice? Yes / No / I don't know
- 11) Do you think it is possible that even non-human victims (e.g. animals, the environment in general) participate in restorative justice circles? Yes / No
- 12) Have you heard or personally experienced concrete experiences of restorative justice in environmental matters? No, I have not experienced it or heard of it / Yes, I have heard of it / Yes, I have experienced it

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## The focus group analysis inside the Pangea project: a tool for the detection of the anti-violence network opinions during the Covid-19 pandemic

### L'analisi dei focus group all'interno del progetto Pangea: uno strumento per la rilevazione delle opinioni della rete anti violenza durante la pandemia da Covid-19

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#### Abstract

Domestic violence is the hidden pandemic of recent years, and therefore a research project was launched to review the conditions of women through the information provided by anti-violence workers. These workers have been a valuable resource to offset the difficulty of victim studies. The project, created thanks to the contribution of the Tuscany region, consists of several phases, and this article will describe the second phase, in which the focus group was used to obtain data about the pandemic perception and attitudes of the anti-violence workers. It will be possible to see the opinions and divergences of the privileged stakeholders and to make considerations in a forensic-criminological way.

**Keywords:** focus group, PANGEA project, anti-violence worker, pandemic, domestic violence.

#### Riassunto

La violenza domestica ha rappresentato la pandemia nascosta degli ultimi anni ed è per questo che si è reso necessario strutturare un progetto di ricerca che monitorasse le condizioni delle donne tramite le informazioni degli operatori anti-violenza. Tali operatori si sono precedentemente dimostrati una fonte valida per sopperire alle difficoltà di ingaggiare le vittime di violenza all'interno di uno studio, quindi sono stati nuovamente coinvolti. Il progetto, realizzato grazie al contributo della regione Toscana, strutturato in varie fasi, presenta con il seguente articolo la sua seconda parte in cui viene implementato l'utilizzo del focus group per la rilevazione delle percezioni e attitudini, rispetto al momento pandemico, degli operatori anti-violenza. Sarà possibile osservare opinioni e divergenze dei gruppi di stakeholders privilegiati per trarre delle riflessioni in ottica forense-criminologica.

**Keywords:** focus group, progetto PANGEA, operatori anti-violenza, pandemia, violenza domestica.

#### Credit author statement

Conceptualization L.L., A.C., G.B., V.D., C.P., A.P., F.F.; methodology, and formal analysis A.U., S.A.; investigation A.U., S.A., C.F., G.C., G.G., C.P., G.B.; resources A.C., G.B., V.D.; data curation, writing, original draft preparation, review and editing A.U.; supervision and project administration F.F. All authors have read and agreed to the published version of the manuscript.

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## The focus group analysis inside the Pangea project: a tool for the detection of the anti-violence network opinions during the Covid-19 pandemic

### Introduzione

Il progetto PANGEA (PANdemic GEndEr violence participatory Assessment) nasce con l'intento di effettuare una rilevazione del fenomeno della violenza di genere durante la pandemia (Uvelli et al., 2022). In particolare gli iniziali dati allarmanti provenienti dalle autorità e dagli esperti del settore hanno fatto pensare ad un ipotetico peggioramento di tutte quelle situazioni in cui il partner già manifestava precedentemente un comportamento violento (Asia Foundation, 2020; United Nations, 2020). La Toscana risulta essere una delle regioni maggiormente a rischio per la prevalenza del fenomeno (Bettio et al., 2020 a,c), ed è per questo che è stata scelta come sede del progetto, oltre al fatto di aver imposto un periodo di lockdown particolarmente lungo ed essere stata l'ideatrice del percorso Codice Rosa che rende possibile una presa in carico della vittima di violenza tempestiva, qualificata e multidisciplinare (Lorenzi et al., 2022). Gli obiettivi generali del progetto sono quelli di:

- Misurare tipologia, prevalenza e intensità della violenza durante il lockdown,
- Esplorare le criticità legate al sistema di individuazione e presa in carico delle vittime,
- Analizzare il peso specifico e la gravità dei fattori economici, sanitari e psico-sociali associati a/o scatenanti gli episodi di violenza,
- Indagare i fattori protettivi che hanno consentito alla donna di effettuare la segnalazione,
- Proporre nuovi strumenti di prevenzione in ambito medico-riabilitativo, sociale e tecnologico.

All'interno del progetto sono presenti diverse fasi di cui la seconda sarà descritta nel dettaglio in questo articolo. Nello specifico sono stati organizzati dei focus group che hanno coinvolto alcune figure professionali che si occupano, direttamente o indirettamente, del fenomeno della violenza.

I focus group sono una tecnica ampiamente utilizzata nella ricerca di mercato ma poco trattata, in Italia, sul piano scientifico.

Essi si sono dimostrati utili in più di un'occasione, infatti nello studio di Schwerin e colleghi (2010) sono stati utilizzati per ottenere informazioni rispetto allo stile alimentare di una specifica popolazione, oppure ancora una revisione di Heary e Hennessy (2002) ne dimostra l'efficacia di utilizzo all'interno di una popolazione di pazienti pediatrici, Thanasansomboon e colleghi (2022) li hanno adattati per la valutazione della qualità di vita nei pazienti con il cancro e così via per moltissime rilevazioni; infine

lo studio di Halliday e colleghi (2021) ne ha dimostrato possibilità di adattamento anche tramite una modalità online. I focus group sono stati già arruolati all'interno degli studi relativi la violenza, ad esempio in Bangladesh (Islam et al., 2018) sono serviti per valutare una correlazione fra violenza e salute mentale, in Pakistan (Ali et al., 2020) per cercare di attuare degli interventi di riduzione del fenomeno, in America (Herrman et al., 2019) per sensibilizzare coppie di genitori adolescenti, in Libano (Usta et al., 2016) per valutare l'equità di genere, in India (Meyer et al., 2020) per valutare l'efficacia di un corso di formazione sulla violenza di genere rivolto agli operatori sanitari.

In momenti pandemici sono stati utilizzati anche per verificare l'effettiva recrudescenza della violenza domestica in Australia e per comprendere l'impatto della pandemia sull'esperienza dei professionisti anti-violenza (Wong & Nowland, 2022). Questo studio ha mostrato alcune differenze nell'espletamento della violenza, infatti durante il lockdown è stata fatta leva sull'ansia da COVID-19 come forma di abuso psicologico e come forma di controllo del partner sulla donna (nei casi più estremi non fornendo dispositivi di protezione). Inoltre ha messo in evidenza un aggravamento della violenza per i casi già precedentemente a rischio, un aumento della dipendenza nella coppia per paura del totale isolamento in caso di infezione al virus, improvvise difficoltà economiche, perdita di supporto sociale, aumento di consapevolezza nelle donne e utilizzo di modalità lavorative digitali anche all'interno della rete anti-violenza (Wong & Nowland, 2022).

Lo studio di Nuwematsiko e colleghi (2022), condotto in Uganda, riporta proprio la pandemia come causa di innesco della violenza intrafamiliare ed evidenzia anche un profondo impatto sulla scarsità delle risorse (economiche, generi alimentari) e perdita di lavoro.

Sempre in Uganda, Sileo e colleghi (2023) hanno dimostrato come le condizioni pandemiche abbiano contrastato i percorsi di autonomia delle donne, e in un paese in cui l'abuso domestico viene in qualche sua forma legittimato non è stato strano riscontrarne un aumento.

Ancora, lo studio di Gamarel e colleghi (2022), condotto su una popolazione di donne transgender, mostra la percezione di aumento della violenza fisica da parte di uomini che temevano potesse essere scoperta la relazione. Purtroppo la violenza psicologica è stata perpetrata durante la pandemia anche dai partner conviventi, senza quindi il timore di esternare la coppia alla comunità.

Alderson e colleghi (2022) hanno invece valutato attraverso il focus group il gradimento delle vittime di violenza nei confronti delle nuove modalità di richiesta di aiuto/presa in carico digitali. Emerge in questo modo l'im-

patto positivo che tali piattaforme hanno avuto nel lavoro anti-violenza.

Infine, Decker e colleghi (2022) hanno identificato tra i fattori di rischio di violenza domestica durante la pandemia un basso supporto sociale, differenza di età fra partner di almeno 4 anni e la presenza/assenza di lavoro.

A livello italiano lo studio di Romito e colleghe (2022) ha fornito importanti contributi tramite una ricerca quanti-qualitativa. Dalla componente qualitativa, composta da interviste effettuate in modalità online, sono state ottenute informazioni sia sulle vittime che sugli operatori. Ad esempio è stato riportato un incremento rispetto alla presa di coscienza dei rischi e delle sofferenze provocate alle vittime, così come un incremento della violenza stessa per le donne conviventi, soprattutto nella sua forma psicologica da attribuire alle condizioni di isolamento, coabitazione forzata, assenza di distrazioni e di lavoro. Infine le informazioni relative agli operatori comprendono una valutazione positiva per il loro operato durante la pandemia con un grande senso di gratitudine da parte delle vittime per non essere state lasciate da sole (Romito et al., 2022).

In tutti questi contesti di utilizzo i focus group si sono dimostrati degli strumenti in grado di far emergere le informazioni necessarie ai fini dell'obiettivo della ricerca.

Tutto ciò assume particolare rilievo nel momento in cui viene combinata l'analisi dei focus group con ulteriori approcci di tipo partecipativo che sottolineano il ruolo degli stakeholder nel rilevare specifici fenomeni consentendo così di ridurre i margini di incertezza, come avvenuto nella prima fase del progetto (Uvelli et al., 2022).

All'interno del progetto PANGEA i presupposti sono stati quelli di considerare come campione principale le figure coinvolte nel lavoro anti-violenza a causa del fatto che risulti molto difficile per le donne far emergere tali problematiche e la difficoltà aumenta nel caso in cui a perpetrare la violenza sia il partner stesso (Istat, 2014). Dato che durante la pandemia sono state imposte misure di distanziamento sociale e prescrizione di rimanere a casa per effetto del DPCM n.18 dell'8 marzo 2020 ne è conseguito il fatto che la maggioranza dei reati realizzati al di fuori delle mura domestiche siano andati incontro ad un decremento mentre quelli interni siano rimasti tali. Soprattutto dalla prima fase del progetto in cui sono state svolte singole interviste ad operatori anti-violenza emerge piuttosto il fatto che la pandemia non abbia fatto insorgere nuova casistica rispetto al fenomeno ma abbia reso talmente gravi quelli già esistenti da non poter fare a meno di richiedere aiuto ed effettuare segnalazioni (Uvelli et al., 2022).

Gli obiettivi di questa specifica fase del progetto sono quelli di comprendere la percezione dei testimoni chiave rispetto al fenomeno della violenza di genere durante la pandemia in termini di aggravamento del fenomeno, inoltre vuole comprendere le differenze relative al luogo/strumenti di lavoro dei servizi anti-violenza durante la pandemia (diverse aree della Toscana) e infine vuole porre l'accento su tutti i nuovi ma anche vecchi aspetti lavorativi che hanno funzionato o meno. Rispetto a quanto già emerso in letteratura i focus group dovrebbero far emer-

gere un peggioramento delle condizioni delle vittime durante il contesto pandemico, ma anche delle differenze operative per i testimoni chiave in base al luogo di servizio e infine esplicitare alcune problematiche rispetto alle risorse economiche/umane a disposizione e difficoltà nella formazione del personale, ma allo stesso tempo individuare nelle modalità digitali un punto a favore della situazione.

Il progetto è attualmente ancora in corso con lo sviluppo delle fasi successive a quella descritta e i risultati attesi si configurano come i primi ad aver esplorato tale fenomeno servendosi di un'analisi qualitativa dei contenuti ma anche ermeneutica, inserendoli all'interno del contesto forense-criminologico.

## Materiali e metodi

### *Selezione dei partecipanti e rilevazione dei dati*

La popolazione di riferimento dello studio era composta da individui adulti operanti nel settore della violenza di genere in tutte le aree della Toscana. Nello specifico sono stati selezionati 6 gruppi di partecipanti in base alla loro professione: medici di medicina generale, responsabili centri di salute mentale, operatori centri anti-violenza (CAV), forze dell'ordine, assistenti sociali, operatori del percorso codice rosa. Tutti i gruppi, eccetto quello delle forze dell'ordine, sono stati creati selezionando i dipendenti delle tre aziende sanitarie toscane (sud-est, nord-ovest, centro) per garantire un'adeguata rappresentatività. Ogni gruppo era composto da un numero diverso di partecipanti, a seconda della disponibilità, variabile da un minimo di 4 ad un massimo di 8, per un totale di 33 soggetti. Per ogni gruppo è stato inviato tramite e-mail il consenso informato, l'informativa sulla privacy, il modulo di consenso alla videoregistrazione e un link google-meet al quale accedere, secondo data concordata, per poter effettuare il focus group in sicurezza. La rilevazione dei dati si è svolta nei periodi di gennaio - marzo 2022.

### *I focus group*

La premessa da cui partire per l'utilizzo di tecniche basate sugli esperti, come i focus group, è che esse rappresentano una risposta alternativa in contesti caratterizzati da tempi e risorse a disposizione limitati oppure da particolare incertezza (Stagi, 2000), come quello previsto da una pandemia globale. I testimoni chiave sono persone chiamate in causa in quanto detentori di informazioni sugli argomenti rilevanti ai fini della ricerca (Guala, 1991), sono considerati esperti in quanto individui particolarmente competenti sulle tematiche affrontate, intervistando i quali si prefigge di ottenere informazioni significative quanto quelle desumibili da un campione più ampio di soggetti (Bezzi & Palumbo, 1995). Il focus group si svolge come un'"intervista di gruppo" guidata da un moderatore che, seguendo una traccia più o meno strutturata (Wong, 2008), propone degli stimoli ai partecipanti in forma verbale (domande dirette, frasi, definizioni, associazioni) o visiva (fotografie, disegni, vignette filmati). Dalle risposte

scaturisce interazione e discussione fra i partecipanti, interazione che produce più idee e maggiori approfondimenti rispetto alle interviste singole. Sono necessari almeno 3 focus group della durata mutevole da 1 a 3 ore ciascuno, per avere un adeguato materiale a disposizione, e la numerosità degli stessi può variare da 4 a 12 partecipanti ciascuno, per far sì che sia sufficientemente piccolo da garantire ad ognuno l'opportunità di avere spazio, ma anche sufficientemente ampio da permettere di diversificare le percezioni (Krueger, 1994). E' necessario che essi vengano sempre audio-video registrati per poter correttamente ricostruire le informazioni.

#### *Le misure utilizzate nello studio*

Per ogni focus group è stata creata un'apposita scaletta di argomenti per la rilevazione di dati qualitativi formulati tramite domande aperte per consentire la spontanea emersione di opinioni.

La scelta di utilizzare una scaletta non esistente in letteratura è stata determinata dal fatto che, data la peculiarità della situazione storica e la metodologia adottata, non ne esisteva una in grado di effettuare una valutazione di tutte le aree tematiche di interesse per questo studio. Le tematiche affrontate in tutti i gruppi possono essere sintetizzate come: presa in carico, rapporti con la rete, criticità e punti di forza. Tale scelta è stata dettata dal fatto che dopo un'attenta analisi delle interviste in profondità, condotte nella prima fase del progetto, queste sono risultate essere le tematiche di maggiore interesse e maggiore necessità di approfondimento per consentire di rispondere ad uno dei punti chiave del progetto, ovvero l'esplorazione delle criticità legate al sistema di individuazione e presa in carico delle vittime.

All'interno di ogni gruppo le domande afferenti a ciascuna tematica potevano subire delle modificazioni sulla base della professionalità dei soggetti coinvolti. Quelle rivolte a tutte le categorie riguardavano le modalità con le quali le donne si rivolgono ai vari operatori o servizi di appartenenza, segnali di riconoscimento della violenza, tempistiche dell'intervento e differenze/difficoltà durante il periodo pandemico, rapporti con la rete e fra quali servizi è presente maggiore collaborazione, cosa funziona di ogni servizio e cosa potrebbe essere migliorato, lavoro in modalità online. Le domande variabili riguardavano la formazione e prevenzione in ambito della violenza, la necessità di implementare alcuni servizi all'interno della rete e l'utilizzo degli alberghi sanitari come strutture protette.

Ogni focus group prevedeva la durata di circa 2 ore, di cui quello più breve con durata di 1.45 ore e quello con maggiore durata di 2.15 ore, e veniva video-registrato per poter effettuare successivamente l'analisi qualitativa.

#### *Analisi qualitativa dei dati ottenuti: analisi di contenuto e analisi di processo e interazione*

Per analizzare i dati ottenuti dai focus group è stato utilizzato il software MAXQDA-20, in grado di effettuare analisi di contenuto ed ermeneutiche (analisi relazionale ed analisi tecnico-operative).

È stata inizialmente svolta un'analisi di contenuto per identificare specifici codici presenti all'interno delle trascrizioni dei focus group che, grazie ad una loro successiva analisi tematica, hanno consentito di analizzare esperienze e prospettive dei partecipanti partendo da macro-categorie. Successivamente l'attenzione è stata posta all'analisi del processo e delle interazioni per verificare se la conduzione del focus group avesse garantito le adeguate condizioni per favorire la libertà di espressione e comprendere le dinamiche interne di ciascun gruppo.

Grazie al software scelto è stata creata una word cloud, una word list, una matrice delle adiacenze e una matrice degli strumenti. Lo scopo della word cloud è quello di avere una percezione visiva e istantanea dei principali temi d'indagine tra mite una "nuvola di parole". In questo modo sono visibili le parole maggiormente emerse nei focus group, maggiore è il numero di volte in cui la parola è stata detta e maggiori sono le sue dimensioni. Tramite la word list si ottiene una tabella in cui sono riportate tutte le parole riscontrate nei focus group e la frequenza numerica con la quale esse sono comparse, ordinate in senso decrescente. Dato che generalmente tali tabelle sono molto lunghe e dispersive ne viene effettuata una sintesi rappresentativa. Utilizzando entrambe le componenti i risultati sono utilizzabili sia in forma visiva, tramite la word cloud, che numerica, tramite la word list, intercettando così tutti gli argomenti salienti per i gruppi di intervistati. La matrice delle adiacenze fa parte dell'analisi relazionale che ha lo scopo di mettere a fuoco la natura dei rapporti presenti all'interno dei singoli focus group. Produce un arricchimento informativo in merito alle modalità di formazione delle opinioni collettive e i percorsi di espressione. Ricostruisce quale persona si rivolge a quale altra persona e con quale frequenza, disponendo così di elementi per valutare la forma e la densità delle interazioni sviluppate nei focus group. La matrice degli strumenti fa parte dell'analisi tecnico-operativa incentrata sugli strumenti adoperati nel corso della ricerca (comprensivi sia della scaletta di argomenti, sia dell'analisi del ruolo dell'operatore, che la modalità online in questo caso), su come vengono percepiti ed adoperati dai rispondenti. Tramite questa componente sono ricostruibili il livello di aderenza rispetto alle tematiche proposte, il livello di gradimento della modalità di svolgimento e l'influenza del moderatore rispetto alle risposte. Tramite la combinazione dei risultati ottenuti il grado di affidabilità aumenta.

## Risultati

#### *Risultati generali e trasversali a tutti i gruppi: analisi tematica*

I componenti dei gruppi sono concordi rispetto all'opinione che durante la pandemia la violenza di genere sia incrementata, per lo meno per quella tipologia che riguarda il partner abusante che aggredisce la donna vittima, tramite un'escalation di abusi e maltrattamenti, che possono arrivare anche a causare lesioni. Sempre a detta degli

intervistati, la dipendenza manifestata da questa tipologia di utenza nei confronti della famiglia, ma soprattutto nei confronti della coppia disfunzionale, rende estremamente critico il percorso di presa in carico e tutela nelle sue varie declinazioni, a partire dalla segnalazione e richiesta di aiuto, al quale potrebbe seguire un iniziale ammonimento, per arrivare alla denuncia, seguita dall'allontanamento e la messa in protezione. L'emersione del reato mina la privacy, l'assetto economico e la già precedentemente scarsa autonomia della persona offesa, ed è per questo che secondo i partecipanti è necessario trattare qualsiasi chiamata di questo tipo in emergenza, procedendo con un rapido intervento di collocazione nelle case rifugio. Se la donna, in quanto spesso madre, rimane all'interno delle mura domestiche nel tentativo di salvaguardare i figli minori, data la paura e preoccupazione di lasciarli soli con il padre, genitore che generalmente rimane nell'abitazione, non esiste relazione terapeutica, colloquio, lavoro o servizio in grado di supportare e proteggere totalmente la donna dal problema.

Questi aspetti secondo gli intervistati risulterebbero essere aspecifici e quindi non caratteristici solamente del periodo pandemico.

Durante il lockdown è avvenuto un decremento dei casi di primo accesso, soprattutto nei pronto soccorso e in generale negli ospedali, in quanto le pazienti avevano il timore di contrarre il covid. Le risorse sono state redistribuite rendendo più disperati i tentativi degli operatori anti-violenza di sensibilizzare la popolazione generale, impattando sulla loro efficienza di trovare soluzioni. L'aiuto dei social network e delle campagne pubblicitarie sono stati una fonte preziosa, soprattutto per i centri anti violenza, per comunicare che, anche se attraverso una modalità online, la rete anti violenza, con i suoi volontari, referenti e operatori sanitari avrebbe continuato a collaborare per ascoltare qualsiasi richiesta di aiuto e valutare insieme ogni specifica condizione. Purtroppo in molte situazioni la stanza ambulatoriale destinata al percorso codice rosa veniva utilizzata per l'isolamento dei pazienti che avevano contratto il covid; molte richieste in presenza sono state quindi gestite dai consultori o dalle forze dell'ordine.

#### *Differenze fra gruppi secondo l'analisi tematica*

Grazie al contributo degli assistenti sociali sono emerse le prime discrepanze lavorative rispetto alle aree regionali e le tematiche maggiormente salienti sono state quelle relative al Sistema Emergenza Urgenza Regionale (SEUS), ma anche l'utilizzo intelligente della modalità online.

Il SEUS non era ancora attivo in tutta la regione durante la pandemia, lasciando impreparate o appesantite di ulteriori responsabilità alcune aree vaste. Veniva infatti riferito dalle aree in cui il servizio era già attivo un notevole supporto mentre, al contrario, nei luoghi scoperti venivano riferite grosse difficoltà rispetto alle segnalazioni notturne che necessitavano di urgente risoluzione. In collaborazione con le volontarie dei CAV, già oberate di lavoro, hanno comunque cercato di sopperire alla man-

canza di servizi fondamentali. La seconda tematica metteva in luce come risulti essere una modalità funzionale quella di poter effettuare delle riunioni tramite la modalità a distanza. Prima della pandemia operatori afferenti da diversi luoghi, anche molto distanti fra loro, dovevano prendere le macchine di servizio per recarsi nella sede operativa centrale dell'azienda sanitaria di appartenenza, con un'ingente spesa economica e temporale. Durante la pandemia invece tutti avevano l'opportunità di collegarsi online dal computer del proprio ufficio senza alcuna implicazione negativa. Emergono poi preoccupazioni relative alla violenza contro gli anziani, anch'essa estremamente difficile da rilevare e che secondo gli intervistati sarebbe andata incontro ad una recrudescenza pandemica.

Ma ancora, grazie al contributo dei centri di salute mentale, emergono difficoltà rispetto ad un loro coinvolgimento attivo nella lotta contro la violenza di genere. Durante la pandemia i livelli di stress, ansia e depressione erano molto elevati quindi psicologi e psichiatri hanno dovuto occuparsi della propria utenza, cercando di impedire nuovi scompensi. In alcune aree però, al di fuori della pandemia, venivano organizzati incontri di prevenzione nelle scuole per far comprendere ai ragazzi le informazioni necessarie per instaurare giuste relazioni interpersonali, per infondere rispetto e uguaglianza. Un interessante dettaglio emerso fa riferimento all'incremento di psicopatologia nei più giovani, tale da richiedere il ricovero. Non in tutte le aree della toscana però si è in grado di gestire questa richiesta, dove poter collocare il ricovero psichiatrico di un adolescente?

Dal contributo delle forze dell'ordine emergono perplessità rispetto all'applicazione del codice rosso. Sono stati inseriti molti reati all'interno di questa normativa e le tempistiche velocizzate, ma il personale dedicato non è andato incontro ad un aumento, per cui diventa molto complesso per gli operatori stare al passo. Delle volte è necessario stabilire un ordine di priorità rispetto alle segnalazioni pervenute ma non sempre questo è possibile, quindi il provvedimento subisce dei rallentamenti. Inoltre è stata posta attenzione all'avvento di nuovi scenari violenti. In particolare sembrerebbe che il fenomeno della violenza di genere stia passando di generazione in generazione, diminuendo l'età di insorgenza. Le forze dell'ordine riportano infatti un allarmante incremento di casi in cui il fidanzato adolescente mette in atto soprusi fisici e verbali nei confronti della fidanzata adolescente.

Il gruppo dei CAV è risultato essere quello più eterogeneo rispetto a difficoltà e punti di forza, se non per il fatto che quelli afferenti ad aree molto vaste possiedono degli sportelli dislocati in punti distanti fra loro e durante la pandemia l'operatore dedicato a questo abbia riscontrato difficoltà negli spostamenti e nel mantenimento del servizio. Le tematiche principali per questo gruppo facevano riferimento alla necessità di maggiori risorse per poter fornire almeno un rimborso spese ai volontari nella speranza di incrementarne il numero, ma soprattutto le difficoltà enormi che hanno dovuto affrontare durante la pandemia. Inizialmente i centri sono stati chiusi, le ope-

ratrici non potevano però abbandonare le proprie utenti quindi hanno cercato in qualsiasi modo di proseguire con il proprio lavoro. La maggior parte delle donne ha particolarmente gradito la modalità online nonostante le potenziali implicazioni a discapito di sicurezza e privacy.

Dal gruppo dei medici di medicina generale il riscontro riguarda una condizione sulla quale la pandemia non ha influito, ovvero la scarsa formazione in ambito violenza e la difficoltà nel gestire situazioni di questo tipo. La non obbligatorietà dei corsi di formazione rispetto specifiche tematiche porta ad avere medici più sensibili che hanno scelto di effettuare una preparazione nell'ambito ed altri totalmente impreparati.

Infine, dal gruppo operatori codice rosa vengono manifestate note dolenti in ambito di linee guida. Esse esistono da tempo e ciclicamente vengono aggiornate ma la necessità di avere personale competente in materia non è affatto semplice. Il turn-over e la carenza di risorse verificatosi durante la pandemia hanno aggravato la situazione.

Ritenuta in modo positivo da tutti la modalità online per effettuare riunioni di equipe o per primissimi contatti, non indicata invece per il lavoro con la donna.

Tutti i risultati tematici sono sintetizzati nella seguente tabella (tab. 1).

Argomento	Parole	Frequenza
Violenza di genere	Violenza	91
	Maltrattamento	30
	Partner abusante	24
	Lesione	24
	Gender	15
	Emergenza	15
	Economico	13
	Autonomia	8
	Escalation	5
	Aggressione	4
	Dipendenza	4
Ripercussioni della pandemia	Sessuale	3
	Abusare	3
	Pandemia	88
	Primo accesso	68
	Criticità	64
	Incremento	46
	Risorsa	21
	Lockdown	18
Decremento	18	
Covid	14	
Social	8	
Collocazione	3	

Figure professionali e luoghi di aiuto	Pronto soccorso	62
	Cav	48
	Rete anti violenza	43
	Forze dell'ordine	35
	Operatore sanitario	28
	Consultorio	28
	Assistente sociale	26
	Ospedale	23
	Operatore anti violenza	14
	Psicologo	14
	Referente	14
	Medico	14
	Casa rifugio	11
	Magistrato	8
	Seus	8
	Ambulatorio	7
	Psichiatra	7
	Pediatra	7
	Medico legale	4
	Volontario	3
	Csm	3
	Farmacista	3
	Farmacia	2
Criminologa	2	
Infermiere	2	
Medico di famiglia	1	
Ginecologo	1	
Odontoiatra	1	
Oss	1	
Richiesta di aiuto	Caso	130
	Presa in carico	37
	Segnalazione	31
	Chiamare	25
	Denunciare	24
	Contattare	15
	Comunicare	10
	Chiedere aiuto	6
Contesto familiare	Figli minori	53
	Mura domestiche	44
	Famiglia	29
	Genitore	14
	Anziano	7
	Madre	6
	Coppia	5
Padre	1	
Formazione e prevenzione	Informazione	67
	Collaborazione	59
	Formazione	54
	Efficienza	18
	Prevenzione	10
	Competenza	10
	Scuola	8
	Comprendere	8
	Sensibilizzazione	7
	Responsabilità	6
	Campagna pubblicitaria	5
Impreparato	4	

Le vittime	Donna	200
	Paziente	37
	Vittima	27
	Offesa	10
	Utenza	9
	Condizione	8
Le normative	Codice rosa	40
	Percorso	24
	Linea guida	20
	Allontanamento	20
	Codice rosso	14
	Reato	14
	Privacy	13
	Ammonimento	9
	Tutelare	7
	Messa in protezione	7
	Tribunale	5
	Procedimento legislativo	4
	Ministero	3
	Normativa penale	3
	Provvedimento	3
Speranze e preoccupazioni	Problema	34
	Aiutare	22
	Salute mentale	15
	Positivo	9
	Soluzione	7
	Paura	4
	Pericolo	4
	Stress	4
	Ansia	2
	Disperazione	2
	Depressione	1
	Preoccupazione	1
Il lavoro antiviolenza	Modalità online	87
	Lavorare	67
	Intervento	39
	Servizio	23
	Colloquio	20
	Modalità in presenza	17
	Ascoltare	15
	Riunione	14
	Valutazione	9
	Supportare	9
	Relazione terapeutica	5

Tabella 1. Risultati dell'analisi di contenuto

*Risultati dell'analisi di processo e delle interazioni divisi per gruppi*

Rispetto all'analisi etnografica è stato possibile osservare, per quanto riguarda le matrici di aderenza, che il gruppo degli assistenti sociali è stato quello con maggiori interazioni (358). L'eterogeneità del gruppo ha creato le condizioni necessarie per un dibattito costruttivo in cui ognuno dei partecipanti ha avuto modo di agganciarsi all'opinione dei colleghi per fare un confronto rispetto alla propria condizione lavorativa con le donne vittime di violenza. Per questo gruppo è stato effettuato un leggero controllo da parte del mediatore che è intervenuto 3 volte per interrompere il dibattito, evitando di uscire dalla tematica

principale e in 2 occasioni ha aiutato i partecipanti suggerendo delle alternative valide per rispondere. In 31 momenti i partecipanti stessi hanno richiesto l'intervento del moderatore per la necessità di informazioni aggiuntive. La modalità con la quale è stato organizzato il gruppo è stata gradita dalla maggior parte dei partecipanti.

Il gruppo dei centri di salute mentale ha ottenuto un numero altrettanto elevato di interazioni (224).

Anche in questo caso era presente eterogeneità dei partecipanti tale da richiedere per 7 volte l'interruzione da parte del moderatore e in 3 occasioni la presentazione di alternative di risposta. La modalità con la quale è stato organizzato il gruppo non è stata particolarmente gradita dai partecipanti, in 3 hanno espresso gradevolezza, in 2 no. In 64 momenti i partecipanti stessi hanno richiesto l'intervento del moderatore per la necessità di informazioni aggiuntive, il numero più alto fra i gruppi. Questo potrebbe essere dipeso dal fatto che i partecipanti si sentissero distanti rispetto alle tematiche affrontate, infatti spicca in questo gruppo la difficoltà ad occuparsi di pazienti non totalmente afferenti alla salute mentale a causa della carenza di risorse umane ed economiche.

Il gruppo delle forze dell'ordine ha ottenuto minori interazioni rispetto ai precedenti gruppi (94). In questo caso l'eterogeneità era inferiore, è stato necessario 1 solo intervento da parte del moderatore, in 27 occasioni sono stati richiesti chiarimenti e il gruppo non ha espresso preferenze rispetto alla modalità operativa.

Il gruppo dei centri antiviolenza ha ottenuto 90 interazioni con grande eterogeneità. In 4 occasioni è stato necessario l'intervento dell'operatore, in 31 momenti sono stati richiesti chiarimenti e tutti i partecipanti hanno espresso gradevolezza nei confronti della modalità utilizzata.

Il gruppo operatori codice rosa ha ottenuto 78 interazioni a causa della poca eterogeneità ed ha necessitato 2 interventi del moderatore e 24 richieste riguardanti però un livello di conflittualità creatosi nel gruppo. Le difficoltà comunicative sono emerse in seguito alla tematica relativa alle linee guida. Esse esistono e forniscono delle misure ben precise sul come agire nelle varie situazioni ma alcuni di loro non ne sono a conoscenza oppure in caso di minori coinvolti hanno maggiori remore nella loro applicazione.

Infine il gruppo dei medici di medicina generale non ha fornito risultati utili per l'analisi etnografica. Era il gruppo con il minor numero di partecipanti, omogenei fra di loro, e con poche informazioni da dare rispetto alle tematiche prese in esame.

I risultati di questa analisi sono sintetizzati nella seguente tabella (tab. 2)

Gruppo	Interazioni	Intervento del moderatore	Richiesta di chiarimenti	Gradimento modalità operativa	Tematiche salienti
Assistenti Sociali	358	5	31	Si	Seus, Modalità online
Centri Salute Mentale	224	10	64	No	Psicopatologia giovanile
Forze dell'Ordine	94	1	27	/	Codice Rosso, Devianza Giovanile
Centri Anti-violenza	90	4	31	Si	Risorse, Difficoltà lavorative
Operatori Codice Rosa	78	2	24	No	Linee Guida
Medici di Medicina Generale	/	/	/	No	Formazione

Tabella 2. Risultati dell'analisi etnografica

## Discussione

Gli studi che si sono avvalsi della metodologia dei focus group non sono pochi. Hanno infatti precedentemente dimostrato la loro utilità, ma ancora non ne era emerso il loro impiego durante la pandemia in Italia, e soprattutto per rilevare informazioni dagli operatori antiviolenza rispetto al lavoro con le vittime. Date le peculiarità dello scenario pandemico i focus group potevano rappresentare lo strumento d'elezione ai fini di tale indagine, e infatti così è stato. In linea con la prima parte del progetto avviene una conferma di quanto già emerso rispetto alle condizioni della violenza durante la pandemia, fornendo ulteriormente la possibilità di effettuare analisi aggiuntive come la valutazione delle differenze di opinioni fra gruppi e all'interno dei gruppi, così come valutare l'influenza del moderatore e della metodologia utilizzata per guidare e perfezionare successivi studi.

Rispetto ai pochi studi presenti in letteratura i risultati di questo si mostrano in linea. Innanzitutto, in tutte le ricerche precedentemente citate la metodologia, sebbene di tipo qualitativo, è stata considerata valida per portare a termine l'obiettivo di ricerca e anche in questo caso non ci sono motivazioni per non considerarla in questo modo. Inoltre, nonostante le macro-aree di indagine non siano state le stesse, essi arrivano tutti a dei pattern caratteristici inerenti il fenomeno della violenza durante la pandemia, incluso il progetto PANGEA. Come lo studio di Halliday e colleghi (2021), la modalità online di conduzione della ricerca è stata apprezzata da tutti i partecipanti, cosa differente invece se viene considerato il lavoro anti-violenza. In questa specifica condizione molte donne riferiscono di essere state contente di aver avuto lo stesso l'occasione di ricevere supporto, come con il campione di Alderson e colleghi (2022), mentre fra gli operatori sono riscontrabili opinioni contrastanti determinate dalle problematiche di privacy e anonimato non totalmente garantibili tramite la modalità online. Lo studio di Wong e colleghi (2022)

è quello con il setting più simile al progetto sopra descritto, concordando rispetto all'aggravamento del fenomeno. La percezione di incremento della violenza durante la pandemia sembrerebbe essere ormai certa, sia in Italia (Del Casale et al., 2022; Uvelli et al., 2022) che in altre nazioni (Wong & Nowland, 2022; Numewatsiko et al., 2022; Sileo et al., 2023). Anche l'altro studio Italiano (Romito et al., 2022) riporta una percezione di incremento della violenza e sentimenti di gratitudine delle vittime per le operatrici anti violenza che non hanno mai smesso di portare avanti il proprio lavoro. Le difficoltà economiche hanno avuto un ruolo determinante durante la pandemia (Decker et al., 2022; Wong & Nowland, 2022; Nuwematsiko et al., 2022). Esse risultano un fattore di rischio per la violenza in qualsiasi contesto, non solo quello pandemico, ma l'improvvisa perdita di lavoro verificatasi nei primi periodi di lockdown ha esposto ancora di più le donne alla condizione di diventare vittime. Un altro aspetto concorde riguarda le maggiori difficoltà di attuare i percorsi di autonomia per aiutare le donne a raggiungere l'indipendenza economica, lavorativa ed abitativa (Sileo et al., 2023). In Toscana, in alcune situazioni, la donna teme la separazione dai figli e le successive ripercussioni sull'assetto familiare tali per cui preferisce non avviare gli ingranaggi della fuori-uscita dalla violenza che la porterebbero ad acquisire la piena autonomia. Infine, per quanto riguarda un altro fattore di rischio, ovvero il basso supporto sociale (Decker et al., 2022), è necessario considerare che nel periodo pandemico il massimo supporto ottenibile derivava dalle videochiamate effettuate con i propri cari. Tramite esse però alcuni aspetti problematici erano camuffabili facilmente, come la presenza di lividi/lesioni o il clima familiare altamente conflittuale. Se la rete sociale non sapeva dove cercare e cosa indagare era molto difficile che il fenomeno emergesse per fornire supporto in modo proficuo.

Rispetto al confronto con la prima parte del progetto (Uvelli et al., 2022) gli elementi concordi riguardano la

percezione di incremento della violenza ma allo stesso tempo il decremento di accessi al pronto soccorso. Anche sugli aspetti relativi alla formazione professionale non emergono discrepanze e purtroppo il coinvolgimento dei figli minori non è da meno. Le tematiche relative invece al SEUS, al codice rosso, ai Centri di Salute Mentale e ai Medici di Medicina Generale vengono esplorate per la prima volta in questa fase. Viene evidenziato come sia indispensabile rendere attivo in tutta la regione il Sistema Emergenza Urgenza Regionale che, soprattutto durante la pandemia, ha effettuato in autonomia molte prese in carico e collocazioni. Le osservazioni relative al codice rosso potrebbero essere cruciali per un suo miglioramento di utilizzo e infine, per gli altri due servizi vengono evidenziate forti limitazioni.

Per rispondere quindi alle domande di ricerca sono emerse molteplici difficoltà, dalla recrudescenza della violenza, alla redistribuzione delle risorse economiche, dalle problematiche di emersione del fenomeno, alla presa in carico, nonostante le quali il lavoro degli operatori anti-violenza non si è mai interrotto. Vengono infatti messi in evidenza alcuni aspetti positivi fra cui l'aumento di campagne pubblicitarie per sensibilizzare la popolazione e favorire un aumento di consapevolezza delle vittime, e la possibilità di stringere ancora di più la rete dei servizi anti-violenza per sopperire alle carenze di qualsiasi genere. Le differenze fra le varie zone della regione ci sono state, metterle in luce ci fa comprendere come sia indispensabile uniformare il più possibile i servizi e l'utilizzo di linee guida condivise. E' possibile in questo modo osservare e combinare, fra tutte le aree, gli elementi di maggiore utilità durante la pandemia per estenderli anche agli altri in un futuro prossimo. L'emersione di ciò che ha funzionato e ciò che non ha funzionato fornisce l'opportunità di plasmare i protocolli esistenti sulla valutazione di come essi si sono comportanti durante situazioni reali.

#### *Limiti e direzioni future*

Lo studio è stato svolto in un periodo ancora problematico, tale per cui è stata adottata una modalità di conduzione a distanza che potrebbe aver inficiato la rilevazione di dettagli salienti. Inoltre i gruppi possedevano una numerosità differente di partecipanti quindi per alcuni di essi è stato possibile raccogliere molte suggestioni, per altri meno. Considerando il ruolo professionale degli intervistati, è stato impossibile riuscire a trovare per ogni gruppo lo stesso numero di soggetti che potessero collegarsi nello stesso momento e per due ore consecutive. Infine, dato che si tratta di uno studio pilota, non è possibile generalizzare i risultati. La ricerca svolta deve pertanto essere considerata in senso esplorativo e preliminare di cui, tramite i dati ottenuti, non è ancora possibile giungere a conclusioni esaustive rispetto al fenomeno trattato.

## Conclusioni

Nonostante le limitazioni riscontrate lo studio offre la possibilità di avere una visione, seppure parziale, di quelli che sono stati i vissuti degli operatori anti-violenza durante la pandemia, e di riflesso rendersi conto delle condizioni delle vittime. La dettagliata analisi della metodologia utilizzata consente di perfezionarla per applicarla a successivi studi. La ricerca è stata condotta nella regione Toscana, per cui potrebbe essere interessante ripetere tali studi anche in altre regioni italiane, per poter effettuare confronti, uniformando il numero dei partecipanti per ogni focus group, per avere a disposizione dati completi. Studi futuri potrebbero chiarire questi aspetti.

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## “You can rely on us” – a project aimed at monitoring the involvement of third-sector entities in the external penal domain

### “Su di noi potete contare” – un progetto per monitorare il ruolo degli enti del terzo settore nell’area penale esterna

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**Abstract**

The article considers the social effort exerted by third-sector organizations in the context of alternative measures to detention, offering individuals who have committed criminal offenses an opportunity for social reintegration by welcoming them into the social fabric while they are still serving their sentences. Referencing legal provisions and the theoretical framework of restorative justice supporting this form of intervention, the project “You Can Count on Us” monitored the structures in the Veneto Region that support collaboration with the justice system and investigated the experiences, opinions, potentials, limits, and best practices of third-sector entities in the external criminal area. This involved engaging professionals, managers, and users within this context. The results of this investigative operation, conducted between 2021 and 2022, are then presented, revealing a positive impact on users manifested in an increased level of resilience and future orientation, acquisition of psychosocial skills, enhanced possibilities for rehabilitation, and re-education from a restorative perspective by valuing the uniqueness and dignity of each individual beneficiary’s journey. Furthermore, the importance of collaborations and networks with institutions has emerged, allowing for the enhancement of practices capable of reducing the high rate of work-related stress and increasing operational effectiveness. The research was conducted using a mixed-method approach, incorporating both quantitative and qualitative tools.

**Keywords:** Alternative measures to detention, External penal domain, Restorative justice, Third sector.

**Riassunto**

L’articolo considera lo sforzo sociale profuso dagli organismi del terzo settore nell’ambito delle misure alternative alla detenzione per offrire a persone che hanno commesso reati in ambito penale un’opportunità di reintegrazione sociale, accogliendoli nel tessuto sociale quando ancora devono finire di scontare la pena. Facendo riferimento ai dispositivi di legge e al quadro teorico della giustizia riparativa che supportano tale forma di intervento, il progetto “Su di noi potete contare” ha monitorato le strutture che nella Regione Veneto supportano tale forma di collaborazione con la giustizia e indagato esperienze, opinioni, potenzialità, limiti, buone prassi degli enti del terzo settore nell’area penale esterna, coinvolgendo operatori, dirigenti e utenti inseriti in tale ambito. Vengono quindi presentati i risultati di tale operazione di indagine, svoltasi tra gli anni 2021-2022, i quali hanno rilevato un impatto positivo sugli utenti espresso in un maggior grado di resilienza e orientamento al futuro, apprendimento di competenze psico-sociali, maggior possibilità di riabilitazione e rieducazione in ottica riparativa attraverso la valorizzazione dell’unicità e dignità della persona beneficiaria di ciascun percorso. Inoltre, è emersa l’importanza di collaborazioni e reti con le istituzioni, le quali hanno permesso di incrementare pratiche in grado di ridurre l’alto tasso di stress lavoro-correlato e incrementare l’efficacia dell’operato. La ricerca è stata effettuata utilizzando un metodo misto che ha previsto l’uso di strumenti di tipo quantitativo e strumenti di tipo qualitativo.

**Keywords:** Misure alternative alla detenzione, Area penale esterna, Giustizia riparativa, Terzo settore.

**Credit author statement**

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## “You can rely on us” – a project aimed at monitoring the involvement of third-sector entities in the external penal domain

### L'area penale esterna in Europa e Italia

L'area penale esterna, nonostante sia un settore in costante crescita, raggiungendo maggiori livelli di diversificazione e diffusione in tutta Europa (Aebi et al, 2015; Aebi & Hashimoto, 2022; Jehle & Palmowski, 2017), è ancora poco considerata come oggetto di studio nella letteratura scientifica (Robinson, 2016).

Nell'ordinamento giuridico italiano, le misure alternative alla detenzione fanno ingresso con la legge n. 354/1975 sull'Ordinamento penitenziario, trovando per la prima volta disciplina al Capo VI del Titolo I. Tra i canoni fondanti di tali misure vi sono la progressione nel trattamento, la flessibilità delle risposte sanzionatorie e i vagli della magistratura di sorveglianza sull'andamento dei percorsi di recupero sociale. Il catalogo delle misure è stato notevolmente ampliato nel tempo (Petralla et al., 2011): in origine erano previste solo la misura dell'affidamento in prova al servizio sociale e la semilibertà, a cui sono state accostate diverse tipologie di detenzione domiciliare. Attualmente il catalogo delle misure alternative alla detenzione non si esaurisce nella l. 354/1975 poiché ne troviamo previste anche in altre fonti, come nel testo unico in materia di stupefacenti (d.P.R. n. 309/1990) che disciplina l'affidamento in prova in casi particolari e la sospensione della pena per tossicodipendenti, e nel testo unico in materia di immigrazione (d.lgs. n. 286/1998; Carnevale et al., 2023). In generale, si tratta di forme di esecuzione alternativa della pena detentiva che consentono all'autore di reato che ha subito una condanna di scontare, in tutto o in parte, la pena fuori dal carcere, in conformità al principio costituzionale del finalismo rieducativo della pena stessa (art. 27 Cost.). Si tratta di misure che negli anni sono state oggetto di valorizzazione proprio a fronte del fatto che la fase esecutiva ha assunto sempre di più il significato di sede finalizzata a favorire la risocializzazione del reo (Maggio, 2023). Posto dunque che la funzione rieducativa si sostanzia in tutti quegli interventi atti a favorire il recupero del detenuto ad una vita nella società, proprio l'esecuzione delle misure alternative può costituire terreno fertile per lo sviluppo di pratiche riparative. La stessa Corte costituzionale, nell'ambito dei suoi numerosi interventi di adeguamento delle norme regolanti la fase esecutiva ai principi costituzionali, si è fatta carico di decifrare i nessi fra il finalismo rieducativo dell'art. 27 Cost., il significato di *extrema ratio* dell'intervento penalistico nonché la dimensione di proporzionalità della pena (Bolzoli & Romano, 2009; Bray, 2017), affermando che proprio sulla base dei principi costituzionali vi è l'esigenza di «contenere la privazione della libertà e la sofferenza inflitta alla persona umana nella misura minima necessaria e sem-

pre allo scopo di favorirne il cammino di recupero, riparazione, riconciliazione e reinserimento sociale» (Corte cost. n. 179/2017).

### Il ruolo degli enti del terzo settore

Esiste una letteratura estensiva riguardo le difficoltà e limitazioni del contesto carcerario italiano, in termini di rispetto delle norme CEDU ma anche relativi a problemi strutturali, fenomeni di deumanizzazione, rischi lavoro-correlati per la salute mentale degli agenti di polizia penitenziaria e una percepita distanza tra società e contesto penitenziario (Graziani, 2018; Testoni et al., 2020, Testoni et al., 2021; Testoni et al., 2022). Il volontariato e coloro operativi negli enti del terzo settore (ETS) creano un ponte di collegamento tra il carcere e la comunità: attraverso una rete di collaborazione con l'amministrazione penitenziaria e la cittadinanza lavorano a stretto contatto sia con gli istituti penitenziari che con l'area penale esterna, apprestandosi dunque ad assumere una funzione chiave nel contesto penitenziario (Cracknell, 2023; Lorenzetti, 2023). È quest'ultima che è forse il terreno su cui più si misura la capacità di innovazione del terzo settore, però gli ETS sono stati oggetto di studi internazionali soprattutto rispetto lo svolgimento di attività intramurarie o programmi di sostegno post-scarcerazione e poco è noto degli attori appartenenti al terzo settore e delle loro attività nell'area penale esterna (per esempio: Cid & Ibàñez, 2018; Cracknell, 2020; Wu et al., 2023).

Le linee guida europee sulla giustizia di comunità del Consiglio d'Europa riconoscono il ruolo della collettività e degli ETS e sottolineano l'importanza della cooperazione tra essi e le istituzioni pubbliche dell'Amministrazione Penitenziaria per un'implementazione efficace ed equa delle misure di comunità. In particolar modo, viene fatto riferimento alla necessità di un quadro chiaro di accordi tra enti, l'importanza di un contesto tutelante nei confronti dei singoli attori e di chiarezza rispetto ruoli, obiettivi e metodi di implementazione e valutazione adottati (Pizzera & Romano, 2011). La cooperazione tra enti pubblici e del terzo settore viene descritta come “fondamento chiave per la riuscita dell'implementazione delle misure di comunità, in linea con gli standard del Consiglio d'Europa e l'evidenza scientifica internazionale” (Geiran & Durnescu, 2019, p. 77).

Nel contesto italiano, gli ETS hanno un forte radicamento storico e abbracciano il quadro costituzionale che orienta la pena alla rieducazione del condannato, che dà orientamento al trattamento e al senso di umanità della pena (art. 27, co. 3 Cost.; Lorenzetti, 2023).

Nonostante ciò, anche in una recentissima circolare a firma del nuovo Capo del Dipartimento per la Giustizia Minorile e di Comunità si parla di volontariato in area penale esterna soprattutto rispetto al suo coinvolgimento nell'operatività degli uffici: "Infine, appare non ulteriormente procrastinabile la condivisione di linee di intervento e modalità di lavoro relativamente al tema del volontariato, autentico tessuto connettivo tra uffici e comunità, ad oggi non adeguatamente valorizzato e sostenuto in molte realtà. Anche in questo settore, occorrerà saper costruire linee di intervento in grado di assicurare la presenza di operatori volontari competenti, adeguatamente e costantemente formati, coinvolti nell'operatività degli uffici (Ministero della Giustizia, 2023, p. 13). Ai sensi dell'art. 78 dell'Ordinamento Penitenziario, solo le persone individuate dall'amministrazione penitenziaria, in quanto idonee all'assistenza e all'educazione, vengono autorizzate a frequentare gli istituti penitenziari, veicolando così una rappresentazione del volontariato e dell'impegno degli ETS nell'Area Penale Esterna decisamente sottodimensionato e unidimensionale.

Non si tratta quindi solo di volontari che collaborano con gli UEPE ai sensi dell'art. 78, perché anche l'art. 17 ord. pen., intitolato "Partecipazione della comunità esterna all'azione rieducativa", costituisce un quadro di riferimento ancora attuale anche per il Volontariato in area penale esterna, se non altro perché parla di "finalità del reinserimento sociale", e non esiste idea del reinserimento sociale che non preveda un rientro nella società, nella comunità "La finalità del reinserimento sociale dei condannati e degli internati deve essere perseguita anche sollecitando ed organizzando la partecipazione di privati e di istituzioni o associazioni pubbliche o private all'azione rieducativa" (art. 17 ord. pen.)

## La giustizia riparativa in fase di esecuzione penale

Negli ultimi decenni, la giustizia riparativa è diventata sempre più diffusa, soprattutto in Europa. È stata definita come un "processo in cui le parti coinvolte in uno specifico reato risolvono collettivamente la domanda di come gestire con le conseguenze del reato e le sue implicazioni per il futuro" (Marshall, 1996, p. 37), rappresentando dunque un paradigma d'intervento che si focalizza nel dare importanza alle responsabilità sociali e alla risoluzione dei conflitti (Cunneen & Goldson, 2015).

In una mappatura recente, Marder (2022) indaga la presenza di ETS che svolgono attività di giustizia riparativa in Irlanda, descrivendo un settore in crescita seppur tutt'ora poco diffuso e spesso applicato ai cosiddetti "reati senza vittime". In linea con ciò, anche in Olanda, Ansems e Braam (2016) costatano la necessità di un maggiore coinvolgimento attivo delle persone sottoposte a misure alternative per allinearsi maggiormente alle normative europee.

In Italia, la riforma Cartabia consente quindi un coinvolgimento attivo degli ETS all'interno di una concezione

della pena che supera un approccio incentrato sul primato della funzione retributiva per introdurre un forte orientamento ai principi della giustizia riparativa, che si declinano nell'implementazione di modalità di vicinanza con pratiche di risocializzazione e recupero (Matczak, 2021).

Vista dunque da un canto la crescente importanza delle misure di comunità e degli ETS nel sistema penitenziario e dall'altro la carenza di studi che ne indagano le esperienze e buone prassi, la presente ricerca propone l'analisi del ruolo degli ETS nell'area penale esterna.

## Materiali e Metodi

### Obiettivi

La presente ricerca si è svolta all'interno del progetto "Su Di Noi Potete Contare! - Mappatura e analisi dell'attività degli Enti del Terzo Settore operanti in Area Penale Esterna", finanziato dalla Regione Veneto con risorse statali del Ministero del lavoro e delle Politiche sociali nella regione Veneto. Adottando un approccio bottom-up, la metodologia è di tipo *mixed-method* e sono stati coinvolti diversi stakeholders che operano, a vario titolo, negli ETS in termini lavorativi o di volontariato o che riportano la loro *lived experience* in quanto afferenti agli ETS e sottoposti a misure alternative o sostitutive.

Nello specifico, vengono indagate le prospettive di operatori e dirigenti negli ETS attraverso interviste semi-strutturate e le esperienze di persone sottoposte a misure di comunità afferenti ad ETS attraverso interviste semi-strutturate e questionari quantitativi.

L'obiettivo relativo alle interviste ad operatori e dirigenti negli ETS è di indagare le esperienze e le opinioni relativi il ruolo, potenzialità e limiti nonché buone prassi degli ETS nell'area penale esterna, il ruolo degli ETS all'interno del percorso rieducativo delle persone sottoposte a misura, i vissuti positivi e negativi riguardanti le condizioni lavorative e le differenze dell'area penale esterna rispetto la reclusione in carcere. Viene poi esplorata la rete fra gli ETS e fra ETS e le istituzioni, e raccolti consigli e buone prassi rivolti sia agli enti che in futuro proporranno attività in questo ambito, che ai decisori politici. Rispetto al coinvolgimento di persone sottoposte a misura l'obiettivo è di indagare le esperienze, le opinioni riguardanti potenzialità e i limiti nonché buone prassi degli ETS nell'area penale esterna, e di rilevare, in termini quantitativi, l'orientamento positivo al futuro, la resilienza e l'ottimismo.

### Partecipanti

Il reclutamento dei partecipanti è avvenuto, sia per operatori/dirigenti che per utenti, attraverso contatti diretti con ETS operativi nell'Area Penale Esterna, individuati attraverso mappatura preliminare, e, nel caso degli utenti, anche attraverso segnalazione da parte dell'UIEPE. Da tutti i partecipanti è stato raccolto il consenso informato e verrà utilizzato un nome fittizio in modo da tutelarne la privacy.

Il gruppo degli operatori e dirigenti è composto da 22 partecipanti (59% maschi, 41% femmine) di età compresa fra 35 e 76 anni ( $M=57$ ,  $SD=11.34$ ) e un periodo medio di collaborazione con l'ETS di 16 anni. 12 partecipanti ricoprono un ruolo di coordinatore/ responsabile di struttura, mentre dieci partecipanti ricoprono un ruolo da operatori di varia tipologia (educatori, psicologi, assistenti sociali e operatori nell'ambito della progettazione, dei rapporti con le istituzioni o del ramo agricolo). I partecipanti afferiscono a 12 ETS della regione Veneto, di cui sette sono Organizzazioni di Volontariato, quattro Cooperative di tipo A e/o B e una è un'Impresa Sociale.

Il gruppo degli utenti si compone di persone sottoposte a misure alternative o sostitutive e afferenti ad un ETS nella regione Veneto.

Per quanto riguarda le rilevazioni quantitative attraverso questionari, sono stati coinvolti 51 partecipanti, di cui l'84,6% di genere maschile con età compresa fra i 20 e i 76 anni ( $M=44.4$ ,  $SD=13.8$ ). I partecipanti di nazionalità italiana sono il 32,7% ( $N=17$ ), mentre quelli di nazionalità straniera 38,5% ( $N=20$ ), con il dato mancante per il 28,8% dei partecipanti ( $N=15$ ).

Per quanto riguarda le rilevazioni qualitative attraverso interviste semi-strutturate, sono stati reclutati, nonostante i costanti contatti con gli ETS attivi sul territorio, solo tre partecipanti, tutti di sesso maschile e di età compresa tra i 35 e i 67 anni ( $M=54$ ,  $SD=17$ ). Nello specifico, i partecipanti sono:

- Luca, 35 anni, possiede la licenza di terza media: sconta una pena di 3 anni e 6 mesi per detenzione e spaccio di stupefacenti e al momento dell'intervista deve completare gli ultimi 6 mesi di attività presso un'Organizzazione di Volontariato. In precedenza, ha scontato tre settimane in penitenziario;
- Marco, 67 anni, laureato in economia e in giurisprudenza: ammesso alla detenzione domiciliare per motivi di salute, sconta un ergastolo ostativo per omicidio. È afferente ad un'Organizzazione di Volontariato;
- Nicola, 61 anni, possiede la licenza di terza media ed ha quasi completato il diploma di scuola superiore in penitenziario: sconta una pena di 10 anni per tentato omicidio del coniuge e svolge la sua pena alternativa presso una Cooperativa Sociale di tipo misto A e B.

Tutti i nomi utilizzati per indicare i partecipanti alle interviste semi-strutturate, sia per il gruppo operatori e dirigenti che per il gruppo utenti sottoposte a misure, sono fittizi in modo da tutelare l'anonimato dei partecipanti.

Al fine di permettere un confronto dei dati quantitativi degli utenti in misura alternativa o sostitutiva, è stato coinvolto un gruppo di controllo, costituito da  $N=142$  cittadini residenti in Veneto (44.4% maschi 55.6% femmine) senza procedimenti penali né sanzioni o pene da scontare. L'età dei partecipanti è compresa fra 15 e 75 anni ( $M=44.8$ ,  $SD=15.8$ ) e il 93% ( $N=132$ ) sono persone di nazionalità italiana.

## Strumenti e analisi dati

Le interviste semi-strutturate seguono i principi dell'Interpretative Phenomenological Analysis (Smith, 1996), permettendo di indagare le esperienze dirette degli intervistati all'interno di suddetto ambito. Sono state svolte online su piattaforma Zoom e hanno avuto una durata media di circa 40 minuti. I documenti testuali derivati dalla trascrizione *verbatim* delle interviste, sono stati sottoposti ad Analisi Tematica (Braun & Clarke, 2006) tramite l'utilizzo del software Atlas.ti (Muhr, 1991), individuando i temi di base di ogni intervista e permettendo di porli in relazione fra di loro. Questa metodologia consente di giungere ad una visuale ampia e complessa di un argomento, individuando famiglie tematiche ricorrenti nelle produzioni discorsive dei vari intervistati.

Per la rilevazione dei dati quantitativi sono stati usati due questionari online. Il Revised Life Orientation Test (LOT-R) nella versione validata in italiano (Giannini et al., 2008) è composto da 10 item che indagano il grado di ottimismo-pessimismo del soggetto attraverso una scala Likert a 5 punti (1= "sono fortemente in disaccordo"; 5= "sono fortemente d'accordo"). Alcuni esempi di item del questionario sono "Nei momenti di incertezza, di solito mi aspetto il meglio" e "Mi è facile rilassarmi".

Il secondo questionario è il Design My Future, uno strumento costituito da 19 item che indagano le prospettive future e la progettualità della persona attraverso una scala Likert a 5 punti (1= "mi descrive molto poco"; 5= "mi descrive moltissimo"; Di Maggio et al., 2016). Lo strumento si struttura in due sottoscale: resilienza e orientamento futuro. Alcuni esempi di item sono "Guardare avanti mi fa sentire pieno/a di energia" e "Mi piace pensare a dove mi troverò tra qualche anno".

Per l'analisi dei dati sono stati condotti il Mann-Whitney U Test per campioni indipendenti, il two-tailed t-test per campioni indipendenti per confrontare le risposte diversi gruppi e l'analisi della varianza ANCOVA per confrontare orientamento futuro e resilienza fra i due gruppi controllando le variabili età e genere.

La presente ricerca ha ottenuto parere favorevole del Comitato Etico della Ricerca Psicologica (Area 17) dell'Università degli Studi di Padova (Numero univoco: 32FD9A84751169F50933FB8330563940, Parere Protocollo n. 4625).

## Risultati

### Interviste semi-strutturate a operatori e dirigenti

Le 4 categorie tematiche individuate per la parte qualitativa degli operatori e dirigenti sono: "Impatto sugli utenti delle misure alternative e loro vantaggi", "Limiti ed ostacoli delle misure alternative", "Rete stabilita con terzi" e "Buone prassi".

In riferimento alla prima area tematica, "Impatto sugli utenti delle misure alternative e loro vantaggi", i partecipanti hanno espresso il loro punto di vista circa il valore rappresentato dalle misure alternative al carcere e i van-

taggi che, dal loro punto di vista, presenta. Il forte impatto relazionale consente di costruire legami significativi (sia con altri utenti che con gli operatori), che permettono di prendere coscienza di fragilità diverse dalla propria, ridimensionando la dimensione del pregiudizio. Oltre alle competenze socio-emotive, gli operatori e dirigenti delle ETS evidenziano l'importanza delle abilità pratiche acquisite in funzione di una quotidianità al di fuori dell'area penale, grazie ai programmi individualizzati.

Il ruolo degli ETS in questo contesto, dunque, è quello di rispondere ad una richiesta della società, fornendo agli utenti una seconda possibilità e contribuendo, dunque, alla costruzione di un capitale sociale.

I vantaggi risultano ancora più evidenti quando si opera un confronto fra le misure detentive e non: le seconde, infatti, comportano un processo di responsabilizzazione che permette a reo, vittima e società circostante di rimanere interconnessi, prevenendo l'isolamento e favorendo il reinserimento.

*“È più facile riuscire a capire che di fronte al reato non c'è una pagina del codice, ma delle persone a cui si è fatto del male [...] Le persone vittime, che hanno ricevuto danno, o anche semplicemente esponenti della società spaventati, arrivano a capire che chi ha provocato il danno non è un puro strumento del male: ha una sua storia, una sua sofferenza. È un'umanizzazione reciproca [...]”*

[Matteo, 76 anni, Responsabile attività e rapporti con gli enti presso Organizzazione di Volontariato]

In riferimento alla seconda area tematica, “Limiti ed ostacoli delle misure alternative”, le difficoltà rilevate sono principalmente di tipo amministrativo/burocratico: l'eccessiva e dilatata burocrazia giudiziaria unita alla rigidità delle prescrizioni, che impedisce un'organizzazione ottimale, influisce negativamente sugli utenti; in aggiunta vengono riportate sostanziali difficoltà economiche. Il vissuto dei singoli intervistati è caratterizzato da alti livelli di stress lavorativo causati dal contatto con un'utenza delicata, sia per la situazione giudiziaria, che per le storie di vita. Nello specifico, i pregiudizi da parte dei cittadini, di altri utenti e di altri operatori, la mancanza di linee guida precise e di tutela in situazioni vissute come pericolose e il senso di fallimento derivante dai percorsi non andati a buon fine, sono elencati fra le principali cause di frustrazione.

*“Lo svantaggio forse è per gli operatori che prendono poco in un lavoro in cui rischiano molto [...] con a volte del pericolo stesso. Non siamo tutelati, assolutamente: se una persona mi aggredisce io non posso fare niente. Se lui mi ammazza poi non gli succede niente”*

[Marco, 49 anni, Educatore presso Impresa Sociale]

Inoltre, gli intervistati hanno fornito una testimonianza del periodo segnato dalla pandemia da Covid-19, che ha aggiunto ulteriori complessità all'ambito: per rispondere alle esigenze sanitarie del momento, infatti, le attività hanno subito un arresto totale o parziale. Ciò ha

anche influenzato i tempi delle procedure legali, le quali hanno subito un arresto e un successivo aumento esponenziale e rapido, mettendo in difficoltà gli ETS che sono stati costretti a declinare alcune richieste.

In riferimento alla terza area tematica, “Rete stabilita con terzi”, i partecipanti hanno fornito una disamina della situazione della rete stabilita con altre istituzioni, enti e professionisti, evidenziandone le lacune presenti. Generalmente, infatti, la rete viene percepita come ancora da costruire, a causa della mancata comunicazione adeguata fra le parti e la mancata fluidità nei diversi passaggi. Questo fattore rappresenta una fonte di rischio soprattutto quando non vengono riportate informazioni riguardanti la salute fisica e mentale degli utenti, ponendoli, talvolta, in situazioni di pericolo.

*“Aspetti difficili, tipo lavorare con persone di cui non si sa nulla, a noi sono capitati degli aspetti importanti tipo una persona a cui abbiamo dovuto fare un TSO durante l'attività, soffriva di schizofrenia ma nessuno ce l'ha detto [...] A volte ci arrivano delle persone che hanno delle malattie e noi non le sappiamo e rischiamo di fargli fare delle cose che non possono fare, arrivano delle persone che hanno delle dipendenze e che sono attive come assunzione e nessuno te lo dice. [...] Il problema è che a volte neanche il Ministero sa di queste cose però magari le altre strutture lo sanno. Quindi secondo me una grande problematica è che non esiste una rete che collabora”*

[Luca, 51 anni, Responsabile utenti presso Organizzazione di Volontariato]

Analizzando i rapporti con i vari attori presenti nell'ambito, risulta che il rapporto con le figure degli Assistenti sociali dell'UEPE sia positivo, ma sia arduo ottenere una collaborazione effettiva con l'istituzione in sé per quanto riguarda l'avviamento dei progetti. Anche i rapporti con i Comuni ed il Sistema Sanitario risultano occasionali e lacunosi. Particolarmente difficoltosa è la comunicazione e co-progettazione con gli Istituti penitenziari, dove gli intervistati percepiscono di non essere percepiti come figure di particolare utilità. Contrariamente, la collaborazione con gli altri enti risulta essere fonte di supporto, anche grazie a strumenti territoriali come il Centro di Servizio per il Volontariato, il quale permette agli enti di riunirsi e organizzarsi al meglio.

In riferimento alla quarta e ultima area tematica, “Buone prassi”, i partecipanti hanno fornito suggerimenti e possibili buone prassi che ritengono, in base alla loro esperienza diretta, funzionali a una progettazione efficace all'interno dell'Area Penale Esterna. Per adempiere a quest'obiettivo, risulta fondamentale la valorizzazione dell'aspetto umano nei progetti, tramite una garanzia di flessibilità e lo strumento dell'ascolto attivo e accogliente degli utenti, per individuare le difficoltà su cui poter lavorare. Riguardo gli utenti, un minor numero di prese in carico risulta centrale per garantire un supporto adeguato. Alcuni enti, alla luce di questa premessa, operano una selezione dell'utenza basandosi su criteri personalizzati. Da

parte del personale, una formazione e specializzazione continua consente di garantire un'ottica globalmente riabilitativa. Sul versante amministrativo, però, questo rappresenta un costo che si aggiunge al peso fiscale che grava sugli ETS, i quali richiedono maggiori garanzie dal punto di vista finanziario per poter adempiere alla propria mission. Infine, come precedentemente illustrato, gli intervistati si auspicano l'implementazione della rete con altri enti e istituzioni, per garantire un'ottica di sostegno e collaborazione.

*“è già una buona cosa lavorando e creare occasioni di dialogo [...] l'obiettivo è quello di creare occasioni di confronto”*

[Antonella, 41 anni, Operatrice non specializzata presso Cooperativa Sociale di tipo B]

### Interviste semi-strutturate a utenti

Le 3 categorie tematiche individuate per la parte qualitativa degli utenti sono: “Punti di forza delle misure alternative e orientamento al futuro”, “Limiti delle misure alternative e buone prassi”, “Esperienza carceraria”.

In riferimento alla prima area tematica, “Punti di forza delle misure alternative e orientamento al futuro”, le esperienze dei partecipanti relative all'Area Penale Esterna sono state descritte in generale come positive. Uno dei punti di forza rilevati concerne la possibilità di rimanere integrati nella società. Le relazioni che si instaurano sia con gli altri utenti in misura alternativa che con gli operatori afferenti agli ETS sono avvertite come molto positive, contribuendo all'incremento della serenità e insegnando come relazionarsi in modo più adeguato. In questo modo, viene mantenuto un contatto con la vita esterna, rispetto alla pena carceraria, la quale crea un vissuto di sospensione della vita. I partecipanti riportano inoltre maggior speranza in un percorso riabilitativo di successo e che la collaborazione con gli ETS possa far collaborare i detenuti maggiormente con il programma trattamentale.

*“Hai la possibilità di comunicare, sei vicino ai tuoi cari, ti puoi curare, se sei interessato, come lo sono io, puoi iscriverti a un sacco di corsi, non ti limitano in questo, bisogna dire la verità. Rimani in contatto con come si evolve il mondo che non è poca roba. Quando io sono uscito dopo sei anni, io non sapevo come dovevo comportarmi al bar, se dovevo prima pagare, se dovevo prima fare lo scontrino, andare al bar oppure se potevo consumare e pagare dopo, cioè, era tutto, anche il traffico era aumentato”*

[Marco, 67 anni]

In riferimento alla seconda area tematica, “Limiti delle misure alternative e buone prassi”, è emerso come le possibilità offerte in questi percorsi siano ancora insufficienti e non ci sia una progettualità unitaria e coerente.

Vengono anche riportate la scarsità di operatori che possono occuparsi delle esigenze e necessità degli utenti, unitamente alle difficoltà economiche degli stessi. Riguardo alla pandemia da Covid-19 viene riportato il grande impatto negativo subito dalle attività in Area Pe-

nale Esterna, subendo il rallentamento o il blocco di alcuni progetti.

Inoltre, i partecipanti hanno riflettuto su alcune buone prassi che, secondo loro, dovrebbero essere implementate al fine di rendere le attività più efficaci e di impatto: è stata sottolineata l'importanza di rapportarsi con umanità e apertura nei confronti delle persone che stanno scontando una pena, rispettandone la dignità e l'unicità umana. Un altro punto centrale è la necessità di offrire alla persona autore di reato la possibilità di rimediare ai propri errori in un'ottica di responsabilizzazione. Infine, un altro aspetto ritenuto importante, è la necessità di migliorare l'organizzazione delle attività proposte in modo che si delinei un percorso definito per l'utente.

*“Per noi che siamo in esecuzione penale esterna fanno veramente poco. Sinceramente quello che mi manca dall'UEPE è una programmazione. Cioè, una programmazione di come passare gli anni che ti rimangono sarebbe secondo me una cosa molto importante perché dà al condannato un senso, dici: ‘io lavoro per quell'obiettivo’[...] quello che manca è una programmazione: ‘Tu inizi qua, finisci lì e nel frattempo abbiamo intenzione di fare questo’, no? Datemi un fil rouge che tu segui con degli obiettivi. [...] Non c'è lungimiranza, non c'è progresso”*

[Marco, 67 anni]

Infine, in riferimento alla terza area tematica, “Esperienza carceraria”, sono emersi molti aspetti negativi relativi alle esperienze detentive. Uno di questi riguarda la questione del sovraffollamento e della bassa qualità della vita. Unitamente a questo viene sottolineata la difficoltà nei rapporti sia con gli altri detenuti che con gli agenti di polizia penitenziaria, lo scarso supporto percepito, l'isolamento dalla società che provoca un senso di solitudine profonda e la necessità di dare senso al proprio tempo di vita all'interno delle mura penitenziarie.

*“ho cercato di capire quanto prima se potevo dare un significato agli anni che avrei passato in carcere o se erano solo degli anni di attesa”*

[Nicola, 61 anni]

In generale vengono riportati sentimenti di ansia correlati al periodo in carcere, unitamente ad un aumento della resilienza: emergono, infatti, anche degli aspetti positivi, come alcune relazioni soddisfacenti instauratesi nel periodo di detenzione. Particolarmente rilevante la soddisfazione legata ad alcune attività svolte all'interno degli Istituti Penitenziari, soprattutto per i percorsi scolastici. Tali percorsi hanno, però, subito una brusca interruzione a causa della Pandemia da Covid-19 influenzando la vita dei detenuti.

### Questionari sull'orientamento futuro, ottimismo e resilienza negli utenti

Dal confronto dei gruppi di utenti e di cittadini non emergono differenze significative in termini di età: gruppo di persone in misura alternativa  $M = 44,4$ ,  $SD = 13,8$ ,

gruppo cittadini  $M = 44,8$ ,  $SD = 15,8$ ,  $t(192)=0.19$ ,  $p = .845$ ,  $d=.032$ . Emergono invece differenze significative per le variabili genere ( $\chi^2(1,194)=2.929$ ,  $p<.001$ ) e nazionalità ( $\chi^2(2,194)=39.258$ ,  $p<.001$ ), con prevalenza di utenti di sesso maschile (84,6%) e di nazionalità straniera (38,5%) rispetto al gruppo di cittadini privi di procedimenti penali.

#### *Orientamento futuro*

L'orientamento futuro, prima sottoscala del questionario Design my future, raggiunge negli utenti una media di  $M=4,2$  punti su punteggi che vanno da 1 a 5 ( $SD = 0,7$ ; 95%CI [4,04; 4,44]). Attraverso il t-test parametrico two-

tailed per campioni indipendenti viene rivelata una differenza significativa tra i valori dell'orientamento futuro nei gruppi degli utenti e dei cittadini ( $t(104.5)=-6.872$ ,  $p<.001$ ), con valori significativamente più alti per le persone in misura alternativa ( $N = 52$ ;  $M = 4,3$ ;  $SD = 0,7$ ) rispetto al gruppo di cittadini ( $N = 142$ ;  $M = 3,4$ ;  $SD = 0,8$ ; Fig. 1).

L'analisi di varianza (ANCOVA) conferma la differenza significativa tra i due gruppi nell'orientamento futuro, controllando per l'influenza delle variabili età e genere ( $F(1,190)=31.476$ ,  $p<.001$ ).

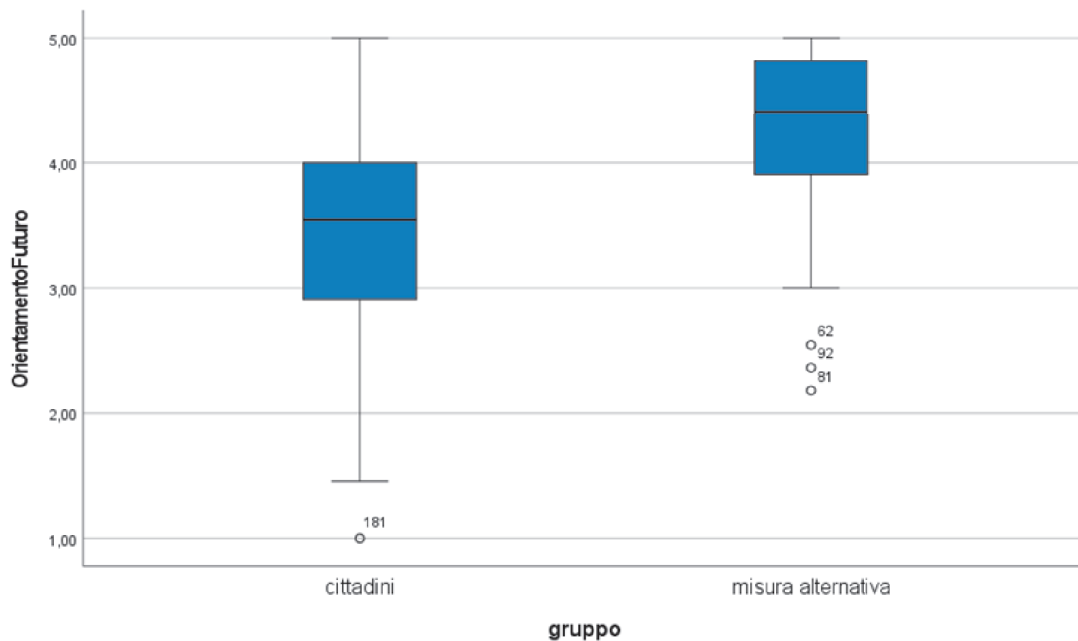


Fig.1 Boxplot della distribuzione di punteggi sulla scala Orientamento Futuro per il gruppo cittadini e per il gruppo di utenti

#### *Resilienza*

La resilienza, seconda sottoscala del Design my future, raggiunge negli utenti una media di  $M = 4,3$  punti su punteggi che vanno da 1 a 5 ( $SD = 0,7$ ; 95%CI [4,10; 4,48.]. Il test parametrico, rispetto alla scala della Resilienza, rileva valori significativamente maggiori per il gruppo delle persone in misura alternativa ( $N = 52$ ;  $M = 4,3$ ;  $SD = 0,7$ ) ri-

spetto al gruppo di cittadini ( $N = 142$ ;  $M = 3,6$ ;  $SD = 0,7$ ;  $t(100.1)=-6.147$ ,  $p<.001$ ; Fig. 2). L'analisi di varianza (ANCOVA) conferma la differenza significativa tra i due gruppi nei livelli di resilienza, controllando per l'influenza delle variabili età e genere ( $F(1,190)=23.815$ ,  $p<.001$ ).



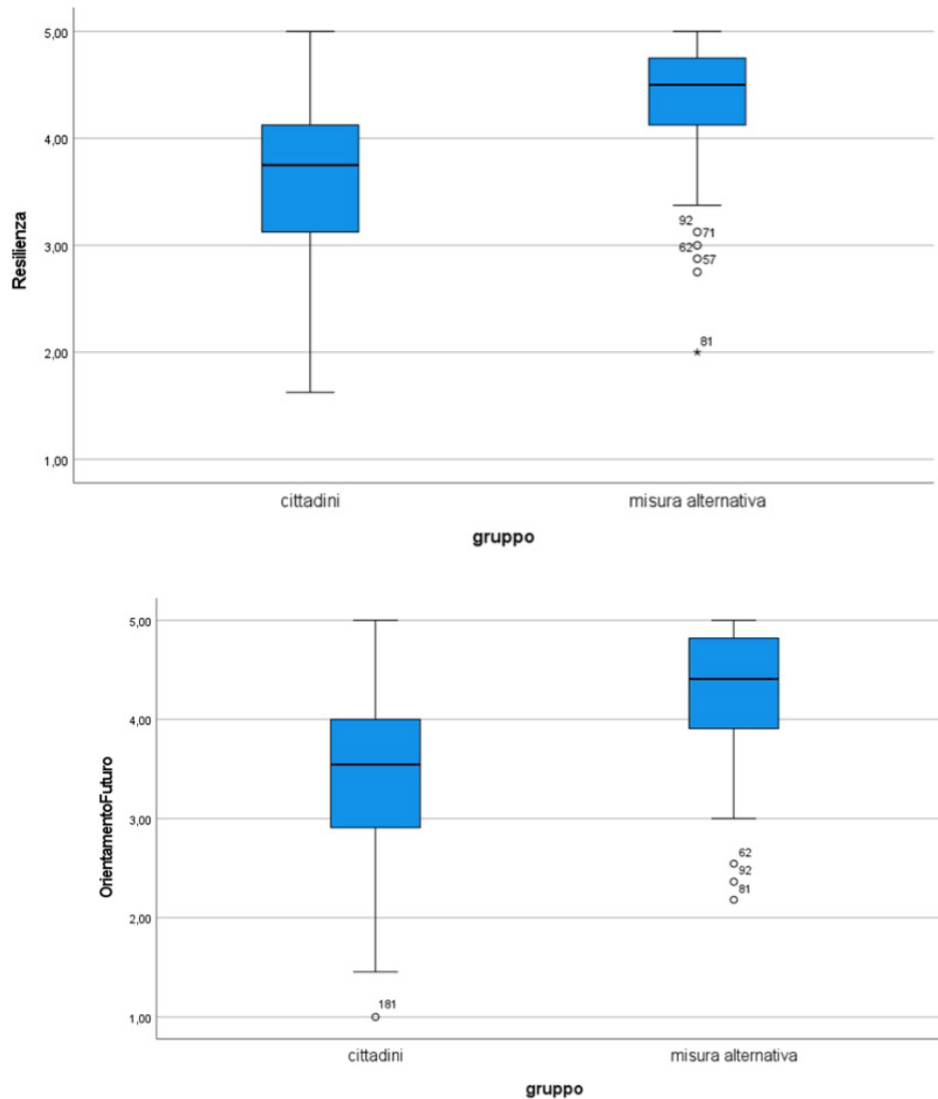


Fig.2 Boxplot della distribuzione di punteggi sulla scala Orientamento Futuro per il gruppo cittadini e per il gruppo di persone in misura alternativa

### Ottimismo

L'ottimismo verso il futuro è indagato dal questionario *Life Orientation Test-Revised*. Su un punteggio totale che può andare da 0 a 24, gli utenti hanno raggiunto un punteggio medio di  $M=15,4$  ( $SD = 4,0$ ; 95%CI [14,28; 16,54]). L'analisi di varianza (ANCOVA) disconferma la differenza significativa tra i due gruppi nei livelli di otti-

mismo verso il futuro, controllando per l'influenza delle variabili età e genere ( $F(1,182)=3.136, p=.078$ ). Tenendo conto di differenze di età e genere nei due gruppi, non viene rilevata una differenza significativa tra i livelli di ottimismo tra utenti e cittadini privi di procedimenti penali (Fig. 3)

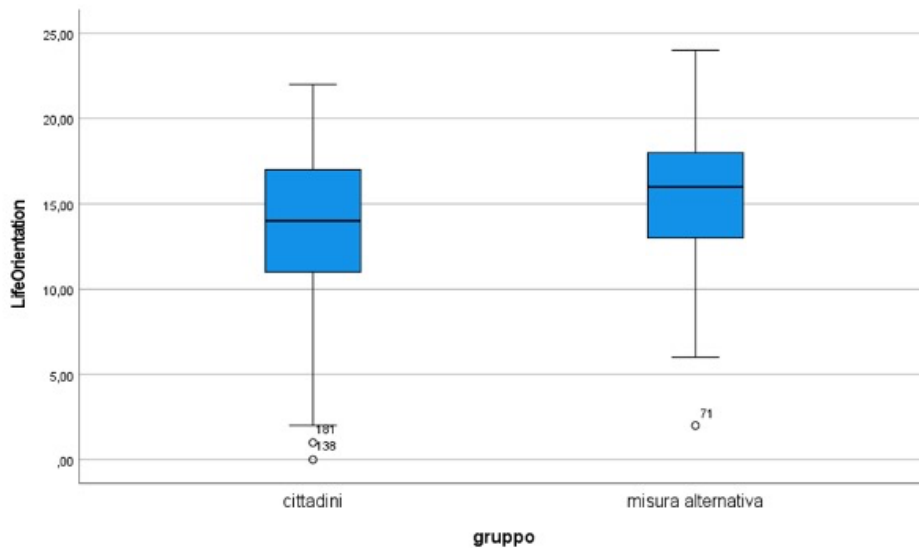


Fig.3 Boxplot della distribuzione di punteggi sulla scala Ottimismo per il gruppo cittadini e per il gruppo di persone in misura alternativa

## Discussione

Dal presente studio emerge una varietà di dati che danno spunti di riflessione utili a comprendere meglio il contributo, le criticità e il ruolo degli ETS all'area penale esterna.

### Importanza degli ETS e misure di comunità per la giustizia riparativa

Alla luce dei risultati della presente ricerca si possono effettuare alcune riflessioni riguardanti la crescente importanza sia dell'area penale esterna che del terzo settore grazie alla riforma Cartabia. Posto, per esempio, che la funzione rieducativa si sostanzia in tutti quegli interventi atti a favorire il recupero del detenuto ad una vita nella società, proprio l'esecuzione delle misure di comunità, anche grazie all'impegno degli ETS può costituire terreno fertile per lo sviluppo di pratiche riparative. Una partecipazione attiva del reo, infatti, può consentire il superamento dell'approccio alla rieducazione come "trattamento" calato dall'alto che il reo subisce come imposto, a beneficio di una concezione della pena intesa come pena - progetto, in cui il condannato stesso è chiamato a svolgere un ruolo proattivo e a considerare i bisogni della vittima (Eusebi, 2021). Tale risultato è in linea con ricerche internazionali rispetto l'importanza di concepire la persona sottoposta a misure di comunità come un soggetto attivo, che ha scelto di aderire in maniera costruttiva al proprio percorso di recupero (Persson & Svensson, 2018).

Inoltre, l'applicazione di modelli di giustizia riparativa nella fase esecutiva della pena contribuisce a promuovere il superamento dell'ottica di esclusione, di marginalizzazione, di segregazione che sono inevitabilmente connessi alla condanna e alla detenzione carceraria (Romano et al., 2020). In particolare, sotto il profilo della ri-accoglienza

nella società il programma di giustizia riparativa contribuisce a rimuovere lo stigma sociale: la percezione della società, rispetto ad un soggetto che ha sbagliato ma si mostra disponibile a un percorso di tipo riparativo, tende infatti a migliorare, proprio perché l'adesione a detti percorsi rappresenta una volontà di cambiamento del reo (Menghini, 2019). La stessa comunità esterna, infine, anche grazie ad un impegno sostanziale degli ETS, può assumere un ruolo attivo nel percorso riparativo intrapreso dal reo. Come si afferma infatti espressamente nella Relazione che accompagna il d.lgs. 150/2022 «la giustizia riparativa in materia penale dà concretezza a modi e interventi atti a promuovere cittadinanza attiva ed a far maturare un clima di sicurezza sociale al fine di costruire una società del rispetto, capace di contemplare e accogliere le vulnerabilità individuali e collettive».

### Compliance, efficacia e buone prassi degli ETS nell'area penale esterna

L'adesione e la motivazione a partecipare a programmi rieducativi e di riabilitazione, al contrario di intraprendere itinerari di recidiva, viene descritta, da parte di persone condannate, di dipendere dal carattere, della cultura e dell'ethos del programma, e meno dalla natura dell'ente pubblico o privato. Nonostante ciò, persone in esecuzione penale riportano di essere favorevoli ad una presa in carico da parte di figure diverse da quelle note negli enti pubblici (Rowe & Soppitt, 2014). Sempre Rowe e colleghi (2018), in uno studio successivo in cui sono state intervistate 64 persone sottoposte a misure di comunità, rilevano che la percezione di legittimità dei programmi svolti in enti pubblici, privati e del terzo settore, dipendeva dall'autenticità di coloro con i quali viene svolto il servizio; l'utilità per raggiungere benefici e la concezione dell'identità e ethos

del programma. Diversi studi rilevano l'importanza di investire su strategie e buone prassi che facciano raggiungere una compliance a lungo-termine, sostantiva con un impegno proattivo e cooperativo (Robinson & McNeill, 2008; Su i, et al., 2014). Gli operatori degli ETS, passando molto più tempo a contatto diretto con le persone sottoposte a misure di comunità rispetto operatori del settore pubblico e talvolta avendone competenze più specifiche, hanno il potenziale di svolgere un ruolo centrale in aspetti come la riabilitazione, rieducazione, riduzione del rischio di recidiva, compliance e motivazione di adesione trattamentale (Fowler et al., 2020; Hilder & Kemshall, 2013).

### **Criticità e possibili sviluppi del ruolo del terzo settore nell'area penale esterna**

Anche dalla presente ricerca emergono ancora numerose lacune e necessità di investimento su un funzionamento più efficace e collaborativo tra i diversi attori pubblici e del terzo settore. In letteratura, lo stress lavoro-correlato degli operatori esterni all'amministrazione penitenziaria è stato associato, tra le varie, con la costante attenzione ed energie investite nel mantenimento della stima professionale e intesa con nelle relazioni con gli enti pubblici dell'amministrazione (Burke et al., 2020).

Dalle politiche in ambito di esecuzione penale esterna in Inghilterra, che sono state descritte come caratterizzate da "out-sourcing" e "sub-contracting" e sempre di più orientati al risultato, si evincono alcuni possibili sviluppi che mettono a repentaglio l'integrità e l'efficacia del servizio offerto. In questo contesto, che per certi versi si possono accostare alla direzione intrapresa dalle policy italiane, emergono criticità come la mancanza di definizione di canali comunicativi chiari, di obiettivi ambigui, l'armonizzazione di pratiche lavorative e la messa in pratica, le preoccupazioni economiche che creano un contesto di vulnerabilità e precarietà degli ETS e una messa in dubbio della legittimità dell'operato (Burke et al., 2020; Cracknell, 2020). Tali sviluppi sono stati descritti come "marketization of probation", ovvero la strutturazione dell'Area Penale Esterna secondo logiche di mercato di retribuzione basate sui risultati e dunque una maggiore attenzione su incentivi economici e l'emergere di uno spirito di imprenditoria. Tale "decentralizzazione della giustizia" comporta il rischio che i fattori di sicurezza e di qualità del servizio vengano messi in secondo piano, misconoscendone la complessità dell'ambito (Mythen et al., 2012) e che ci siano dinamiche di spostamento di responsabilità verticali tra gli attori coinvolti (Cracknell, 2023). Dal modello inglese si evince dunque il rischio di andare a sostituire gradualmente il settore pubblico più che di affiancarlo, ma con scarse risorse e poca preparazione, facendo emergere ancora di più la necessità degli ETS di formazione adeguata, finanziamento e coinvolgimento attivo nelle politiche (Senior, 2011). Infine sono state avanzate riflessioni rispetto possibili contrasti tra i principi radicati nei diritti umani e valori umanitari inerenti al terzo settore stesso, ovvero giustizia ed equità (Gelsthorpe & Abbas,

2016). Dall'altro canto è proprio tale caratteristica che infonde speranza di poter fungere da stimolo positivo, contrastando ciò che in letteratura nel contesto penitenziaria è stata rilevata come cultura preoccupante in termini strutturali, di salute lavoro-correlata e deumanizzazione (Testoni et al., 2020, Testoni et al., 2021, Testoni et al., 2022).

Nel contesto italiano, occorrerà dunque prestare attenzione che le attività degli ETS, che vedono una sempre maggiore professionalizzazione, non vadano a colmare le inefficienze del sistema penitenziario, impedendo in tal modo la consapevolezza rispetto lacune e criticità nel trattamento e nei percorsi di rieducazione da parte degli attori pubblici, spostandole sugli ETS laddove i servizi pubblici si trovano con insufficienti risorse per affrontare la mole di lavoro (Pizzera & Romano, 2011). Laddove tali lacune vengono colmate, sussiste la criticità della discontinuità e della mancata comunicazione tra attori della medesima rete (Lorenzetti, 2023). Le risorse del terzo settore, come il suo maggiore radicamento nella comunità e una maggiore adattabilità e innovatività rispetto il settore pubblico, lo rendono un partner strategico per la creazione di un sistema di giustizia di comunità efficace. Per avvicinarci a ciò, da un canto, anche gli ETS però si dovranno orientare sempre di più ad un approccio evidence-based e informato da buone prassi, e dall'altro canto tali buone prassi dovranno essere maggiormente create, promosse e diffuse dai policy-makers (Herzog-Evans, 2014, 2018).

### **Limiti della presente ricerca e sviluppi futuri**

Per sviluppare maggiormente la conoscenza relativa all'impatto della presa in carico delle persone in misura alternativa da parte degli ETS sarebbe opportuno effettuare, oltre che un confronto con persone prive di procedimenti penali, pene o sanzioni, un confronto con la popolazione detenuta.

Nonostante l'elevata attenzione ad aspetti di tutela della privacy e del trattamento dei dati, si è presentato alquanto difficoltoso raggiungere il coinvolgimento di persone in misura alternativa nelle interviste, raggiungendo il numero di soli tre partecipanti. Sarebbe dunque auspicabile svolgere ulteriori ricerche coinvolgendo un numero maggiore di persone in esecuzione penale esterna, in particolare per interviste, consentendo di acquisire punti di vista ancora più sfaccettati.

Data la limitazione alla regione Veneto, la presente ricerca si pone in un'ottica descrittiva e non rappresentativa in modo generalizzabile al quadro nazionale. In ricerche future sarebbe auspicabile un ampliamento anche su altre regioni o di poter coinvolgere ETS operativi su tutto il territorio nazionale.

La presente ricerca riporta elementi di buone prassi, che, in un'ottica bottom-up, possono contribuire alla creazione di un fondamento empirico per policy makers e attori pubblici e del terzo settore intenzionati allo sviluppo di linee guida e strategie comuni.

## Conclusioni

Il presente studio rileva l'utilità dei percorsi presso gli ETS per gli utenti, riportata sia dal punto di vista quantitativo attraverso questionari che qualitativo attraverso interviste con persone in misure di comunità e personale afferente ad ETS che operano in area penale esterna.

In termini quantitativi, si rileva un impatto positivo sugli utenti in termini di un maggior grado di orientamento futuro e di resilienza rispetto a cittadini non sottoposti a misure penali.

Dalle interviste emerge invece la presenza di una valorizzazione e l'apprendimento di competenze psico-sociali per le persone in misure di comunità, nonché maggiore responsabilizzazione e presa di consapevolezza relativa al reato commesso, con maggior possibilità di riabilitazione e reintegrazione sociale, nonché di crescita personale. Inoltre, emerge l'importanza di collaborazioni e reti con le istituzioni e tra ETS, oltre a buone prassi che possano ridurre l'alto tasso di stress lavoro-correlato e incrementare l'efficacia del proprio operato, aumentandone l'adesione attiva delle persone sottoposte a misura. Si rileva inoltre il valore fondamentale di porre al centro la persona stessa beneficiaria di tali percorsi, valorizzandone l'unicità e la dignità, sostenendo in tal modo il processo di rieducazione e risocializzazione in ottica riparativa, in linea con la direzione intrapresa dalla recente riforma Cartabia, la cui attuazione conduce senz'altro tutti gli operatori coinvolti lungo un "sentiero impervio" (Cadamuro, 2022), che necessita tuttavia senz'altro di essere percorso poiché la prospettiva dialogica-relazionale che connota la giustizia riparativa non può che contribuire al perseguimento dell'obiettivo del recupero sociale del condannato, arricchendo l'ideale rieducativo di nuovi contenuti.

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## Rorschach test in murderers: a systematic review of the literature 1946-2021 IV- case control groups comparative studies: murderers vs other criminals and murderer's subgroups

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### Abstract

A total of 91 studies on Rorschach test in murderers from 1946 to 2021, written in English (62), French (13), Italian (12) or other languages (N = 4; Portuguese, Spanish and German) were reviewed, searched from the main databases (PubMed, Medline Complete, Embase, PsycINFO, PsycNET, PEPWeb, Cochrane, Gallica and Perseus) and other relevant sources (Google scholar; books and journals in the Rorschach field; Rorschach bibliographies; Buros MMY Mental Measurement Yearbooks), as well as from researcher networks (academia.edu, researchgate.net) and from the list of references of identified articles. Literature searching, study selection, screening and data extraction were carried out independently and concordantly by two authors. All the papers containing data on the Rorschach test in murderers were included, but only the contributions whose full text pdf was available were considered. Five types of studies were identified: 1) Literature reviews (N = 4); 2) Single case studies (N = 31); 3) Descriptive studies on murderer samples without controls (N = 20) or compared with normative data (N = 2); 4) Case-Control groups comparative studies (N = 28); 5) Miscellanea (N = 6). All the studies have been summarized in detail, so as to almost always replace a direct reading. The present paper concerns two subgroups of case control groups comparative studies, respectively comparing murderers with other criminals (N = 13), and subgroups of murderers (N = 4). The results are extensively discussed, focusing on forensic implications and indications for future research.

**Keywords:** Homicide, Murder, Murderer, Rorschach test.

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## Rorschach test in murderers: a systematic review of the literature 1946-2021 IV– case control groups comparative studies: murderers vs other criminals and murderer’s subgroups

### Introduction

The psychological and psychiatric assessment of authors of homicide is of paramount relevance in the forensic practice, in order to address issues of competence to stand trial, mental state at the time of offense and current dangerousness, according to the principles of EBMPA (Evidence Based Multimethod Psychological Assessment) (Erard & Evans, 2017; Giromini & Zennaro, 2019). In this field, the Rorschach test blew out its first hundred candles since the publication of Psychodiagnostic (1921, 1942, 1981), the masterpiece of Herman Rorschach (1884-1922), and confirmed itself until to-day as the longest-lived and one of the most used psychodiagnostic tests, both in clinical and forensic psychological and psychiatric practice (Archer, Buffington-Vollum, Vauter Stredny, & Handel, 2006; Archer & Wheeler, 2013; Giromini & Zennaro, 2019; Giromini et al., 2022; Hinselroth & Strycker, 2004; Neal & Grisso, 2014). In addition, in the last decade, the outstanding meta-analysis by Mihura, Meyer, Dumitrascu & Bombel (2013) completed the work of refoundation of the psychometric bases of the Rorschach, convincing the most bitter opponents of the first hour (Wood, Garb, Nezworski, Lilienfeld & Duke, 2015) and almost putting an end to the so-called ‘Rorschach controversy’ (Zizolfi, 2016), despite some recent criticism (Areh, Verkanpt, & Allan, 2021). As a consequence, the Rorschach test is not challenged at unusually high rates, when compared to other psychological tests, in the United States and in selected European courts (Viglione, et al., 2022). It is therefore of the greatest interest to analyze the literature on the Rorschach test in murderers, along a systematic all-inclusive comprehensive review, with the aid of electronic databases, which allows us to identify many more studies (N = 91) than previous reviews (Cimino, 2018a; Ferracuti, 1961; Frank, 1994; Gambineri, 2004a). The following paper refers expressly to our previous contribution in this issue; for further details, the first work (Zizolfi, et al., 2023a) is an indispensable reading and a pivotal element also as regards the aims, the rationale and the methods used. Five types of papers were identified: 1) Literature reviews (N = 4); 2) Single case studies, without (N = 10) or with (N = 21) Rorschach record; 3) Descriptive studies on murderer samples without controls (N = 20) or compared with normative data (N = 2); 4) Case-Control group comparative studies (N = 28); 5) Miscellanea (N = 6). For each of these five categories, every paper is described in chronological order, resuming all the major details, with frequent citations (in italics), aiming to replace, as far as possible, the reading of the full text: anyway, the interested reader may always

request the original pdf to the first author<sup>1</sup>. In the first contribution (Zizolfi, et al., 2023a), we presented single case studies (10 without Rorschach protocol and 21 reporting Rorschach record) and miscellaneous studies (N = 6). The second contribution (Zizolfi, et al., 2023b), concerns descriptive studies without controls, including murderers samples without controls (N = 20) or compared with normative data (N = 2).

The third contribution considers two subgroups of case control groups comparative studies, i.e. studies comparing murderers with normal controls (N = 8) and papers comparing murderers with suicides and attempted suicides (N = 3). The present paper reviewed two last subgroups of case control groups comparative studies, respectively comparing murderers with other criminals (N = 13), and subgroups of murderers (N = 4).

### Methods

In order to obtain a comprehensive and inclusive literature review, all articles mentioning the Rorschach test in murderers were included without any language filter: search strategy, eligibility and exclusion criteria, and data extraction are fully detailed in our first contribution (Zizolfi, S., et al., 2023a). Briefly, only full text contributions were considered; two reviewers extracted the different data independently from each other; if the systematic review process lacked consensus between the two, they discussed between them to solve the disagreement, or, otherwise, a third reviewer resolved it. 103 papers were identified, 91 articles entered the study<sup>2</sup>: paper by Ermentini (1990) and eleven papers presenting Rorschach data from mixed criminals (not only murderers) were excluded (Dorr & Viani, 2006; Franks, Sreenivasan, Spray & Kirkish, 2009; Keltikangas-Jarvinen, 1978; Parrot & Briguet-Lamarre, 1965; Norbeck, Gronnerod, & Hartmann, 2016; Rader, 1957; Schachter, 1975; Timsit & Bastin, 1987, Walters, 1953; Weizmann-Henelius, 2005 and 2006)<sup>3</sup>.

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## Results

The present fourth section of our review concerns the last two subgroups of case-control group comparative studies, comparing:

- murderers with other criminals (N = 13);
- subgroups of murderers (N = 4).

### Comparison studies between murderers and other criminals (N = 13)

Kahn (1959) compared two groups of criminals, admitted to a psychiatric hospital over a two-year period for evaluation of legal sanity: 15 murderers (12 males and 2 females) and 24 males charged with burglary. Differences between the two groups were statistically analyzed by means of chi square for the majority of social, psychiatric and Rorschach variables, and by means of F and t test for Wechsler-Bellevue results. No difference between the two groups was found as regards to marital status (ratio of about 5:2 married in both groups), occupational level (both predominantly unskilled), religion (Protestant-Catholic ratio of approximately 3 to 1 in both groups), economic level, psychiatric diagnosis (two-thirds of the cases in each group) and IQ. Murderers were older (mean age: 40.93 vs. 26.70 years;  $p < 0.05$ ), and differ in race (about half were Hispanic-American or Black, while burglars were predominantly white Americans), education (a little higher in burglars), previous arrest (more frequent in burglars,  $p < 0.01$ ), judgement of legally insane (more frequent in murderers;  $p < 0.03$ ), type of psychiatric diagnosis (murderers diagnosed psychotic more frequently, burglars more frequently diagnosed as character disorders;  $p < 0.002$ ). The following Rorschach variables were considered (not specified method): R, W%, D%, S%, F%, Extended F-%, Extended F+%, M%, FM%, FC%, CF%, C%, Shading%, P. In addition, a Rorschach response content analysis was performed, according to Schafer (1954), considering the per cent values of the following categories: oral, anal, sado-masochistic, authority, superego, strength and weakness, rejection of sexual role, body narcissism, reproduction, age and death. Murderers showed a statistically significant higher 'extended F-%' (chi square,  $p < 0.05$ ), consistent with the evidence of more psychosis in this group, and with the hypothesis of a poorer emotional control. Strong suggestive trends of higher F% and C% in murderers, approaching but not reaching  $p < 0.05$ , are also consistent with the hypothesis of greater rigidity and greater impulsivity in murderers. It is of note that sado-masochistic content occurs more frequently for both groups, suggesting that hostility is an important factor in both murderers and burglars. Some limitations concerning the sample should be considered: since only individuals who pleaded insanity were evaluated, the sample may not be representative of murderers or burglars.

Lester & Perdue (1973) focused on movement Rorschach responses in murderers, and confused Klopfer's suggestion (personal communication, 1972) that murder-

ers might be characterized by high numbers of extensor human movement responses: no difference was found in the proportions of flexor, extensor and blocked movement responses in two groups of 50 male murderers and 20 male convicted of non-violent crimes, all in a state penitentiary, matched for age and IQ.

Gupta & Sethi (1974) administered the Rorschach test, according to Klopfer (Klopfer, Ainsworth, Klopfer, & Holt, 1954), and the Maudsley Personality Inventory, in 54 (18%) out of 300 male prisoners convicted of murder (mean age: 31.6), matched with respect to age and education (75% primary school, 25% more than 5 years of schooling) to a comparison prisoner group consisting of cases of theft (N = 31), dacoity (N = 10) and miscellaneous crimes (N = 13). No statistically significant difference between the two criminal groups was found as regards total number, locations, determinants and contents of Rorschach responses; responses of good form level (F+) were significantly greater in the murder group as compared to the non-murder one. Mean values for total response (14.2 and 12.3 respectively for murder and non-murder criminals), as well as for F+% (52.0 and 45.8) and popular responses (3.3 and 2.8) were much below the normal range, suggesting "...impaired ego-functioning and lack of social conformity among the prisoners in general". According to these Authors "...a relatively higher frequency of colour determined percepts in the Rorschach Test (CF/FC) would depict the existing emotional tension in these convicts of murder as they have been sentenced to a long term imprisonment".

Lester, Kendra, Thisted & Perdue (1975) applied step-wise multiple discriminant analysis to two groups of 100 male prisoners for homicide (original sample of Perdue, 1964) and 50 males incarcerated for other crimes (15 for rape, 15 for non-sexual aggressive offenses and 20 for nonaggressive offenses). A predictive equation including Space, Animal, Popular and m Rorschach responses led to a correct classification of 71% of the murderers and 66% of the nonmurderers.

McDonald & Paitich (1981) presented the results of a retrospective comparison of the psychological test findings (Verbal WAIS and Raven IQ, MMPI, PF 16, Parent-Child Relations Questionnaire, Rorschach) within four groups, including 61 murderers (twelve diagnosed as psychotic), 42 assaulters, 71 perpetrators of theft, and 24 unemployed non-criminal controls; the three criminal groups were referred for psychiatric and psychological assessment to the Forensic Service on the Clarke Institute of Psychiatry in Toronto. "Data were accumulated on the following variables: age, sex, educational level, number or prior criminal offenses, marital status, sibling data, level of alcohol consumption... For the murder group only, data were also recorded for type of motive, amount of brutality used, method used to kill, other drug use, employment status, previous therapeutic contact, and estimated home stability during childhood. Rorschach protocols were scored by two people, each using several approaches. Klopfer variables recorded were: W, W, D, d, Dd and S for location scores; F, FM, Fm, mF, FC, CF, FC', CF and M for determinants; and form level estimations. Specific



content responses recorded were: food-drink, water, anatomy, explosion of fire, clouds-smoke-fog, and card failures. More generalized content categories for responses generally associated with the following dimensions were also recorded: inferiority, immaturity, femininity, tension or anxiety, orality, mild overt aggression, strong overt aggression, mutilation, missing appendages, phallic responses, mildly confused identification, markedly confused identification, distorted self-image, overt male sex, overt female sex, anality, fearfulness or insecurity, mild dysphoria, marked dysphoria, mild paranoia, overt paranoid self-references, confabulation, contamination, perseveration, and idiosyncratic or original responses". Rorschach tests were also scored by Elizur's hostility scoring system (1949) and the alternate system of DeVos (1952). Statistical analysis was performed for all measures other than Rorschach by means of analysis of variance; analysis of covariance was used for Rorschach measures to correct for the variability in the number of responses given. Note that Rorschach data were not available for all the subjects, but only for 42 (68.8%) for murderer group (33 males and 9 females), 25 (59.5%) for assaulters (22 males and 3 females), 18 (25.3%) for thefts (17 males, 1 female) and 24 (100.0%) for unemployed non-criminal controls (20 males and 4 females). The control unemployed non-criminal group was younger ( $p < 0.01$ ; average age 22.5, versus 25.6 for theft, 27.5 for assault and 30.0 for murder), better educated ( $p < 0.01$ ; grade 13 or better, the other groups averaged between grade 9 and 11) and more intelligent (Average Verbal IQ on the WAIS Vocabulary Test was 116.4, with all other groups falling between 102 and 103; Non-Verbal Raven Progressive Matrices average was 118.8, with the others all falling between 105 and 107): all these differences are clinically not significant. As regards Rorschach data, no statistically significant difference was found on the Elizur Hostility Scores (mean and SD were 4.07 and 4.98 for murderers, 4.36 and 4.28 for assaulters, 4.00 and 3.96 for thefts, and 6.44 and 6.15 for controls), on six DeVos hostility measures, and on 29 of 31 considered content responses; murder group shows highest Feminine Responses ( $p < 0.05$ ), assaulters highest Missing Appendages ( $p < 0.05$ ). Despite the relatively higher intelligence of the unemployed group, no statistically significant difference was found on form level of the responses given; murder group shows no difference on the use of S (Space responses) and in the relative proportion of FM to M (animal movement to human movement). Control unemployed group scored higher on W ( $p < 0.02$ ), FC ( $p < 0.001$ ) and H ( $p < 0.02$ ). According to the Authors' conclusive remarks: "The overall picture presented by the results of this study is that murder or violence is not predictable as a general category of behavior from the test data considered".

Greco & Cornell (1992) reported Rorschach results in two groups of 55 homicides out of 110 violent adolescent offenders: 'conflict group adolescents' ( $N = 33$ ), who committed a homicide in the course of an interpersonal conflict with the victim, and 'crime group adolescent' ( $N = 22$ ), who committed a homicide in the course of some other

crime such as robbery or burglary. The nonviolent comparison subjects ( $N = 55$ , reduced to 42 because 13 Rorschach records had fewer responses), matched on age, race and gender, were convicted of some form of larceny or breaking and entering, with no prior charges for violent offenses. All 110 subjects (80% African-American, 20% White) ranged in age from 12 to 18 years (mean: 15.9) at the time of their offense; all but 10 of the subjects (5 homicide and 5 nonviolent) were male; the mean Wechsler (WAIS or WISC-R) IQ was 86 for the two homicide groups and 88 for the comparison group. Two scorers rescored all the Rorschach records blind to subject offense status, using the second edition of the Comprehensive System (Exner, 1986), and coding the protocols for differentiation (Blatt et al., 1976), Mutuality of Autonomy Scale (MAS) (Urist, 1977) and aggressive contents (Holt, 1975). The inter-rater reliability between the two scorers was very high, ICC exceeding 0.85. Total number of responses was very similar in the three groups, mean and SD were 15.12-5.75, 16.00-4.36 and 13.95-4.56 respectively for conflict murderers, crime murderers and nonviolent groups. The mean R for all three groups was low compared to Exner's norms (1986) for adolescents, but a low R is consistent with the subject low-average IQs and pattern of lower verbal than performance scores. A multivariate analysis of variance (MANOVA) was conducted on conflict murderers, crime murderers and nonviolent groups, using seven object relation variables: 3 indexes of differentiation (Overall H, Good Form H, Poor Form H), Mutuality of Autonomy, and 3 Aggressive Contents (Attack, Victim, Results of Aggression). The MANOVA showed no statistically significant difference between homicide and nonviolent groups, but statistically significant comparisons when contrasting conflict and crime groups ( $p < 0.05$ ) as regards 3 variables: Overall H was lower in conflict group (mean-SD: 1.73-0.65 vs 2.21-0.79); Poor Form H was higher in crime group (mean-SD: 0.97-1.42 vs 1.86-1.50), Victim Contents was higher in crime group (mean-SD: 0.18-0.40 vs 0.00-0.00). These results suggest that juveniles who committed crime-related homicides evidenced greater disturbance in object relations than juveniles who committed conflict-related homicides. One interpretation is "...that the crime group youth have a pervasive deficit in their conception of others, so that aggressive feelings are not inhibited by a realistic perception of others as complex, differentiated human beings. These youth may be able to commit homicide because they fail to recognize other individuals as human beings like themselves... (they) may have a more pervasive tendency to dehumanize others, permitting them to act on aggressive impulses when their needs are frustrated... In contrast, the conflict group youth may have a comparatively more well-developed conception of other individuals and a capacity for attachment, but in the context of interpersonal conflict and emotional stress, they experience a regression in their perception of a specific adversary... their violent outburst represents a poor coping strategy for dealing with a highly stressful relationship rather than a generalized inability to take the perspective of others and empathise with them".

Gacono and Meloy repeatedly examined the Rorschach tests, administered according to the Comprehensive System (Exner, 1986, 1991, 1993), in different samples of incarcerated sexual homicide perpetrators (SHP) compared with other incarcerated criminals, where *‘Sexual homicide is the intentional killing of another human being during which there is evidence of sexual activity by the perpetrator’*. Since sexual homicide has not been identified as a paraphilia in DSM, but has been categorized as one of the four motivational types of homicide (Douglas, Burgess, Burgess, & Ressler, 1992), they searched for distinctive features for this type of murderers. According Meloy, Gacono & Kenney (1994), positive evidence was needed to classify a murder as sexual homicide: *“Positive evidence included physical evidence of sexual assault of the victim; sexual activity in close proximity to the victim, such as masturbation; or a legally admissible confession of sexual activity by the perpetrator”*.

Meloy, Gacono, & Kenney (1994), in their first preliminary study, compared sexual homicide perpetrators (SHP) with non-sexually offending primary psychopaths (PP), examining the Rorschach protocols of a small SHP sample (N = 18; males = 16, females = 2; examined between 1986 and 1992 in various prisons and forensic hospitals in California and other US states), gathered nonrandomly through the two senior authors’ clinical and forensic practices (11 protocols) and solicited from three other colleagues, one male and two female psychologists (7 protocols), and those of a PP comparison group (N = 23), randomly drawn from a larger Rorschach sample of convicted and incarcerated antisocial personality disorder (DSM-IV) men (N = 82), each having a score of 30 or higher on the Hare Psychopathy Checklist-Revised (PCL-R) (Hare, 1991), never previously incarcerated for a sexual offence, examined in various prisons and hospitals in California during the years 1984-1992 by the two senior Authors (Gacono & Meloy, 1991). The Authors *“... purposefully did not exclude individuals on the basis of mental retardation, mental illness, or neurological impairment to accurately represent the probable heterogeneity of this population. None of the subjects, however, were psychotic at the time of testing or judged to be mentally retarded (IQ < 70) by the examiners”*. Sexual homicide subjects accounted for the deaths of at least 30 victims, most of whom were stranger women, none being married or cohabiting with the perpetrators; 22% of the sample (N = 4) committed more than one sexual homicide. Sexual homicide sample was a little older (mean age: 35.3 versus 29.7 years); no difference was found as regards ethnicity and education. All Rorschach for both groups were administered using the Comprehensive System (Exner, 1986), and descriptive statistics were generated using the Rorschach Scoring Program – Version 2 (Exner, Cohen, & McGuire, 1990). Interrater reliability (Spearman’s rho) for PCL-R was 0.94; percentages of agreement for Rorschach scoring ranged from 90.2% and 99.3% for each variable, while total agreement (for all variables) was 85.5%. Select Rorschach variables were compared between groups based on previ-

ous research (Gacono & Meloy, 1991, 1992; Gacono, Meloy, & Heaven, 1990; Meloy & Gacono, 1992a) and theory (Gacono, 1992; Meloy, 1988), and were clustered according to affects (T, T = 0, T > 1, V, Space, FM), cognitions (WSum6, X-%), self-perception (Rf, PER), and object relations (All H, COP > 2). Variables were non-parametric and tested using either Mann-Whitney U (means comparison) or chi square (frequency comparison); they were considered significantly different if  $p < 0.05$ . SHP, when compared with PP, produced more total R (mean: 30.00 versus 19.04, SD: 13.91 versus 5.93;  $p < 0.01$ ), more T (Texture response, measure of attachment capacity, mean: 1.17 versus 0.09, SD: 2.23 versus 0.09), more frequent T (39% versus 9%;  $p < 0.05$ ), elevated T (T > 1; measure of attachment anger; 27.8% versus 0.00%;  $p < 0.05$ ), more but not statistically significant V (Vista response, measure of dysphoric or painful introspection; mean: 0.94 versus 0.35, SD: 1.39 versus 0.49) (normal values = mean: 0.24, SD: 0.61; Exner, 1991), equal S higher than norms (Space response, measure of characterological anger or chronic negativism when S > 2; mean: 2.72 versus 2.48, SD: 1.78 versus 1.78), significantly greater FM (Animal Movement response, measure of nonvolitional ideation – obsessional thoughts – resulting from unmet instinctual need states; mean: 6.11 versus 2.87, SD: 3.60 versus 1.74;  $p < 0.002$ ). Both groups reported similar, not statistically different, scores, higher than norms, as regards WSum6 (Weighted measure of formal thought disorder; mean: 23.17 versus 14.22, SD: 19.12 versus 13.01) (normal values = mean: 3.34, SD: 3.04; Exner, 1991), and X-% (measure of reality-testing impairment; mean: 21.00 versus 20.00, SD: 12.00 versus 10.00) (normal values = mean: 7.00, SD: 5.00; Exner, 1991). As concerns self-perception, the Reflection response (Rf), a measure of pathological narcissism, appeared with clinically elevated frequency (Rf > 0) in both SHP (50%) and PP (39%); the Personal response (PER), a measure of self-aggrandizement in forensic population (Gacono, Meloy, & Heaven, 1990), was also elevated (>2) in both samples (mean: 3.28 versus 2.09, SD: 3.85 versus 1.86). SHP produced more All H (Human content, a general measure of interest in others; mean: 7.00 versus 4.26, SD: 3.22 versus 2.09;  $p < 0.005$ ) (normal values = mean: 5.72, SD: 1.61; Exner, 1991), and more frequent COP > 2 (Cooperative Human Interaction, a measure of the expectation of cooperative human interaction; 27.8% versus 0.00%,  $p < 0.01$ ). According to these preliminary results, SHP differ from both PP and normal subjects. 89% of SHP highlight abnormal bonding or attachment capacities (T >> 1; T = 1 in 88% of normal subjects); some of SHP, however, are hungry for attachment, rather than detached, in contrast to the PP, who are almost always chronically emotionally detached. Both SHP and PP appear to engage in dysphoric introspection (V), at least after incarceration, and there is a trend toward more dysphoric rumination in SHP. Both SHP and PP show chronic characterological anger and negativism towards others (S > 2). SHP experience significantly more nonvo-

litional ideation (obsessional thoughts) than PP and normal subjects, because of the press of instinctual unmet need states (FM). Both SHP and PP show more thought disorder (WSum6) than normal subjects, not unlike antisocial personality disordered men (mean: 17.12, SD: 13.83) (Gacono & Meloy, 1991), but far less than inpatient schizophrenics (mean: 44.69, SD: 35.40) (Exner, 1991); SHP, when compared to PP, highlight more frequent redundant, circumstantial, and irrelevant thoughts than PP, and a somewhat greater frequency of clearly bizarre (Level 2) associations (44% versus 30%). The reality testing (X-%) of both SHP and PP groups is likewise seriously impaired: it is worse than that of normal men, almost the same as that of antisocial personality disordered men (mean: 23.00, SD: 11.00) (Gacono & Meloy, 1991), but far less than inpatient schizophrenics (mean: 34.00, SD: 17.00) (Exner, 1991). Both SHP and PP appear to be pathologically narcissistic (Rf), or at least inclined to self-aggrandize (PER). SHP, when compared to PP, show a greater genuine interest in other human beings (All H) and a tendency to more readily mentally represent others as a whole, real, and meaningful individuals (Pure H), with a more frequent expectation of cooperativeness from others (COP > 2). Although the empirical support is limited because of the retrospective and inferential nature of the study, these preliminary findings lend the first empirical support to five psychodynamic factors that the Authors propose "...to partially understand the act of sexual homicide itself: abnormal bonding, characterological anger, formal thought disorder, borderline reality testing, and pathological narcissism (entitlement)... these factors may play a large role in the psychogenesis of sexual homicide when the perpetrator is in the presence of a potential victim and is sexually aroused".

Coram (1995) compared the Rorschach protocols of 23 incarcerated male violent murderers (VM) with those of 23 incarcerated male offenders with no violence in their history (NV), in order to obtain findings that may be potentially useful Rorschach indicators to identify and understand violent murders. Each subject was administered a Rorschach utilizing the Exner CS (1985, 1986, 1990, 1993) for administration, scoring and interpretation. "There were four apriori hypotheses proposed in this study: Hypothesis I: the two groups would differ on reality testing and ability to accurately translate and interpret events (F+% , X+% , X-%); Hypothesis II: the two groups would differ on pure C, with the violent group having a higher frequency of pure C and possess a reduced capacity for emotional modulation; Hypothesis III: the two groups would differ on greater vulnerability for disorganization and difficulty with stress tolerance (D, adj D, EA, es); Hypothesis IV: The non-violent offenders group would differ with the violent group providing a higher aggression score and lower Egocentricity Index. Both groups would provide a low pure human content when compared to Exner norms". The two groups show no difference in mean age (34.43 vs 32.48), in race and occupation (76% white, 20% African American and 4% Hispanic: all from a predominantly low socioeconomic status), and

in type of incarceration. Both groups had access to the community, none was on death row, and all had access to recreational areas and equipment. None of the subjects had a documented psychiatric history. The violent murderers (VM) had more structured and supervised jobs when compared with the nonviolent group. The criterion for inclusion in the violent murderer group was a homicide that involved mutilation, removal of body parts, or repeated knife wounds to the victim. Nonviolent offenders (NV) met criterion by having no arrests for personal crimes, e.g. robbery or assault on their past or current records. Subjects were randomly selected from a list generated by the records department of two northeastern USA prisons. "Each subject participated in a single session lasting about 2.5 hours, and was advised that the study was designed to assist policymakers in developing more effective inmate programs. The subjects were asked to complete a Draw-A-Person, a Rorschach, and to verbally report two of their earliest memories from childhood. Rorschach protocols were administered and scored utilizing the Comprehensive System (Exner, 1985). Each protocol was independently scored twice, once by a graduate student trained in the Exner system, and again by the author, with scoring discrepancies referred to a colleague for resolution. The protocols were randomly distributed to the raters so they were unaware of the type of subject assessed in each protocol. Interrater agreement for all categories was at least 90%, except for special scores, that resulted in an 88% interrater agreement. The data were organized using the Computerized Rorschach Interpretation Assistance Program (Exner, McGuire, & Cohen, 1985)". Statistical analysis was performed by means of chi square and one-way ANOVA analyses. Murderers Rorschach data were compared with those of nonviolent inmates; both groups data were compared with those of Exner (1985) norms (N = 700), too. 18 CS theoretically relevant variables for violent murderers were identified: F+% (Form%), X+% (Conventional Form%), X-% (Distorted Form%), XU% (Unusual Form%), ZD (Organizational Activity), ZF (Z frequency), D (Common Detail Response), Adj D (Adjusted D score), EA (Experience Actual), es (Experienced Stimulation), Afr (Affective Ratio), FC+CF+C (Sommatoria colore), C Colore puro) Sum Shading (Sommatoria chiaroscuro), Fr and rF (Reflexion responses), H (Human content), 3r+(2)r ((Egocentricity index), and AG (Aggression Response). Other 15 CS Rorschach variables, identified as theoretically irrelevant for violent murderers, were not considered for further analysis (R, L, W, D, Dd, M, FM, FD, T, Blends, Mor, S, WSum6, Food, P); anyway, violent murderers, when compared with nonviolent inmates, showed higher R (mean: 22.56 versus 19.04, SD: 5.28 versus 4.15; p < 0.05) and higher Blends (Multiple Determinant) (mean: 3.74 versus 1.74, SD: 2.93 versus 1.54; p < 0.01). Both groups, when compared with CS Exner (1985) norms (N), showed lower F+% (VM mean: 0.58, SD: 0.14; NV mean: 0.53, SD: 0.15; N mean: 0.71, SD: 0.17), lower X+% (VM mean: 0.53, SD: 0.13; NV mean: 0.55, SD: 0.13; N mean: 0.79, SD: 0.08), and higher X-% (VM mean: 0.39,

SD: 0.15; NV mean: 0.20, SD: 0.12; N mean: 0.07, SD: 0.05), indicating a disturbance with reality testing. VM, when compared with NV, reported lower Xu% (mean: 0.07 versus 0.20, SD: 0.09 versus 0.09;  $p < 0.01$ ) and higher X-% (mean: 0.39 versus 0.20, SD: 0.15 versus 0.12;  $p < 0.01$ ), demonstrating "...a more pervasive deficit in perceptual inaccuracy and a disturbance in their ability to translate and interpret events in the same manner as most people...In addition, 43% of the violent offenders had a Schizophrenia Index of 4, when compared with a normative sample of 0". On ZF, a measure of individual's ability to organize and process information, NV scored significantly lower than VM (mean: 7.83 versus 11.26, SD: 3.34 versus 4.62;  $p < 0.01$ ), maybe suggesting "...an intellectual limitation, a reflection of an immature psychological development, or an approach of avoiding the complexity of a situation (Exner, 1986b)".

Both groups had a Lambda higher than CS Exner (1990) norms (VM mean: 1.00, SD: 0.66; NV mean: 1.57, SD: 1.32; N mean: 0.58, SD: 0.26), regarding the individual's willingness to be involved in a situation, and indicating "...the subjects' tendency to minimize the importance of a situation or to ignore some of the elements. It is also reflective of a style of oversimplifying a complex situation or of resistance to the testing situation (Exner, 1991)". VM had an Egocentricity Index (EI)  $(3r+(2)/R)$  corresponding to the normative values (mean: 0.39, SD: 0.07), and significantly higher than NV (mean: 0.38 versus =.25, SD: 0.17 versus 0.13,  $p < 0.01$ ); since EI is a measure of psychological self-focusing or concerns for self, reflecting issues regarding low self-esteem or overvaluation of the self at the expense of others, VM "...have apparently adequate measures of self-esteem,...(while NV show) negative self-esteem, lower personal worth and a proneness to depressive feelings (Exner, 1986)". Both groups had low color responses (FCCFC), with the VM displaying significantly higher results than NV (mean: 3.61 versus 1.78, SD: 2.15 versus 1.65,  $p < 0.01$ ). Surprisingly, neither group had a significant increase in pure C. 61% of VM and 39% NV had a higher shading response when compared to 15% CS norms (Sum Shading mean: 3.39, SD: 2.15); on Sum Shading (Total Shading Responses), VM scored significantly higher than NV (mean: 6.00 versus 3.13, SD: 4.36 versus 2.51;  $p < 0.01$ ): "These appear to be more situational (Y) than chronic (C), and may reflect the length of incarceration". "Both groups had a higher frequency of underincorporators (ZD) when compared to Exner's nonpatient sample (30% versus 5%). This score may indicate a quick scanning of the environment, and possibly coming to hasty conclusions, faulty decision-making, and inappropriate or false conclusions about a situation". In addition, there were also differences in terms of problem-solving style (EB): 70% of VM and 70% of NV demonstrated an ambitent style of approaching situations, substantially different from the normative sample of 20% (Exner, 1990): "These inmates may be more vulnerable to difficulty, less efficient, require more time to complete tasks, and are inconsistent in their use of emotions and thinking during problem-solving.

*In one situation, the process of decision-making and problem-solving are strongly influenced by feelings, and at other times, emotions play a small role". Both groups had an EA (Experience Actual) lower than CS Exner (1990) norms (VM mean: 4.83, SD: 2.58; NV mean: 3.56, SD: 2.86; N mean: 8.82, SD: 2.18), with slightly higher values in VM ( $p < 0.05$ ); since EA is a measure of organized psychological resources available to effectively deal with stress, "It appears that both groups had a reduced capacity to deal with stress, possessed fewer internal resources, and felt overwhelmed". Last but not least, 'es' (Experienced Stimulation), a measure of impending stress and feelings of being overwhelmed, does not substantially differ from Exner norms (mean: 8.21, SD: 3.00), but is higher in VM than in NV (mean: 9.83 versus 6.26, SD: 5.95 versus 2.94,  $p < 0.05$ ), demonstrating a greater vulnerability in VM for disorganization and difficulty with stress tolerance. According to these results, hypotheses I and III have been confirmed; hypothesis II was not, while hypothesis IV only for the low pure human content for both groups.*

Gacono, Meloy, & Bridges (2000) (reprinted, with minor modifications, in Gacono, Meloy, & Bridges, 2008), six years after their first preliminary investigation, are confronted with the two major limitations of their previous study (Meloy, Gacono, & Kenney, 1994), namely the reduced number of samples, and the failure to address the question of specificity of Rorschach variables in one sexually offending group (sexual homicide perpetrators) (SHP), without any comparison to other sexually offending groups. Therefore, in these two studies, they compared sexual homicide perpetrators (SHP) (N = 38) to non-sexually offending primary psychopaths (PP) (N = 32) and to nonviolent pedophiles (PED or NVP) (N = 39) on select CS Comprehensive System Rorschach variables (Exner, 1993), offering the first comparison of Rorschach CS between two clearly delineated sexually deviant groups (SHP and PED/NVP). The four following hypotheses, to be verified, were developed based on a confluence of psychodynamic principles and the authors' previous research with these populations (Bridges, Wilson, & Gacono, 1998; Gacono & Meloy, 1994; Meloy, Gacono, & Kenney, 1994):

- I *Primary Psychopaths (PP)*, prone to predatory violence, were expected: 1. to produce less R than the two sexually deviant groups (SHP and PED/NVP); 2. to be most detached ( $T = 0$ ), most affectively avoidant ( $<Afr$ ), less interested in others ( $<COP$ ;  $<Pure H$ ), than SHP and PED/NVP; 3. to show higher levels of extratensiveness and less restrained hostility (S) than PED/NVP, due to their shared cluster B psychopathology, specifically Antisocial Personality Disorder (SPD), and consequently an associated alloplastic style of relating;
- II *Sexual Homicide Perpetrators (SHP)* were predicted: 1. to produce more R than PP, since affective states ("internally troubled = dysphoric affect, internal press, needs & ideational noises), in part, motivated sexually

deviant behavior (Gacono & Meloy, 1994), and these states, 'pressing' for expression, induce higher R; 2. to show higher levels of extratensiveness and less restrained hostility (S) than PED/NVP, due to their shared cluster B psychopathology, specifically Antisocial Personality Disorder (SPD), and consequently an associated alloplastic style of relating; 3. to show more dysphoria and internally driven need states (V, FM, Fd, > DEPI) than PP; 4. to produce low Lambdas, due to their inability to distance from environmental, particularly sexually arousing, stimuli;

- III *Non Violent Pedophiles (PED/NVP)* were predicted: 1. to produce more R than PP, since affective states ('internally troubled = dysphoric affect, internal press, needs & ideational noises), in part, motivated a sexually deviant behavior (Gacono & Meloy, 1994), and these states, 'pressing' for expression, induce higher R; 2. to show more dysphoria and internally driven need states (V, FM, Fd, > DEPI) than PP; 3. to highlight cluster C traits as rigidity, inadequacy, and overcontrol (high Lambda, introversive, >S);
- IV All groups were hypothesized to be self-focused (Fr+rF) and highlighted problems with reality testing (X-%) and thought disorder (WSum6, SCZI).

All study data were archived and taken from a computer database containing over 800 forensic Rorschach protocols, all scored and re-scored by experienced raters prior to inclusion and found to be reliable, with the highest inter-rater agreement for all variables. All the Rorschachs were administered in incarcerated males (2 females in PP and SHP) between 1984 and 1997 (between 1991 and 1996 for PED/NVP) by advanced doctoral level clinical psychology interns or licensed clinical psychologists using CS guidelines (Exner, 1974, 1986, 1993; Exner et al., 1995). With the exception of one protocol, only protocols with  $\geq 14$  responses were included in the study. All subjects were free of mental retardation, psychosis or neurological impairment; PED/NVP met the DSM-IV criteria for Pedophilia, as determined by agreement by two experienced clinicians, none of them would meet the criteria for primary psychopathy. Psychopathy level (PCL-R score) or specific behavioral pattern (sexual offense) were the sole inclusion criteria. All other data, including demographic information, were treated as dependent variables. All CS Rorschach data were analyzed using the Rorschach Scoring Program 3-plus (Exner & Tuttle, 1995), applying parametric or nonparametric statistical procedure (ANOVA, Kruskal-Wallis, Chi-square). As regards demographics, PED/NVP were all males, significantly older (one-way ANOVA,  $F = 14.06$ ,  $p < 0.000$ ) and better educated (one-way ANOVA,  $F = 10.93$ ,  $p < 0.005$ ) than SHP and PP; they were all Caucasians, while SHP and PP were more racially diverse. PP were more likely to be single (75%, versus 47% SHP and 49% PED/NVP; Chi-square,  $p < 0.05$ ). SHP were significantly more likely to target females (89% versus 36% PED/NVP) than males (8% versus 46% PED/NVP), and strangers only

(63% versus 0% PED/NVP) than acquaintance only (24% versus 33% PED/VP); 0% SHP and 54% PED/NVP targeted both stranger and acquaintance. Most SHP had only one sexually related homicide identified in the official record, and a few committed serial murders; crime scene analysis of SHP indicated that 16 were organized, 13 disorganized, 4 mixed, and 5 undetermined (Ressler, Burgess, & Douglas, 1988). 39 PED/NVP were responsible for 160 male and 77 female known victims in instant offenses alone. A limited number of Rorschach variables ( $N = 27$ ), related to the four hypotheses mentioned above, were presented, divided into 8 groups: Basic Personality/Validity (5), Self-perception/Grandiosity (1), Reality Testing (1), Thought Disorder (2), Obsessional Thinking (1), Attachment/Affects/ Interpersonal (12), Chronic anger (1), and Other Constellations (4). Descriptive statistics (mean, SD, Min, Max, Frequency, Median, Mode, Skewness and Kurtosis) for all 112 CS variables were reported in appendices A, B, and C, respectively for 39 PED/NVP, 32 PP and 38 SHP. As predicted (Hypothesis I), PP produced significantly fewer responses (mean: 18.9, SD: 5.17) than SHP (mean: 26.5, SD: 11.8) and PED/NVP (mean: 29.5, SD: 11.3) (ANOVA,  $F = 10.25$ ,  $p < 0.001$ ) and appeared most detached ( $T = 0$ , in 100% PP, 61% SHP and 51% PED/NVP), most affectively avoidant ( $Afr < 0.50$  in 69% PP, 47% SHP and 44% PED/NVP), and significantly less interested in others, as revealed by less Pure H (mean: 1.66, SD: 1.31, frequency: 75%) than SHP (mean: 2.81, SD: 1.87, frequency: 97%) and PED/NVP (mean: 2.62, SD: 2.84, frequency: 87%) (Kruskal-Wallis,  $p < 0.05$ ) and by less Composite H (mean: 4.00, SD: 2.13, frequency 94%) than SHP (mean: 6.39, SD: 3.07, frequency: 100%) and PED/NVP (mean: 8.05, SD: 6.46, frequency: 100%) (Kruskal-Wallis,  $p < 0.001$ ); PP are more likely to produce  $H = 0$  (25%; chi square = 3.84,  $p < 0.05$ ), and the frequency of  $COP < 2$  is 0% in PP, 18% in SHP and 15% in PED/NVP. PP show also less S (mean: 2.28, SD: 1.75, frequency: 81%) than PED/NVP (mean: 4.64, SD: 3.53, frequency: 92%), and are Introversive (22%), Ambitent (47%) or more frequently Extratensive (31%) than the other two groups. As predicted (Hypothesis II), SHP produced: significantly more R than PP (see above); significantly less S (mean: 2.92, SD: 1.99, frequency: 97%) than PED/NVP (mean: 4.64, SD: 3.53, frequency: 92%) (ANOVA,  $F = 8.05$ ,  $p < 0.0006$ ), related to less restrained hostility/passive opposition; more V (suggesting internal distractions such as painful rumination) (mean: 1.11, SD: 1.90, frequency: 53%) than PP (mean: 0.63, SD: 0.94, frequency: 44%), more Fd (index of dependency yearnings) (mean: 0.53, SD: 0.92, frequency: 34%) than PP (mean: 0.16, SD: 0.45, frequency: 12%) and statistically more FM (index of nonvolitional ideation in response to physiological needs) (mean: 5.08, SD: 3.76, frequency: 92%) than PP (mean: 2.75, SD: 1.65, frequency: 90%) and PED/NVP (mean: 3.77, SD: 2.40, frequency: 92%) (Kruskal-Wallis,  $p < 0.05$ ), suggesting more dysphoria, more obsessional intrusive thinking and more internally driven need states.

SHP were Introversive (39%), Ambitent (39%) or less frequently Extratensive (21%), and showed a lower frequency of high Lambda (Lambda is  $> 0.99$  in 21%, versus 38% of PP and 51% of PED/NVP). As predicted (Hypothesis III), PED/NVP produced: significantly more R than PP (see above); statistically more SumV (mean: 1.77, SD: 2.03, frequency: 69%) than PP and SHP (see above) (Kruskal-Wallis,  $p < 0.05$ ), higher frequency of DEPI  $\geq 5$  (index of depression) (54% versus 34% PP and 37% SHP), high FM (mean: 3.77, SD: 2.40, frequency: 92%), statistically higher S (see above). PED/NVP were Introversive (38%), Ambitent (49%) or Extratensive (13%), and showed a higher frequency of high Lambda (see above) (index of overcontrol) (chi-square,  $p < 0.05$ ). As predicted (Hypothesis IV), all groups were self-focused, suggesting pathological narcissism, and highlighted impaired reality testing (X-%) and moderate to severe levels of cognitive slippage and thought disorder (WSum6, SCZI). Fr+rF (index of self-perception/grandiosity) was higher than norms in PP (mean: 0.72, SD: 0.96, frequency: 44%) and much higher in SHP (mean: 1.11, sd: 1.62, frequency: 45%) and in PED/NVP (mean: 1.23, SD: 2.32, frequency: 44%). X-% was higher than norms in PP (mean: 22.00, SD: 0.12, frequency: 100%), as well as in SHP (mean: 26.00, SD: 0.12, frequency: 97%) and in PED/NVP (mean: 22.00, SD: 0.10, frequency: 100%). WSum6 was higher than norms in PP (mean: 16.34, SD: 12.84, frequency: 94%), as well as in SHP (mean: 23.00, SD: 19.08, frequency: 92%) and in PED/NVP (mean: 16.39, SD: 15.15, frequency: 92%). An elevated value of SCZI ( $\geq 4$ ) was highlighted in 15% PP, 29% SHP and 20% PED/NVP; the number of SHP who produced Level 2 Special Scores ( $N = 19$ ) was slightly greater than PP ( $N = 12$ ) and PED/NVP ( $N = 12$ ). According to these findings “*Psychopaths are the least internally troubled of the three groups (less FM, T, Fd, V, S). They are less interested in others (T = 0, H), have little expectation of interpersonal cooperation (COP), and use people in a self-serving manner (Fr+rF). They are unfettered by remorse, guilt (V), or sustained Reflection (FD, Introversion). In common with pedophiles, psychopaths’ perceptual and cognitive distortions (WSum6, X-%) add to their poor interpersonal judgement, and when combined with self-centeredness (Fr+rF), may contribute to a pervasive sense of entitlement. Psychopaths avoid genuine affective involvement, and although many in this group might be characterized as moving toward hypersocial sensation-seeking activities (one third are Extratensive), pleasure in others is experienced when others serve as an adequate mirror. For our sexual homicide perpetrators, of which two thirds are likely psychopaths, their sexual deviance appears to emotionally disrupt their narcissistic (psychopathic) equilibrium. Unlike non-sexually offending psychopaths, sexual homicide perpetrators are internally troubled. High levels of internal dysphoria, yearning, obsession, and dependency needs (V, T, FM, Fd) push behaviors, while at the same time there is a certain loss of distance or inability to disengage from the environment and revel (Lambda, R). Stimuli that resonate with their sexual deviance are particularly appealing and lit-*

*erally irresistible. The intensity of this push-pull effect is exacerbated by less than optimal controls ( $D = -1.45$ ,  $AdjD = -0.58$ ; R, see Appendix b). High levels of ideational noise or, as we previously hypothesized (Gacono & Meloy, 1994), obsessional thought (FM) differentiate sexual homicide perpetrators from the psychopath. Like pedophiles, they are interested and perhaps drawn to others; however, their interest is contaminated by the self-centeredness (Fr+rF) and severe perceptual (X-%) and cognitive distortions (WSum6), which characterize all three groups (Gacono & Meloy, 1988). Isolation is also a common defense utilized by these groups (SHP = 31.6%  $> .33$ ; PED/NVP = 28.2%  $> .33$ ; PP = 25%  $> .33$ ). In conclusion “The present findings expand and clarify the differences between the non-sexually offending psychopaths and sexual homicide perpetrators. Non-sexually offending psychopaths are not interested in others, highlight a complete absence of attachment capacity, lack the channeled sexual arousal to extreme violence, and are not aggressively motivated by dysphoria, obsession, or affectional hunger. Pedophiles, although angrier, display the sexual arousal integral to their offenses, but lack the emotional detachment noted in the psychopaths and evidence better controls than the sexual homicide perpetrators”.* Huprich, Gacono, Schneider & Bridges (2004) re-examined the Rorschach test of the same subjects (38 SHP, 32 PP/NSOP and 39 PED/NVP) as in the previous two studies (Gacono, Meloy, & Bridges, 2000, 2008), and scored protocols for Rorschach Oral Dependency (ROD) content and for the Aggressive Content scores (Gacono & Meloy, 1994). The Rorschach Oral Dependency Scale (ROD; Masling, Rabie, & Blondheim, 1967) is a good measure of overt dependent behavior, with robust psychometric properties (Bornstein, 1994, 1996, 1999), adequate interrater reliability and test-retest consistency (Bornstein, Hinselroth, Padawer, & Fowler, 2000; Bornstein, Rossner, & Hill, 1994; Juni & Semel, 1982), high correlations with other projective measures of dependency (Fowler, Hinselroth, & Handler, 1996), moderate correlations with self-report measures of dependency (Bornstein, 1996, 1999; Bornstein, Rossner, Hill, & Stepanian, 1994; Hirschfeld, Klerman, Gough, Barrett, Korchin, & Chodoff, 1977), and good construct validity (Bornstein, 1996). For example, ROD scores predict help-seeking behavior of participants in a research project (Shilkret & Masling, 1981) and are also positively and significantly correlated with eating disorders (Bornstein & Greenberg, 1991), behavioral difficulties in terminating inpatient psychiatric treatment (Greenberg & Bornstein, 1989), and, what is more important for the populations studied of SHP, NSOP and NVP, with self-reported levels of insecure attachment (Duberstein & Talbot, 1993) and with cooperation and compliance with authority figures (Bornstein & Masling, 1985; Masling, O’Neill, & Jane, 1981). Blais, Hinselroth, Fowler, & Conboy (1999) found that DSM-IV (APA; 1994) dimensional ratings for borderline personality disorder significantly correlated with ROD ratings ( $R = 0.43$ ). Bornstein, Hinselroth, Padawer, & Fowler, 2000 found that inpatient borderlines had the highest ROD scores (mean: 0.265), followed by depen-

dent and avoidant outpatients (mean: 0.204), narcissistic outpatients (mean: 0.202), university student nonclinical controls (mean: 0.162), antisocial outpatients (mean: 0.117) and borderline outpatients (mean: 0.109). According to the Authors: “*The ROD is scored from the content of Rorschach material that is administered either in standard or group format (Bornstein, 1996). Each response is read and inspected for oral dependency content. Content may fall into one of 16 categories: food and drinks, food sources, food objects, food providers, passive food receivers, begging and praying, food organs, oral instruments, nurturers, gifts and gift-givers, good luck objects, oral activity, passivity and helplessness, pregnancy and reproductive organs, baby talk responses, and negation of oral dependent percepts. One point is assigned for each oral dependent response, and a percentage score is obtained by taking the number of oral dependent responses divided by the total number of responses provided*”. The Aggressive Content scores (Gacono & Meloy, 1994) included: Aggressive Content (AgC), Aggressive Potential (AgPot), Aggressive Past (AgPast) and Sadoomasochistic Aggression (SM). Each response is evaluated for all of these categories, and a given response may be scored for more than just one of aforementioned categories; the results of each category are reported for each individual. “*Once ROD and aggression special scores had been computed, ROD scores were evaluated for the presence of aggressive content in the response immediately prior to, co-occurring with, or immediately after an oral dependent score. The total number of oral dependent-aggressive sequences for each individual was computed and evaluated across groups. Such computations were an empirical way by which to represent a sequential analysis of the pairing of aggression and dependency. Sequential analysis has long been understood as a mechanism by which to evaluate the processes with which an individual copes with, defends against, and recovers from conflicting psychological impulses, needs and states (Peebles-Kleiger, 2002; Weiner, 2003). Given the nature of our clinical samples, we expected that stimuli from a given Rorschach card would generate dependent or aggressive impulses, and that the generation of such impulses would more than likely been associated with the other impulse. Utilizing sequence analysis guidelines, we anticipated that the two impulses would be in close proximity to each other in Rorschach responses*”. Two following hypotheses, to be verified, were developed based on a confluence of psychodynamic principles and the authors’ previous research with these populations (Bridges, Wilson, & Gacono, 1998; Gacono & Meloy, 1994; Meloy, Gacono, & Kenney, 1994):

- I Sexual Homicide Perpetrators (SHP) would have significantly higher ROD scores than Non-Violent Pedophiles (PED/NVP) while the lowest levels of oral dependency would be found among Primary Psychopaths/Non-Sexually Offending Psychopaths (PP/NSOP): SHP > PED/NVP > PP/NSOP;
- II Sequences of aggressive and dependency responses would be more frequent in SHP (high aggression toward others, high interpersonal dependency), followed

by PED/NVP (moderate levels of aggression toward others, high interpersonal dependency) and PP/NSOP (high aggression toward others, low interpersonal dependency): SHP > PED/NVP > PP/NSOP.

The results were statistically analyzed by means of ANOVA and Tukey post hoc test.

ROD number was higher in PED/NVP (mean: 8.31, SD: 6.94) than in SHP (mean: 6.32, SD: 4.35) and in PP/NSOP (mean: 3.48, SD: 2.84) ( $p < 0.02$ ). ROD % was higher in PED/NVP (mean: 0.26, SD: 0.15) than in SHP (mean: 0.25, SD: 0.16) and in PP/NSOP (mean: 0.17, SD: 0.13) ( $p < 0.03$ ). ROD number sequentially paired or co-occurring with Aggression special scores was higher in SHP (mean: 3.13, SD: 3.73) than in PED/NVP (mean: 1.82, SD: 1.52) and in PP/NSOP (mean: 1.63, SD: 1.88) ( $p < 0.02$ ). ROD % sequentially paired or co-occurring with Aggression special scores was higher in SHP (mean: 0.14, SD: 0.19) than in PP/NSOP (mean: 0.08, SD: 0.09) and in PED/NVP (mean: 0.06, SD: 0.05) ( $p < 0.005$ ). ROD number sequentially paired or co-occurring with Aggression special scores/Total ROD was higher in SHP (0.47) than in PP/NSOP (0.42) and in PED/NVP (0.26) ( $p < 0.05$ ). The starting hypotheses are largely confirmed.

No statistically significant difference among the three groups was found as regards AgC (Aggressive Content) and AgC%. AgPast (Aggressive Past) was higher in SHP (mean: 1.05, SD: 1.49) than in PP/NSOP (mean: 0.68, SD: 1.05) and in PED/NVP (mean: 0.38, SD: 0.67) ( $p < 0.05$ ). AgPast% was higher in SHP (mean: 0.048, SD: 0.06) than in PP/NSOP (mean: 0.036, SD: 0.06) and in PED/NVP (mean: 0.015, SD: 0.03) ( $p < 0.02$ ). AgPo (Aggressive Potential) was higher in SHP (mean: 0.71, SD: 1.14) than in PED/NVP (mean: 0.21, SD: 0.47) and in PP/NSOP (mean: 0.03, SD: 0.18) ( $p = 0.001$ ). AgPot% was higher in SHP (mean: 0.036, SD: 0.07) than in PED/NVP (mean: 0.01, SD: 0.02) and in PP/NSOP (mean: 0.00, SD: 0.01) ( $p = 0.002$ ). SM (Sadoomasochistic Aggression) was higher in SHP (mean: 0.45, SD: 1.13) than in PP/NSOP (mean: 0.19, SD: 0.40) and in PED/NVP (mean: 0.03, SD: 0.16) ( $p < 0.05$ ). SM% was higher in SHP (mean: 0.01, SD: 0.04) than in PP/NSOP (mean: 0.01, SD: 0.02) and in PED/NVP (mean: 0.00, SD: 0.01).

According to the Authors “*The results of our findings add to the growing body of literature supporting the utility of the ROD in understanding dependency and aggression. Two of our groups were sexually deviant (SHPs, NVPs), and two have histories of aggression (NSOPs, SHPs). Consistent with the idea that dependency or interpersonal strivings fuel their behavior, ROD scores were elevated in our sexually deviant groups (SHPs, NVPs). The frequent pairing of dependency and aggression in SHPs (almost 50% of ROD scores were accompanied by aggression) offers a Rorschach marker that differentiates the real world behaviors of the SHP (sexually violent) and NVP (sexually nonviolent)*”.

In contrast “*Psychopaths appear to lack interpersonal re-*

latedness... (with) low frequency of ROD scores... dependency, when infrequently expressed, was often associated with aggression, a finding consistent with the high frequencies of Kwaver's (1980) violent symbiosis responses previously reported in psychopaths (Gacono & Meloy, 1994)". On the other hand, "...pedophiles seem to have greater interest in interpersonal relatedness, as they had the highest levels of oral dependency. As noted previously, pedophiles tend to feel damaged and experience low self-esteem and dysphoria (Bridges, Wilson, & Gacono, 1998; Gacono, Meloy, & Bridges, 2000). Their acting out may be triggered by such feelings and fueled by the dependency identified by the ROD. Consistent with their history of 'nonviolence', our findings suggest that pedophiles' dependency needs are the least associated with aggressive impulses of the three groups". Finally, "Sexual homicide perpetrators were found to have relatively high levels of oral dependency, which was consistent with their relatively high level of Texture and Food responses (Gacono, Meloy, & Bridges, 2000). Yet, much of their dependency was associated with aggressive content. Furthermore, SHPs had the highest levels of the aggressive special scores of Gacono & Meloy (1994) on three of the four categories (AgPast, AgPot, and SM), suggesting that they are highly preoccupied with aggressive impulses, including the dangerous mix of sadomasochistic ideation. Gacono, Meloy, & Bridges, 2000 found that SHPs have high levels of dysphoria, interpersonal yearning, cognitive distortion, and obsession, coupled with an inability to disengage from the environment (low Lambdas). Thus, when complex ideation coupled with sexual arousal meets a certain threshold, sexual homicide perpetrators act from their internal fusion of sexual, dependent, and aggressive impulses collectively. Consistent with the use of projective identification, SHPs project their oral needs into their victims and then react with rage, disgust, and violence in an attempt to eradicate these needs (see Gacono & Meloy, 1988). This group's high levels of thought disturbance ( $X\% = 26$ ;  $X+\% = 0.47$ ;  $WSUM6 = 23.00$ ; see Gacono, Meloy, & Bridges, 2000) provide a template for the cognitive and perceptual distortions that allow such behavior. These findings are best reflected in one SHP's Rorschach response, a lonely bird of prey out looking for a relationship".

Lefebvre & Léveillé (2008) compared the Rorschach records of 23 male uxoricides with those of 21 men who had committed domestic violence, with no difference as regards age, marital status, nation of birth (Canada), employment and number of children, respectively recruited on voluntary basis from federal prisons in Quebec, and from dedicated health services. Each subject underwent a four-session evaluation and was administered the Structured Clinical Interview for DSM-IV, TAT, MMPI, MCMI and the Rorschach test according Exner CS (2001, 2003). Rorschach tests were scored according Chabert (1997) too, and the presence of solicitations to the examiner was also considered, following Husain (1994, 2001) suggestions that this behaviour indicates a search for a limit or a desire to involve the other by making him an accomplice or a witness; in any case, a way to express conflicts by acting them in the relationship with

the other/examiner. Rorschach scoring was performed concordantly by two experienced raters. The data were statistically analyzed by means of chi square test (for nominal variables) and of Student t test (for quantitative variables). 17 Rorschach variables were examined: six general indices of acting out tendencies, and 11 specific indices of impairment of the mentalization capacities. As regards acting out tendencies, uxoricides showed normal A% (animal contents; mean: 56.42, SD: 15.48), but  $FC < CF+C$  (100%), high C (pure Colour; mean: 0.39, SD: 0.78), low FD (formal responses; mean: 0.26, SD: 0.54), high Egocentricity Index  $3r+(2)/R$  (60.90%) and high X-% (form quality negative, mean: 15.87, SD: 8.59). With regard to mentalization ability, uxoricides exhibit normal values of R (mean: 17.75, SD: 5.04), F% (pure Form%; mean: 54.69, SD: 18.80), M- (Human Movement, negative quality; mean: 0.09, SD: 0.29), Anat (Anatomy; mean: 1.10, SD: 0.97) and Popular (mean: 5.25, SD: 1.45). The remaining six mentalization indices are all altered in the direction of an impairment of this ability: high lambda (mean: 1.64, SD: 1.35), low M (Human Movement; mean: 1.48, SD: 1.28), low AG (Human Aggressive Responses; mean: 0.22, SD: 0.42), low S (Space; mean: 0.96, SD: 1.19), not relevant DEPI (Depressive Index; 100%). Uxoricides Rorschach, when compared with those of men committing domestic violence, showed higher A% (mean: 56.42 versus 46.92, SD: 15.48 versus 15.42;  $p < 0.05$ ), lower M (mean: 1.48 versus 3.29, SD: 1.28 versus 1.52;  $p < 0.001$ ), lower M- (mean: 0.09 versus 0.52, SD: 0.29 versus 0.53;  $p < 0.05$ ) and a lower frequency of solicitations to the examiner (mean: 26.10% versus 71.40%, SD: 6.00 versus 15.00;  $p < 0.01$ ). According to the Authors, these results are consistent with a coherent personality picture of uxoricides, marked by low Ego strength, impulsivity, self-centering, cognitive distortions, impairment of introversion abilities, mentalization deficits, tendencies to acting out balanced by strong control and clinging to concrete reality to prevent the emergence of drives and pulsions. Anyway, these results require confirmation in larger samples.

In a preliminary study, Trebuchon & Léveillé (2016) compared two groups of females incarcerated in Canada, 88.2% French speaking: 6 females imprisoned for homicide (murderer group), 11 for major domestic violence (non-murderer group; 1 attempted homicide, 8 armed assault, 2 sexual assault). The victims were the partner or ex-partner (7 cases, 41.2%), a brother/sister (1 case, 5.9%), a child (aged < 18 years, 9 cases, 52.9%); notably, no subject killed a child, so that the victim was a child in 81.8% of non-murderer group. At the time of crime, the females were 21-44 years old (mean: 34.18 year, SD: 7.62; 70.5% aged between 31 and 45), married (47.1%), employed (52.9%), and with children (88.2%); 64.7% were physically abused, 47.1% sexually abused; 35.3% attempted suicide before imprisonment, 11.8% have had a previous arrest; 35.3% and 29.4% respectively assumed alcohol or drugs before the crime. All the subjects were recruited on voluntary basis, and were administered the



Structured Clinical Interview for DSM-IV Axis I Disorders (SCID-I) (1997), the Structured Clinical Interview for DSM-IV Axis II Personality Disorders (SCID-II) (1997), and the Rorschach test according Exner CS (2001, 2003). The Rorschach records were firstly scored by the first Author, and then rescored by the second one; the interrater agreement ranged between 92.2 and 97.6%. Statistical analysis was performed by means of SPSS, version 22: Fisher exact test was used for nominal variables, Mann-Whitney test for quantitative variables. The murderer group was older ( $p < 0.05$ ) and differs for employed/unemployed status (100% versus 36.4%,  $p < 0.05$ ). Distribution of 37 CS variables in the two groups was detailed, concerning lambda (2), stress tolerance (4), affect (7), interpersonal relations (9), self-perception (6), ideation (5) and cognitive mediation (4). Only seven statistically significant differences were found. Four concern interpersonal relations indices: 16.7% of Murderers and 81.8% of Non-Murderers presented  $GHR < PHR$  ( $p < 0.05$ ), 33.3% of Murderers and 100% of Non-Murderers had a  $SumT=0$  (lower than norms,  $p < 0.001$ ), 100% of Murderers and 45.4% of Non-Murderers showed a  $Pure H < 2$  (lower than norms,  $p < 0.05$ ), 0.0% of Murderers and 54.5% of Non-Murderers reported an Isolation Index  $> 0.26$  (higher than norms;  $p < 0.05$ ). The two groups differ significantly in two indices of self-perception: 100% of Murderers and 45.4% of Non-Murderers had  $3r+(2)/R < 0.33$  (lower than norms,  $p < 0.05$ ), 66.7% of Murderers and 9.1% of non-Murderers were scored  $MOR > 1$  (higher than norms,  $p < 0.05$ ). Last, the ideation index FM is scored 0-2 (lower than norms) in 83.3% of Murderers and 18.2% of Non-Murderers ( $p < 0.05$ ). According to the Authors, these Rorschach data are consistent with differences in intrapsychic functioning between the two groups. Murderer females have a negative self-image and a pessimistic view of themselves, devalue themselves when compared to others and blame themselves for many of their characteristics; they are able to recognize and express their needs for proximity, are willing to establish intimate relationships and accept to maintain them through adequate physical contacts; but, however, they encounter difficulties in understanding others, and tend to make mistakes with others and to misinterpret certain relational gestures. On the contrary, non-murderer females recognize and express their needs for proximity in unusual ways, and are more cautious in situations of interpersonal intimacy, especially when they involve body contact; they care a lot about themselves, so that they neglect the outside world. Both groups present difficulties on the level of introspection, and a relational immaturity that often involves difficulties in interacting with the environment; they encounter difficulties in the management and expression of affects and, on a cognitive level, present a disorganized thinking, which often faces errors of judgment. In any case, the authors underline that the small number of their sample limits the generalizability of the results obtained, and call for further research on larger samples.

#### Comparison studies between subgroups of murderers (N = 4)

Perdue & Lester (1973), according to the Beck's method (1944), explored differences in Rorschach test responses of those who murdered kin (blood relatives or wives) and those who murdered an unrelated victim, examining two groups of 20 protocols from males matched for age, race, IQ and length of time in prison. No difference was found for a majority of Rorschach variables (R, color shock, C, time, m, DW, D, Dd, S, M, F, F+, F, FV, FY, FC, CF, Sum C, A, Ad, H, Hd, P, A%, T/IR, Total R (I-VII), Total R (VIII-X)). Subjects killing kin (Student two tailed test) gave more W ( $p < 0.05$ ), fewer FM ( $p < 0.05$ ), lower F+% ( $p < 0.05$ ) and lower F% scores ( $p < 0.01$ ). According to Beck (1944) and Piotrowski (1957), "...these differences suggest that these subjects (kin murderers) might have increased sensitivity to affective stimuli and greater affectivity, less need for physical activity, and lowered depression and anxiety. The data may be taken to suggest, therefore, either a greater cathartic effect for murderers of kin as a result of their murder (since they appear calmer) or, alternatively, murderers of kin may have been healthier to start with (prior to the murder). The reliability of these results must, of course, remain in doubt until the study is replicated".

Perdue & Lester (1974), not specifying Rorschach method, found no statistically significant difference as regards 26 Rorschach variables in the protocols of 33 black homicidal males compared with 33 white murderers matched for age and intelligence.

Grattagliano, et al. (2019a) focused on Rorschach variables associated with the judgement of imputability in murderers examined during the trial. According to a retrospective design, they rescored, according the SRR (Scuola Romana Rorschach), the Rorschach of 49 murderers stored in the database of the Criminology and Forensic Psychiatric Hospital Section of Bari University: 43 males and 6 females; 17-67 years old; 24 single, 21 married and 4 separated; 8 without any psychiatric history, 41 with different psychiatric diagnoses (13 schizophrenia, 1 delusional disorder, 1 bipolar disorder, 5 depression, 4 psychorganic syndrome, 13 personality disorder, 4 mild mental disability). Following the court expert evaluation, 23 were recognized as 'mentally sane' and therefore imputable, 10 as 'partially mental insane' and 16 as 'totally mental insane' at the time of the crime. As 'totally mental insane' and not imputable were judged: 11 out of 13 schizophrenics, 1 out of 5 depressed, 1 out of 4 with mild mental disability and 2 out of 4 patients with psychorganic disorders. In 14 cases, the homicide was considered as premeditated, in 35 as impulsive and not premeditate. In 31 cases, the crime scene was classified as 'organized', in 16 cases as 'disorganized' (no sufficient data in 2 cases). More than 200 SRR Rorschach indexes were evaluated. The results were statistically analyzed with SPSS (Statistical Package for Social Science, Version 15.0), by means of Student two-tailed t test and by means of chi square test. As a whole, murderers group, when compared with SRR normative data (Cicioni, 2016; Giambelluca,

Parisi & Pes, 1995; Parisi & Pes, 1990), showed lower total R (mean: 14.6, SD: 5.6; NV: 20-40), slightly lower R+% (mean: 66.4, SD: 19.5; NV: 70-80), slightly lower F+% (mean: 65.7, SD: 19.2; NV: 60-80), much lower H% (mean: 5.9, SD: 7.5; NV: males, 10-20, females: 20-30), slightly lower Affectivity Index (mean: 0.31, SD: 0.12; NV: > 0.35), much lower Reality Index (mean: 3.8, SD: 1.8; NV: 6-8), much lower Self Control Index (mean: 0.12, SD: 1.99; NV: > 1). As a whole, murderer group showed a constricted personality (low R), mild cognitive deficiencies (R+%, F+%), reduced interpersonal relationships (H%, Affectivity Index), marked impulsivity (Self Control Index) and improper reality testing (Reality Index). No statistically significant difference was found in the distribution of the judgement of imputability ('mentally sane', 'partially mentally insane', 'totally mentally insane') as regards gender, age, marital status, years of schooling and premeditation of crime. A diagnosis of schizophrenia and a disorganized crime scene were more frequent in not imputable murderers (chi square test,  $p < 0.05$ ). As regards Rorschach variables, no difference was found between 23 'Totally sane' and 10 'partially mentally insane'. 16 'totally mentally insane' showed higher F- responses when compared with 23 'totally sane' (mean: 4.06 vs 2.52, SD: 2.57 vs 2.33,  $p < 0.05$ ), and with 10 'partially mentally sane' (4.06 vs 2.10, SD: 2.57 vs 2.08,  $p < 0.05$ ). When 16 'totally mentally insane' were compared with the remaining 33 subjects, two Rorschach variables discriminate in a statistically significant measure: R+% (mean: 58.2 vs 70.3, SD: 17.6 vs 19.4;  $p < 0.05$ ) and F- (mean: 4.06 vs 2.39, SD: 2.57 vs 2.23;  $p < 0.05$ ). In addition, R+% (NV = 70-80) and F+% (NV = 70-80) are higher than 70 only in 4 out of 16 'totally mentally insane', in 7 out of 10 'partially mentally insane' and in 21 out of 23 'mentally sane'. No difference between the three groups was found as regards affective Rorschach variables. R+% and F- SRR variables are therefore the most useful in the forensic setting as regards the judgement of imputability.

Grattagliano, et al. (2019b) revisited the same sample of 49 Rorschach records in order to identify Rorschach variables associated with the dichotomy 'organized crime scene' vs 'disorganized crime scene'. More than 200 SRR Rorschach indexes were evaluated. No statistically significant difference was found in the distribution of the type of crime scene (organized vs disorganized) as regards gender, age, marital status, years of schooling and premeditation of the murder. An organized crime scene was more frequent in imputable and partially insane murderers when compared with non-imputable, and in normal subjects when compared with those suffering from a psychiatric disorder (chi square test,  $p < 0.05$ ). Rorschach records of murderers with 'disorganized crime scenes' (N = 13), when compared with those of murderers with 'organized crime scenes' (N = 31) (Student two-tailed t test) (N = 16) showed a higher total R (mean: 16.6 vs 13.2; SD: 4.7 vs 5.0;  $p < 0.05$ ), higher D (mean: 9.44 vs 6.58; SD: 4.30 vs 3.77;  $p < 0.05$ ), higher Dim% (mean: 2.42

vs 0.84; SD: 3.46 vs 1.19;  $p < 0.05$ ), higher F (mean: 13.25 vs 9.61; SD: 3.62 vs 3.39;  $p < 0.05$ ) and, most importantly, much higher F- (mean: 4.31 vs 2.12; SD: 2.80 vs 1.75;  $p < 0.05$ ). Since negative form quality (F-) is one of the most reliable and valid Rorschach indexes (Mihura, Meyer, Dumitrascu & Bombel, 2013), a value more than twice in murderers leaving a disorganized crime scene, certainly signals lower cognitive abilities, rough observation powers, compromised attention and concentration and poor cognitive self-control in this group of homicides.

## Discussion

### *Comparison studies between murderers and other criminals (N = 13)*

As Munnich (1993) wrote, "*The comparison of criminals to criminals was important because the study was performed under similar conditions, i.e. in prison, after the lower court judgement, etc., so the test indices were less apt to reflect the distorting effect of the sentence and the prison environment in this context*". In this respect, in order to obtain reliable and valid results, it is imperative to control all the variables with possible confounding effect: not only age, sex, marital status, sibling data, level of education, IQ, full psychiatric state examination, psychiatric diagnosis, drug and/or psychological treatment, level of alcohol consumption, number or prior criminal offenses, and so on, but also length of imprisonment according to sentence, and length of imprisonment at the time of testing; at this last regard, it is worth remembering that Pakesch (1961) suggested that the fourth year spent in prison is critical to homicidals, because a coartative process starts in their personality at this time.

The first three studies (Kahn, 1959; Lester & Perdue, 1973; Lester, Kendra, Thisted & Perdue, 1975) have been mentioned for the purpose of completeness of the present review, but suffer from important methodological limitations, and from the lack of confirmatory research.

Kahn (1959) didn't specify the Rorschach method, and compared two very small groups of 15 murderers and 24 burglars, quite different as concern judgement of legally insane (more frequent in murderers;  $p < 0.03$ ) and the type of psychiatric diagnosis: in each group, two-third of the cases received a psychiatric diagnosis, but murderers were diagnosed as psychotic more frequently, while burglars as character disorder ( $p < 0.02$ ). As a consequence, the statistically significant higher 'extended F-%' in murderers (chi square,  $p < 0.05$ ), and the strong suggestive trends of higher F% and C% in the same group, approaching but not reaching  $p < 0.05$ , suggesting a poorer emotional control, greater rigidity and greater impulsivity in murderers, do not seem murderer specific traits, but consistent with the evidence of more psychosis in this group. In addition, since only individuals who pleaded insanity were evaluated, the sample may not be representative of murderers or burglars.

Lester & Perdue (1973) didn't specify the Rorschach method, and reported a negative finding, needing confirmatory research; confirmatory research is impossible for results reported by Lester, Kendra, Thisted & Perdue (1975), who didn't specify the 'predictive' equation, including Space, Animal, Popular and m Rorschach responses, suggested to lead to a correct classification of 71% of the murderers and 66% of the nonmurderers.

Subsequent contributions by Gupta & Sethi (1974), and by McDonald & Paitich (1981), lend themselves to substantial criticism.

Gupta & Sethi (1974) directly administered the Maudsley Personality Inventory and the Rorschach test, according to Klopfer (Klopfer, Ainsworth, Klopfer, & Holt, 1954), in 54 (18%) out of 300 male prisoners convicts of murder (mean age: 31.6), matched with respect to age and education (75% primary school, 25% more than 5 years of schooling) to a comparison prisoner group consisting of cases of theft (N = 31), dacoity (N = 10) and miscellaneous crimes (N = 13). No statistically significant difference between the two criminal groups was found as regards total number, locations, determinants and contents of Rorschach responses; responses of good form level (F+) was significantly greater in the murder group as compared to the non-murder one. Mean values for total response (14.2 and 12.3 respectively for murder and non-murder criminals), as well as for F+% (52.0 and 45.8) and popular responses (3.3 and 2.8) were much below the normal range, suggesting "...impaired ego-functioning and lack of social conformity among the prisoners in general". According to these Authors "...a relatively higher frequency of colour determined percepts in the Rorschach Test (CF/FC) would depict the existing emotional tension in these convicts of murder as they have been sentenced to a long term imprisonment". It is noteworthy that this is not a retrospective study, as the Authors directly administered the test. Unfortunately, however, no mention is made of the length of the sentence and of the length of imprisonment at the time of testing: two relevant factors that alone can account for the observed differences.

McDonald & Paitich (1981), according to a retrospective design, found no statistical significant differences (analysis of covariance) as regard psychological test findings (Verbal WAIS and Raven IQ, MMPI, PF 16, Parent-Child Relations Questionnaire) and Rorschach data, according to Klopfer (Klopfer, Ainsworth, Klopfer, & Holt, 1954), Elizur's hostility scoring system (1949) and DeVos hostility measures (1952), within four groups, including 61 murderers, 42 assaulters, 71 perpetrators of theft, and 24 unemployed non-criminal controls. A lot of variables were controlled, but Rorschach data were not available for all the subjects, but only from 42 (68.8%) for murderer group (33 males and 9 females), 25 (59.5%) for assaulters (22 males and 3 females), 18 (25.3%) for thefts (17 males, 1 female) and 24 (100.0%) for unemployed non-criminal controls (20 males and 4 females). What is more important, 12 out of 61 murderers were diagnosed as psychotic: a factor which by itself compromises

the effective comparability between the groups considered. Finally, somewhat surprising are the Authors' conclusive remarks: "*The overall picture presented by the results of this study is that murder or violence is not predictable as a general category of behavior from the test data considered*". It should be very clear that in no way a retrospective study, which re-examines, at a later date, the data collected after an event, can highlight evidences that can be confidently attributed to a predictive value of the event itself.

Very interesting are the Rorschach results obtained by Greco & Cornell (1992), according to a flawless methodological design, in two groups of 55 homicides out of 110 violent adolescent offenders: 'conflict group adolescents' (N = 33), who committed a homicide in the course of an interpersonal conflict with the victim, and 'crime group adolescent' (N = 22), who committed a homicide in the course of some other crime such as robbery or burglary. The nonviolent comparison subjects (N = 55, reduced to 42 because 13 Rorschach records had fewer responses), matched on age, race and gender, were convicted of some form of larceny or breaking and entering, with no prior charges for violent offenses. All 110 subjects (80% African-American, 20% White) ranged in age from 12 to 18 years (mean: 15.9) at the time of their offense; all but 10 of the subjects (5 homicide and 5 nonviolent) were male; the mean Wechsler (WAIS or WISC-R) IQ was 86 for the homicide groups and 88 for the comparison group. Two scorers rescored all the Rorschach records blind to subject offense status, using the second edition of the Comprehensive System (Exner, 1986), and coding the protocols for differentiation (Blatt et al., 1976), Mutuality of Autonomy Scale (MAS) (Urist, 1977) and aggressive contents (Holt, 1975). The inter-rater reliability between the two scorers was very high, ICC exceeding 0.85. Total number of responses was very similar in the three groups, mean and SD were 15.12-5.75, 16.00-4.36 and 13.95-4.56 respectively for conflict, crime and nonviolent groups. The mean R for all three groups was low compared to Exner's norms (1986) for adolescents, but a low R is consistent with the subject low-average IQs and pattern of lower verbal than performance scores. A multivariate analysis of variance (MANOVA) was conducted on conflict, crime and nonviolent groups, using seven object relation variables: 3 indexes of differentiation (Overall H, Good Form H, Poor Form H), Mutuality of Autonomy, and 3 Aggressive Contents (Attack, Victim, Results of Aggression). The MANOVA showed no statistically significant difference between homicide and nonviolent groups, but statistically significant comparisons when contrasting conflict and crime groups ( $p < 0.05$ ) as regards 3 variables: Overall H was lower in conflict group (mean-SD: 1.73-0.65 vs 2.21-0.79); Poor Form H was higher in crime group (mean-SD: 0.97-1.42 vs 1.86-1.50), Victim Contents was higher in crime group (mean-SD: 0.18-0.40 vs 0.00-0.00). These results suggest that juveniles who committed crime-related homicides evidenced greater disturbance in object relations than juveniles who committed conflict-related homicides. One interpretation is "...that

*the crime group youth have a pervasive deficit in their conception of others, so that aggressive feelings are not inhibited by a realistic perception of others as complex, differentiated human beings. These youth may be able to commit homicide because they fail to recognize other individuals as human beings like themselves... (they) may have a more pervasive tendency to dehumanize others, permitting them to act on aggressive impulses when their needs are frustrated... In contrast, the conflict group youth may have a comparatively more well-developed conception of other individuals and a capacity for attachment, but in the context of interpersonal conflict and emotional stress, they experience a regression in their perception of a specific adversary... their violent outburst represents a poor coping strategy for dealing with a highly stressful relationship rather than a generalized inability to take the perspective of others and empathise with them”.*

Very interesting are the results obtained by Coram (1995) too, according to a methodological flawless design, who administered the Draw-a-Person test and the Rorschach test, according Exner CS (1985, 1986, 1990, 1993) in 23 incarcerated male violent murderers (VM) and in 23 incarcerated male offenders with no violence in their history (NV), matched for mean age (34.43 vs 32.48), race and occupation (76% white, 20% African American and 4% Hispanic: all from a predominantly low socioeconomic status), absence of documented psychiatric history, and type of incarceration (both groups had access to the community, none was on death row, and all had access to recreational areas and equipment). All the subjects were randomly selected from a list generated by the records department of two northeastern USA prisons; the criterion for inclusion in the violent murderer group was a homicide that involved mutilation, removal of body parts, or repeated knife wounds to the victim, while Non-violent offenders (NV) met criterion by having no arrests for personal crimes, e.g. robbery or assault on their past or current records. Each protocol was independently scored twice, once by a graduate student trained in the Exner system, and again by the author, unaware of the type of subject assessed, with scoring discrepancies referred to a colleague for resolution. Interrater agreement for all categories was at least 90%, except for special scores, that resulted in an 88% interrater agreement. The data were organized using the Computerized Rorschach Interpretation Assistance Program (Exner, McGuire, & Cohen, 1985). Statistical analysis was performed by means of chi square and one-way ANOVA analyses. Murderers Rorschach data were compared with those of nonviolent inmates; both groups data were compared with those of Exner (1985) norms (N = 700), too. 18 CS theoretically relevant variables for violent murderers were identified: F+% (Form%), X+% (Conventional Form%), X-% (Distorted Form%), XU% (Unusual Form%), ZD (Organizational Activity), ZF (Z frequency), D (Common Detail Response), Adj D (Adjusted D score), EA (Experience Actual), es (Experienced Stimulation), Afr (Affective Ratio), FC+CF+C (Sommatoria colore), C Colore puro) Sum Shading (Sommatoria chiaroscuro), Fr and rF (Reflexion

responses), H (Human content), 3r+(2)r ((Egocentricity index), and AG (Aggression Response). Other 15 CS Rorschach variables, identified as theoretically irrelevant for violent murderers, were not considered for further analysis (R, L, W, D, Dd, M, FM, FD, T, Blends, Mor, S, WSum6, Food, P); anyway, violent murderers, when compared with nonviolent inmates, showed higher R (mean: 22.56 versus 19.04, SD: 5.28 versus 4.15;  $p < 0.05$ ) and higher Blends (Multiple Determinant) (mean: 3.74 versus 1.74, SD: 2.93 versus 1.54;  $p < 0.01$ ). Both groups, when compared with CS Exner (1985) norms (N), showed lower F+% (VM mean: 0.58, SD: 0.14; NV mean: 0.53, SD: 0.15; N mean: 0.71, SD: 0.17), lower X+% (VM mean: 0.53, SD: 0.13; NV mean: 0.55, SD: 0.13; N mean: 0.79, SD: 0.08), and higher X-% (VM mean: 0.39, SD: 0.15; NV mean: 0.20, SD: 0.12; N mean: 0.07, SD: 0.05), indicating a disturbance with reality testing. VM, when compared with NV, reported lower Xu% (mean: 0.07 versus 0.20, SD: 0.09 versus 0.09;  $p < 0.01$ ) and higher X-% (mean: 0.39 versus 0.20, SD: 0.15 versus 0.12;  $p < 0.01$ ), demonstrating “...a more pervasive deficit in perceptual inaccuracy and a disturbance in their ability to translate and interpret events in the same manner as most people... In addition, 43% of the violent offenders had a Schizophrenia Index of 4, when compared with a normative sample of 0”. On ZF, a measure of individual’s ability to organize and process information, NV scored significantly lower than VM (mean: 7.83 versus 11.26, SD: 3.34 versus 4.62;  $p < 0.01$ ), maybe suggesting “...an intellectual limitation, a reflection of an immature psychological development, or an approach of avoiding the complexity of a situation (Exner, 1986b)”. Both groups had a Lambda higher than CS Exner (1990) norms (VM mean: 1.00, SD: 0.66; NV mean: 1.57, SD: 1.32; N mean: 0.58, SD: 0.26), regarding the individual’s willingness to be involved in a situation, and indicating “...the subjects’ tendency to minimize the importance of a situation or to ignore some of the elements. It is also reflective of a style of oversimplifying a complex situation or of resistance to the testing situation (Exner, 1991)”. VM had an Egocentricity Index (EI) (3r+(2)/R) corresponding to the normative values (mean: 0.39, SD: 0.07), and significantly higher than NV (mean: 0.38 versus .25, SD: 0.17 versus 0.13,  $p < 0.01$ ); since EI is a measure of psychological self-focusing or concerns for self, reflecting issues regarding low self-esteem or overvaluation of the self at the expense of others, VM “...have apparently adequate measures of self-esteem,... (while NV show) negative self-esteem, lower personal worth and a proneness to depressive feelings (Exner, 1986)”. Both groups had low color responses (FCCFC), with the VM displaying significantly higher results than NV (mean: 3.61 versus 1.78, SD: 2.15 versus 1.65,  $p < 0.01$ ). Surprisingly, neither group had a significant increase in pure C. 61% of VM and 39% NV had a higher shading response when compared to 15% CS norms (Sum Shading mean: 3.39, SD: 2.15); on Sum Shading (Total Shading Responses), VM scored significantly higher than NV (mean: 6.00 versus 3.13, SD: 4.36 versus 2.51;  $p < 0.01$ ): “These appear

to be more situational (Y) than chronic (C), and may reflect the length of incarceration". "Both groups had a higher frequency of underincorporators (ZD) when compared to Exner's nonpatient sample (30% versus 5%). This score may indicate a quick scanning of the environment, and possibly coming to hasty conclusions, faulty decision-making, and inappropriate or false conclusions about a situation". In addition, there were also differences in terms of problem-solving style (EB): 70% of VM and 70% of NV demonstrated an ambivalent style of approaching situations, substantially different from the normative sample of 20% (Exner, 1990): "These inmates may be more vulnerable to difficulty, less efficient, require more time to complete tasks, and are inconsistent in their use of emotions and thinking during problem-solving. In one situation, the process of decision-making and problem-solving are strongly influenced by feelings, and at other times, emotions play a small role". Both groups had an EA (Experience Actual) lower than CS Exner (1990) norms (VM mean: 4.83, SD: 2.58; NV mean: 3.56, SD: 2.86; N mean: 8.82, SD: 2.18), with slightly higher values in VM ( $p < 0.05$ ); since EA is a measure of organized psychological resources available to effectively deal with stress, "It appears that both groups had a reduced capacity to deal with stress, possessed fewer internal resources, and felt overwhelmed". Last but not least, 'es' (Experienced Stimulation), a measure of impending stress and feelings of being overwhelmed, does not substantially differ from Exner norms (mean: 8.21, SD: 3.00), but is higher in VM than in NV (mean: 9.83 versus 6.26, SD: 5.95 versus 2.94,  $p < 0.05$ ), demonstrating a greater vulnerability in VM for disorganization and difficulty with stress tolerance.

Contributions by Gacono, Meloy, and their collaborators (Meloy, Gacono, & Kenney, 1994; Gacono, Meloy, & Bridges, 2000; Gacono, Meloy, & Bridges, 2008) retrospectively studied the Rorschach tests, according to the Comprehensive System (Exner, 1974, 1986, 1991, 1993; Exner et al., 1995), in incarcerated Sexual Homicide Perpetrators (SHP) compared with other incarcerated criminals, where "Sexual homicide is the intentional killing of another human being during which there is evidence of sexual activity by the perpetrator" and positive evidence was needed to classify a murder as sexual homicide: "Positive evidence included physical evidence of sexual assault of the victim; sexual activity in close proximity to the victim, such as masturbation; or a legally admissible confession of sexual activity by the perpetrator". These Authors offered the first comparison of Rorschach CS between two clearly delineated sexually deviant groups (SHP and PED/NVP). In the first preliminary study (Meloy, Gacono, & Kenney, 1994), 18 SHP (Sexual Homicide Perpetrators) were compared with 23 PP (non-sexually offending Primary Psychopaths) (each having a score of 30 or higher on the Hare Psychopathy Checklist-Revised, PCL-R, Hare, 1991). The following studies enlarged number of samples and included a second comparison group, comparing 38 SHP with 32 PP and with 39 PED/NVP (Non Violent Pedophiles) (Gacono, Meloy,

& Bridges, 2000; Gacono, Meloy, & Bridges, 2008). These works are certainly outstanding from a methodological point of view:

- Psychopathy level (PCL-R score) or specific behavioral pattern (sexual offense) were the sole inclusion criteria;
- All other data, including demographic information, were treated as dependent variables;
- All subjects were free of mental retardation, psychosis or neurological impairment; PED/NVP met the DSM-IV criteria for Pedophilia, as determined by agreement by two experienced clinicians, none of them would meet the criteria for primary psychopathy;
- All study data were archived and taken from a computer database containing over 800 forensic Rorschach protocols, all scored and re-scored by experienced raters prior to inclusion and found to be reliable, with the highest inter-rater agreement for all variables;
- All the Rorschachs were administered in incarcerated males between 1984 and 1997 by advanced doctoral level clinical psychology interns or licensed clinical psychologists using CS guidelines; with the exception of one protocol, only protocols with  $\geq 14$  responses were included in the study;
- All CS Rorschach data were analyzed using a computerized tool, i.e. the Rorschach Scoring Program 3-plus (Exner & Tuttle, 1995), and a comparison was made with normal controls;
- Detailed demographic data were reported for each of the three groups (SHP, PP, PED/NVP);
- Basic descriptive statistics (mean, SD, min-max, frequency, median, mode, skewness, kurtosis) for 112 CS variables in each of the three groups (SHP, PP, PED/NVP) were reported;
- Selected CS Rorschach variables ( $N = 27$ ) were compared between groups, based on previous research and related to four hypotheses, predicting Rorschach profiles in the three groups;
- ROD (Rorschach Oral Dependency) (Masling, Rabie, & Blondheim, 1967) scores and Aggressive Content (Gacono & Meloy, 1994) scores, were rated by Huprich, Gacono, Schneider & Bridges 2004;
- The results were statistically analyzed by means of parametric or nonparametric statistical procedure (ANOVA, Kruskal-Wallis, Chi-square). Mann-Whitney U and chi square were used by Meloy, Gacono, & Kenney, 1994;
- CS Rorschach characteristics in SHP and PP (Hypothesis I and II) have been fully reported in the previous section. As predicted (Hypothesis IV), all groups were self-focused, suggesting pathological narcissism, and highlighted impaired reality testing (X-%) and moderate to severe levels of cognitive slippage and thought disorder (WSum6, SCZ1);
- Fr+rF (index of self-perception/grandiosity) was higher than norms in PP (mean. 0.72, SD: 0.96, frequency:

44%) and much higher in SHP (mean: 1.11, sd. 1.62, frequency: 45%) and in PED/NVP (mean: 1.23, SD: 2.32, frequency: 44%);

- X-% was higher than norms in PP (mean: 22.00, SD: 0.12, frequency: 100%), as well as in SHP (mean: 26.00, SD: 0.12, frequency: 97%) and in PED/NVP (mean: 22.00, SD: 0.10, frequency: 100%);
- WSum6 was higher than norms in PP (mean: 16.34, SD: 12.84, frequency: 94%), as well as in SHP (mean: 23.00, SD: 19.08, frequency: 92%) and in PED/NVP (mean: 16.39, SD: 15.15, frequency: 92%);
- An elevated value of SCZI ( $\geq 4$ ) was highlighted in 15% PP, 29% SHP and 20% PED/NVP;
- the number of SHP who produced Level 2 Special Scores (N = 19) was slightly greater than PP (N = 12) and PED/NVP (N = 12).

As predicted (Hypothesis II), SHP produced:

- significantly more R (mean: 26.5, SD: 11.8) than PP (mean: 18.9, SD: 5.17);
- significantly less S (mean: 2.92, SD: 1.99, frequency: 97%) than PED/NVP (mean: 4.64, SD: 3.53, frequency: 92%) (ANOVA,  $F = 8.05$ ,  $p < 0.0006$ ), related to less restrained hostility/passive opposition;
- more V (suggesting internal distractions such as painful rumination) (mean: 1.11, SD: 1.90, frequency: 53%) than PP (mean: 0.63, SD: 0.94, frequency: 44%);
- more Fd (index of dependency yearnings) (mean: 0.53, SD: 0.92, frequency: 34%) than PP (mean: 0.16, SD: 0.45, frequency: 12%);
- statistically more FM (index of nonvolitional ideation in response to physiological needs) (mean: 5.08, SD: 3.76, frequency: 92%) than PP (mean: 2.75, SD: 1.65, frequency: 90%) and PED/NVP (mean: 3.77, SD: 2.40, frequency: 92%) (Kruskal-Wallis,  $p < 0.05$ ), suggesting more dysphoria, more obsessional intrusive thinking and more internally driven need states.
- SHP were Introversive (39%), Ambivalent (39%) or less frequently Extratensive (21%), and showed a lower frequency of high Lambda (Lambda is  $> 0.99$  in 21%, versus 38% of PP and 51% of PED/NVP).

According to these findings "...For our sexual homicide perpetrators, of which two thirds are likely psychopaths, their sexual deviance appears to emotionally disrupt their narcissistic (psychopathic) equilibrium. Unlike non-sexually offending psychopaths, sexual homicide perpetrators are internally troubled. High levels of internal dysphoria, yearning, obsession, and dependency needs (V, T, FM, Fd) push behaviors, while at the same time there is a certain loss of distance or inability to disengage from the environment and reveal (Lambda, R). Stimuli that resonate with their sexual deviance are particularly appealing and literally irresistible. The intensity of this push-pull effect is exacerbated by less than optimal controls ( $D = -1.45$ ,  $AdjD = -0.58$ ; R, see Appendix b). High levels of ideational noise or, as we previously

*hypothesized (Gacono & Meloy, 1994), obsessional thought (FM) differentiate sexual homicide perpetrators from the psychopath. Like pedophiles, they are interested and perhaps drawn to others, however, their interest is contaminated by the self-centeredness (Fr+rF) and severe perceptual (X-%) and cognitive distortions (WSum6), which characterize all three groups (Gacono & Meloy, 1988). Isolation is also a common defense utilized by these groups (SHP = 31.6%  $> .33$ ; PED/NVP = 28.2%  $> .33$ ; PP = 25%  $> .33$ )". In conclusion "The present findings expand and clarify the differences between the non-sexually offending psychopaths and sexual homicide perpetrators. Non-sexually offending psychopaths are not interested in others, highlight a complete absence of attachment capacity, lack the channeled sexual arousal to extreme violence, and are not aggressively motivated by dysphoria, obsession, or affectional hunger. Pedophiles, although angrier, display the sexual arousal integral to their offenses, but lack the emotional detachment noted in the psychopaths and evidence better controls than the sexual homicide perpetrators".*

Huprich, Gacono, Schneider & Bridges (2004) re-examined the Rorschach test of the same subjects (38 SHP, 32 PP/NSOP and 39 PED/NVP) of the previous two studies (Gacono, Meloy, & Bridges, 2000, 2008), and scored protocols for Rorschach Oral Dependency (ROD) content and for the Aggressive Content scores (Gacono & Meloy, 1994). According to the Authors: "The ROD is scored from the content of Rorschach material that is administered either in standard or group format (Bornstein, 1996). Each response is read and inspected for oral dependency content. Content may fall into one of 16 categories: food and drinks, food sources, food objects, food providers, passive food receivers, begging and praying, food organs, oral instruments, nurturers, gifts and gift-givers, good luck objects, oral activity, passivity and helplessness, pregnancy and reproductive organs, baby talk responses, and negation of oral dependent percepts. One point is assigned for each oral dependent response, and a percentage score is obtained by taking the number of oral dependent responses divided by the total number of responses provided". The Aggressive Content scores (Gacono & Meloy, 1994) included: Aggressive Content (AgC), Aggressive Potential (AgPot), Aggressive Past (AgPast) and Sadomasochistic Aggression (SM). Each response is evaluated for all of these categories, and a given response may be scored for more than just one of aforementioned categories; the results of each category are reported for each individual. "Once ROD and aggression special scores had been computed, ROD scores were evaluated for the presence of aggressive content in the response immediately prior to, co-occurring with, or immediately after an oral dependent score. The total number of oral dependent-aggressive sequences for each individual was computed and evaluated across groups. Such computations were an empirical way by which to represent a sequential analysis of the pairing of aggression and dependency. Sequential analysis has long been understood as a mechanism by which to evaluate the processes with which an individual copes with, defends against, and recovers from conflicting psychological impulses, needs and states (Peebles-

Kleiger, 2002; Weiner, 2003). Given the nature of our clinical samples, we expected that stimuli from a given Rorschach card would generate dependent or aggressive impulses, and that the generation of such impulses would more than likely be associated with the other impulse. Utilizing sequence analysis guidelines, we anticipated that the two impulses would be in close proximity to each other in Rorschach responses". Two hypotheses were pre-formulated:

- I Sexual Homicide Perpetrators (SHP) would have significantly higher ROD scores than Non-Violent Pedophiles (PED/NVP) while the lowest levels of oral dependency would be found among Primary Psychopaths/Non-Sexually Offending Psychopaths (PP/NSOP): SHP > PED/NVP > PP/NSOP;
- II Sequences of aggressive and dependency responses would be more frequent in SHP (high aggression toward others, high interpersonal dependency), followed by PED/NVP (moderate levels of aggression toward others, high interpersonal dependency) and PP/NSOP (high aggression toward others, low interpersonal dependency): SHP > PED/NVP > PP/NSOP.

The results were statistically analyzed by means of ANOVA and Tukey post hoc test.

ROD number was higher in PED/NVP (mean: 8.31, SD: 6.94) than in SHP (mean: 6.32, SD: 4.35) and in PP/NSOP (mean: 3.48, SD: 2.84) ( $p < 0.02$ ). ROD % was higher in PED/NVP (mean: 0.26, SD: 0.15) than in SHP (mean: 0.25, SD: 0.16) and in PP/NSOP (mean: 0.17, SD: 0.13) ( $p < 0.03$ ). ROD number sequentially paired or co-occurring with Aggression special scores was higher in SHP (mean: 3.13, SD: 3.73) than in PED/NVP (mean: 1.82, SD: 1.52) and in PP/NSOP (mean: 1.63, SD: 1.88) ( $p < 0.02$ ). ROD % sequentially paired or co-occurring with Aggression special scores was higher in SHP (mean: 0.14, SD: 0.19) than in PP/NSOP (mean: 0.08, SD: 0.09) and in PED/NVP (mean: 0.06, SD: 0.05) ( $p < 0.005$ ). ROD number sequentially paired or co-occurring with Aggression special scores/Total ROD was higher in SHP (0.47) than in PP/NSOP (0.42) and in PED/NVP (0.26) ( $p < 0.05$ ). The starting hypotheses are largely confirmed.

No statistically significant difference among the three groups was found as regards AgC (Aggressive Content) and AgC%. AgPast (Aggressive Past) was higher in SHP (mean: 1.05, SD: 1.49) than in PP/NSOP (mean: 0.68, SD: 1.05) and in PED/NVP (mean: 0.38, SD: 0.67) ( $p < 0.05$ ). AgPast% was higher in SHP (mean: 0.048, SD: 0.06) than in PP/NSOP (mean: 0.036, SD: 0.06) and in PED/NVP (mean: 0.015, SD: 0.03) ( $p < 0.02$ ). AgPo (Aggressive Potential) was higher in SHP (mean: 0.71, SD: 1.14) than in PED/NVP (mean: 0.21, SD: 0.47) and in PP/NSOP (mean: 0.03, SD: 0.18) ( $p = 0.001$ ). AgPot% was higher in SHP (mean: 0.036, SD: 0.07) than in PED/NVP (mean: 0.01, SD: 0.02) and in PP/NSOP (mean: 0.00, SD: 0.01) ( $p = 0.002$ ). SM (Sadomasochistic Aggression) was higher in SHP (mean: 0.45, SD: 1.13)

than in PP/NSOP (mean: 0.19, SD: 0.40) and in PED/NVP (mean: 0.03, SD: 0.16) ( $p < 0.05$ ). SM% was higher in SHP (mean: 0.01, SD: 0.04) than in PP/NSOP (mean: 0.01, SD: 0.02) and in PED/NVP (mean: 0.00, SD: 0.01).

According to the Authors "The results of our findings add to the growing body of literature supporting the utility of the ROD in understanding dependency and aggression. Two of our groups were sexually deviant (SHPs, NVPs), and two have histories of aggression (NSOPs, SHPs). Consistent with the idea that dependency or interpersonal strivings fuel their behavior, ROD scores were elevated in our sexually deviant groups (SHPs, NVPs). The frequent pairing of dependency and aggression in SHPs (almost 50% of ROD scores were accompanied by aggression) offers a Rorschach marker that differentiates the real world behaviors of the SHP (sexually violent) and NVP (sexually nonviolent)".

"Sexual homicide perpetrators were found to have relatively high levels of oral dependency, which was consistent with their relatively high level of Texture and Food responses (Gacono, Meloy, & Bridges, 2000). Yet, much of their dependency was associated with aggressive content. Furthermore, SHPs had the highest levels of the aggressive special scores of Gacono & Meloy (1994) on three of the four categories (AgPast, AgPot, and SM), suggesting that they are highly preoccupied with aggressive impulses, including the dangerous mix of sadomasochistic ideation. Gacono, Meloy, & Bridges, 2000 found that SHPs have high levels of dysphoria, interpersonal yearning, cognitive distortion, and obsession, coupled with an inability to disengage from the environment (low Lambdas). Thus, when complex ideation coupled with sexual arousal meets a certain threshold, sexual homicide perpetrators act from their internal fusion of sexual, dependent, and aggressive impulses collectively. Consistent with the use of projective identification, SHPs project their oral needs into their victims and then react with rage, disgust, and violence in an attempt to eradicate these needs (see Gacono & Meloy, 1988). This group's high levels of thought disturbance ( $X\% = 26$ ;  $X+\% = 0.47$ ;  $WSUM6 = 23.00$ ; see Gacono, Meloy, & Bridges, 2000) provide a template for the cognitive and perceptual distortions that allow such behavior. These findings are best reflected in one SHP's Rorschach response, 'a lonely bird of prey out looking for a relationship'. Anyway, as the Authors finally stated "The present findings are limited in that they may only apply to NSOPs, NVPs, and SHPs who are incarcerated. It may be that, when such individuals are not within the restrictive environment of a prison, their levels of dependency and aggression would differ".

Well designed but quite preliminary are the studies by Léveillé and coworkers (Lefebvre & Léveillé, 2008; Trebuchon & Léveillé, 2016).

Lefebvre & Léveillé (2008) compared the Rorschach records of 23 male uxoricides with those of 21 men who had committed domestic violence, matched for age, marital status, nation of birth (Canada), employment and number of children, respectively recruited on voluntary basis from federal prisons in Quebec, and from dedicated

health services, undergoing a four-session evaluation and administered the Structured Clinical Interview for DSM-IV, TAT, MMPI, MCMI and the Rorschach test according Exner CS (2001, 2003), concordantly scored according Chabert (1997) and Husain (1994, 2001) suggestions too, by two experienced raters. The data were statistically analyzed by means of chi square test (for nominal variables) and of Student t test (for quantitative variables). 17 Rorschach variables were examined: six general indices of acting out tendencies, and 11 specific indices of impairment of the mentalization capacities (see previous section for further details). Uxoricides Rorschach, when compared with those of men committing domestic violence, showed higher A% (mean: 56.42 versus 46.92, SD: 15.48 versus 15.42;  $p < 0.05$ ), lower M (mean: 1.48 versus 3.29, SD: 1.28 versus 1.52;  $p < 0.001$ ), lower M- (mean: 0.09 versus 0.52, SD: 0.29 versus 0.53;  $p < 0.05$ ) and a lower frequency of solicitations to the examiner (mean: 26.10% versus 71.40%, SD: 6.00 versus 15.00;  $p < 0.01$ ). According to the Authors, these results are consistent with a coherent personality picture of uxoricides, marked by low Ego strength, impulsivity, self-centering, cognitive distortions, impairment of introversion abilities, mentalization deficits, tendencies to acting out balanced by strong control and clinging to concrete reality to prevent the emergency of drives and pulsions. Anyway, these results require confirmation in larger samples.

Trebuchon & Léveillée (2016) compared two groups of females incarcerated in Canada, 88.2% French speaking: 6 females imprisoned for homicide (murderer group), 11 for major domestic violence (non-murderer group; 1 attempted homicide, 8 armed assault, 2 sexual assault) (see previous section for full details). In any case, the authors underline that the small number of their sample limits the generalizability of the results obtained, and call for further research on larger samples.

#### Comparison studies between subgroups of murderers (N = 4)

Perdue & Lester (1973), according to the Beck's method (1944), explored differences in Rorschach test responses of those who murdered kin (blood relatives or wives) and those who murdered an unrelated victim, examining two groups of 20 protocols from males matched for age, race, IQ and length of time in prison. No difference was found for a majority of Rorschach variables (R, color shock, C, time, m, DW, D, Dd, S, M, F, F+, F, FV, FY, FC, CF, Sum C, A, Ad, H, Hd, P, A%, T/IR, Total R (I-VII), Total R (VIII-X)). Subjects killing kin (Student two tailed test) gave more W ( $p < 0.05$ ), fewer FM ( $p < 0.05$ ), lower F+% ( $p < 0.05$ ) and lower F% scores ( $p < 0.01$ ). As Authors stated "*The reliability of these results must, of course, remain in doubt until the study is replicated*".

Perdue & Lester (1974), without specifying the Rorschach method, searching for racial differences in the personality of murderers, found no statistically significant difference as regards 26 Rorschach variables in the protocols of 33 black homicidal males compared with 33 white

murderers matched for age and intelligence: these findings too, lack confirmatory research.

Grattagliano, et al. (2019a) focused on SRR (Scuola Romana Rorschach) Rorschach variables associated with the judgement of imputability in murderers examined during the trial. They retrospectively rescored, according the SRR (Cicioni, 2016; Giambelluca, Parisi & Pes, 1995; Parisi & Pes, 1990), the Rorschach of 49 murderers stored in the database of the Criminology and Forensic Psychiatric Hospital Section of Bari University: 43 males and 6 females; 17-67 years old; 24 single, 21 married and 4 separated; 8 without any psychiatric history, 41 with different psychiatric diagnoses (13 schizophrenia, 1 delusional disorder, 1 bipolar disorder, 5 depression, 4 psychorganic syndrome, 13 personality disorder, 4 mild mental disability). Following the court expert evaluation, 23 were recognized as 'mentally sane' and therefore imputable, 10 as 'partially mental insane' and 16 as 'totally mental insane' at the time of the crime. No statistically significant difference was found in the distribution of the judgement of imputability ('mentally sane', 'partially mentally insane', 'totally mentally insane') as regards gender, age, marital status, years of schooling and premeditation of crime. As 'totally mental insane' and not imputable were judged: 11 out of 13 schizophrenics, 1 out of 5 depressed, 1 out of 4 with mild mental disability and 2 out of 4 patients with psychorganic disorders. In 14 cases, the homicide was considered as premeditated, in 35 as impulsive and not premeditate. In 31 cases, the crime scene was classified as 'organized', in 16 cases as 'disorganized' (no sufficient data in 2 cases). A diagnosis of schizophrenia and a disorganized crime scene were more frequent in not imputable murderers (chi square test,  $p < 0.05$ ). More than 200 SRR Rorschach indexes were evaluated. The results were statistically analyzed with SPSS (Statistical Package for Social Science, Version 15.0), by means of Student two-tailed t test and by means of chi square test. As regards Rorschach variables, no difference was found between 23 'Totally sane' and 10 'partially mentally insane'. 16 'totally mentally insane' showed higher F- responses when compared with 23 'totally sane' (mean: 4.06 vs 2.52, SD: 2.57 vs 2.33,  $p < 0.05$ ), and with 10 'partially mentally sane' (4.06 vs 2.10, SD: 2.57 vs 2.08,  $p < 0.05$ ). When 16 'totally mentally insane' were compared with the remaining 33 subjects, two Rorschach variables discriminate in a statistically significant measure: R+% (mean: 58.2 vs 70.3, SD: 17.6 vs 19.4;  $p < 0.05$ ) and F- (mean: 4.06 vs 2.39, SD: 2.57 vs 2.23;  $p < 0.05$ ). In addition, R+% (NV = 70-80) and F+% (NV = 70-80) are higher than 70 only in 4 out of 16 'totally mentally insane', in 7 out of 10 'partially mentally insane' and in 21 out of 23 'mentally sane'. No difference between the three groups was found as regards affective Rorschach variables. R+% and F- SRR variables are therefore the most useful in the forensic setting as regards the judgement of imputability.

Grattagliano, et al. (2019b) revisited the same sample of 49 Rorschach records in order to identify Rorschach variables associated with the dichotomy 'organized crime



scene' vs 'disorganized crime scene'. More than 200 SRR Rorschach indexes were evaluated. No statistically significant difference was found in the distribution of the type of crime scene (organized vs disorganized) as regards gender, age, marital status, years of schooling and premeditation of the murder. An organized crime scene was more frequent in imputable and partially insane murderers when compared with non-imputable, and in normal subjects when compared with those suffering from a psychiatric disorder (chi square test,  $p < 0.05$ ). Rorschach records of murderers with 'disorganized crime scenes' ( $N = 13$ ), when compared with those of murderers with 'organized crime scenes' ( $N = 31$ ) (Student two-tailed t test) ( $N = 16$ ) showed a higher total R (mean: 16.6 vs 13.2; SD: 4.7 vs 5.0;  $p < 0.05$ ), higher D (mean: 9.44 vs 6.58; SD: 4.30 vs 3.77;  $p < 0.05$ ), higher Dim% (mean: 2.42 vs 0.84; SD: 3.46 vs 1.19;  $p < 0.05$ ), higher F (mean: 13.25 vs 9.61; SD: 3.62 vs 3.39;  $p < 0.05$ ) and, most importantly, much higher F- (mean: 4.31 vs 2.12; SD: 2.80 vs 1.75;  $p < 0.05$ ). Since negative form quality (F-) is one of the most reliable and valid Rorschach indexes (Mihura, Meyer, Dumitrascu & Bombel, 2013), a value more than twice in murderers leaving a disorganized crime scene, certainly signals lower cognitive abilities, rough observation powers, compromised attention and concentration and poor cognitive self-control in this group of homicides.

## Conclusions

### General remarks

All the studies here reviewed, except one (Gupta & Sethi, 1974) retrospectively re-examined Rorschach data; all the studies considered Rorschach test administered after a variable time from the murder, in a jail context, for forensic purposes.

As a first consequence, in no case the results may be considered 'predictive' of homicidal behavior, because of two principal reasons. The first, homicide is a rare and highly variable behavior, different from case to case, and the very existence of a 'murderous mind', common to all or some murderers, is a dubious and questionable working hypothesis. The second, no Rorschach test was administered before the murder. In addition, a retrospective design is not able to generate 'predictive' data.

As a second consequence, the results are not generalizable, except to populations of a similar type, taking into consideration and possibly controlling all the variables involved with possible confounding effect: not only age, sex, marital status, sibling data, level of education, IQ, full psychiatric state examination, psychiatric diagnosis, drug and/or psychological treatment, level of alcohol consumption, number or prior criminal offenses, and so on, but also length of imprisonment according to sentence, and length of imprisonment at the time of testing.

### Comparison studies between murderers and other criminals ( $N = 13$ )

Major goal of the comparison studies between murderers and other criminals is to identify statistically significant differences in Rorschach test indices, in similar conditions of test administration, with less distorting effect of sentence, prison environment and so on.

The five papers published before 1990 shows major methodological flaws, and have been mentioned only for the purpose of completeness of the present reviews:

- in the first study of the series (Kahn, 1959), the two groups are too much heterogeneous as regards presence of psychotic subjects;
- 3 out 5 studies didn't specify Rorschach method (Kahn, 1959; Lester & Perdue, 1973; Lester, Kendra, Thisted and Perdue, 1975); the remaining 2, used outdated not standardized and psychometrically reliable and valid procedures, such as that by Kloper (Kloper, Ainsworth, Kloper & Holt, 1954) (Gupta & Sethi, 1974; McDonald & Paitich, 1981).

More recent contributions ( $N = 8$ ) are methodologically well designed, and reported quite interesting results, very useful in the forensic evaluations of similar samples of murderers, i.e.: adolescent murderers, both 'conflict group' or 'crime group' homicides (Greco & Cornell, 1992); adult male violent murderers (Coram, 1995); sexual homicide perpetrators (Gacono, Meloy, & Bridges, 2000; Gacono, Meloy, & Bridges, 2008; Meloy, Gacono & Kenney, 1994; Huprich, Gacono, Schneider & Bridges, 2004); male uxoricides (Lefebvre & Léveillée, 2008), and adult female murderers (Trebuchon & Léveillée, 2016). Anyway, it must be outlined that sample size of murderer and/or comparison groups is lower than 25 in 4 out of these 8 studies, since that replication is needed in larger samples (Coram, 1995; Greco & Cornell, 1992; Lefebvre & Léveillée, 2008, Trebuchon & Léveillée, 2016).

### Comparison studies between subgroups of murderers ( $N = 4$ )

Perdue & Lester (1973), according to Beck's method (1944), reported more W ( $p < 0.05$ ), fewer FM ( $p < 0.05$ ), lower F+% ( $p < 0.05$ ) and lower F% scores ( $p < 0.01$ ) in 20 males who murdered kin (wives and blood relatives) when compared with 20 males matched for age, race, IQ and length of time in prison, who murdered unrelated victim (Student two tailed test). As Authors stated "*The reliability of these results must, of course, remain in doubt until the study is replicated*".

Perdue & Lester (1974), without specifying Rorschach method, found no statistically significant difference as regards 26 Rorschach variables in the protocols of 33 black homicidal males, when compared with those from 33 white murderers matched for age and intelligence: these findings too, lack confirmatory research.

Finally, the contributions by Grattagliano et al. (2019a, 2019b) are the most interesting from ones a forensic point of view. These Authors have retrospectively rescored, according the SRR (Cicioni, 2016; Giambel-

luca, Parisi & Pes, 1995; Parisi & Pes, 1990), one of the three Rorschach methods known as reliable and valid (Zizolfi, 1916), the Rorschach of 49 murderers, examined during their trial, stored in the database of the Criminology and Forensic Psychiatric Hospital Section of Bari University: 43 males and 6 females; 17-67 years old; 24 single, 21 married and 4 separated; 8 without any psychiatric history, 41 with different psychiatric diagnoses (13 schizophrenia, 1 delusional disorder, 1 bipolar disorder, 5 depression, 4 psychorganic syndrome, 13 personality disorder, 4 mild mental disability). Following the court expert evaluation, 23 were recognized as 'mentally sane' and therefore imputable, 10 as 'partially mentally insane' and 16 as 'totally mentally insane' at the time of the crime. No statistically significant difference was found in the distribution of the judgement of imputability ('mentally sane', 'partially mentally insane', 'totally mentally insane') as regards gender, age, marital status, years of schooling and premeditation of crime. As 'totally mentally insane' and not imputable were judged: 11 out of 13 schizophrenics, 1 out of 5 depressed, 1 out of 4 with mild mental disability and 2 out of 4 patients with psychorganic disorders. In 14 cases, the homicide was considered as premeditated, in 35 as impulsive and not premeditated. In 31 cases, the crime scene was classified as 'organized', in 16 cases as 'disorganized' (no sufficient data in 2 cases). More than 200 SRR Rorschach indexes were evaluated. The results were statistically analyzed with SPSS (Statistical Package for Social Science, Version 15.0), by means of Student two-tailed t test and by means of chi square test. In the first study (Grattagliano et al., 2019a), searching to identify Rorschach variables associated with the judgement of imputability, no difference was found between 23 'Totally sane' and 10 'partially mentally insane'. 16 'totally mentally insane' showed higher F- responses when compared with 23 'totally sane' (mean: 4.06 vs 2.52, SD: 2.57 vs 2.33,  $p < 0.05$ ), and with 10 'partially mentally sane' (4.06 vs 2.10, SD: 2.57 vs 2.08,  $p < 0.05$ ). When 16 'totally mentally insane' were compared with the remaining 33 subjects, two Rorschach variables discriminate in a statistically significant measure: R+% (mean: 58.2 vs 70.3, SD: 17.6 vs 19.4;  $p < 0.05$ ) and F- (mean: 4.06 vs 2.39, SD: 2.57 vs 2.23;  $p < 0.05$ ). In addition, R+% (NV = 70-80) and F+% (NV = 70-80) are higher than 70 only in 4 out of 16 'totally mentally insane', in 7 out of 10 'partially mentally insane' and in 21 out of 23 'mentally sane'. No difference between the three groups was found as regards affective Rorschach variables. According to these results, R+% and F- SRR variables appear to be the most useful in the forensic setting as regards the judgement of imputability. In the second study (Grattagliano, et al., 2019b), looking to identify Rorschach variables perhaps associated with the dichotomy 'organized crime scene' vs 'disorganized crime scene', no statistically significant difference was found in the distribution of the type of crime scene (organized vs disorganized) as regards gender, age, marital status, years of schooling and premeditation of the murder. An orga-

nized crime scene was more frequent in imputable and partially insane murderers when compared with non-imputable, and in normal subjects when compared with those suffering from a psychiatric disorder (chi square test,  $p < 0.05$ ). Rorschach records of murderers with 'disorganized crime scenes' (N = 13), when compared with those of murderers with 'organized crime scenes' (N = 31) (Student two-tailed t test) (N = 16) showed a higher total R (mean: 16.6 vs 13.2; SD: 4.7 vs 5.0;  $p < 0.05$ ), higher D (mean: 9.44 vs 6.58; SD: 4.30 vs 3.77;  $p < 0.05$ ), higher Dim% (mean: 2.42 vs 0.84; SD: 3.46 vs 1.19;  $p < 0.05$ ), higher F (mean: 13.25 vs 9.61; SD: 3.62 vs 3.39;  $p < 0.05$ ) and, most importantly, much higher F- (mean: 4.31 vs 2.12; SD: 2.80 vs 1.75;  $p < 0.05$ ). Since negative form quality (F-) is one of the most reliable and valid Rorschach indexes (Mihura, Meyer, Dumitrascu & Bombel, 2013), a value more than twice in murderers leaving a disorganized crime scene, certainly signals lower cognitive abilities, rough observation powers, compromised attention and concentration and poor cognitive self-control in this group of homicides. These results, too, confirmed the relevance of R+% and F- SRR Rorschach variables in the forensic setting.

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## Thought, responsibility and acting out: the relevance of Ferenczi's criminology

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**Abstract**

Ferenczi's criminology has historically had little consideration, despite it remains fundamental for the subsequent developments of psychoanalytic theory and clinic applied to the legal field. In this article, we will explore the theoretical implications of Ferenczi for criminology, drawing a lesson on acting out in general. Impulsive behavior appears to be the result of an interrupted or deficient process of subjectivation due to traumatic experiences that have not found elaboration due to a process of freezing and inhibition of the thought function. Two clinical vignettes show the absence of subjective capacity of elaboration of psychic material and unconscious representation, which are linked to acting out. On the other hand, these two cases demonstrate the significance of the psychoanalytic concept of extended responsibility, which also encompasses the unconscious sphere. Some thoughts about the relationship between the socio-cultural Mafia influence on the individual and the individual's subjective responsibility are developed through a psychoanalytic perspective with reference to one of the two clinical cases.

**Keywords:** Responsibility, acting out, subjectivation, thought, crime

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## Thought, responsibility and acting out: the relevance of Ferenczi's criminology

### Introduction

With this contribution we intend to reflect about responsibility in psychoanalysis through the Ferenczi's work *Psychoanalysis and Criminology* (1928). It is worth to note does not exist an English translation of this written, yet the text is available in the Italian and French versions of Ferenczi's writings. However, this is a fundamental text, since it allows us to underline the relevance and scope of psychoanalytic theorization on acting out by the *enfant terrible* of psychoanalysis. In this writing the Hungarian psychoanalyst takes up and explores in depth themes already developed on other occasions (Ferenczi, 1913, 1919a). In particular, he supports the use of psychoanalysis in the legal and criminological field, in order to evaluate the most complex cases from a personological point of view and to discover the unconscious motivations underlying criminal conduct, thus also opening up the possibility of "re-education" or "rehabilitation". The psychoanalysis of criminals, in fact, would allow the integration and elaboration of unconscious psychic contents, which - being inaccessible- can be acted out in the external world by means of impulsive conduct.

As other authors have already pointed out (Borgogno, 2004), Ferenczi's theoretical contribution to psychoanalysis is not only still current, but is also fundamental for understanding some phenomena that characterize contemporary clinical practice, especially that of the so-called "limit cases". In particular, in these writings Ferenczi not only clarifies the possible theoretical and clinical implications of psychoanalytic criminology, but also outlines explanations of impulsive behavior.

The fundamental thesis of our contribution is to show through Ferenczi's thought that impulsive behavior, *acting out*, is the result of a deficit in the process of subjectivation, and, therefore, also of a lack of responsibility on the part of the subject. A responsibility that is to be distinguished from the strictly legal one. Indeed, with "legal responsibility" we mean a responsibility for the actions of the individual as closely linked to conscious intentions. In other words, the individual is responsible because their action is connected to conscious mental states. In criminal law, indeed, the subjective element of the offense is essentially based on this very specific conception of responsibility, which evidently has a philosophical significance (Alparone, 2020; Aleo, 2016, p. 270).

### Responsibility in psychoanalysis

The application of psychoanalysis in the judicial field can have both a clinical and scientific purpose, since psychoanalysis is not only a treatment practice but also a theory of psychic working. Ferenczi underlines how psychoanalytic treatment is fully applicable to the criminological field, especially to help delinquent subjects understanding the unconscious motivations of their conducts, supporting them in processing the crimes committed. In this regard, the Hungarian psychoanalyst writes:

in the course of analytic treatment, the patient or student must learn to extend the scope of his responsibility to include such unconscious tendencies; in doing so, they will be able to master many involuntary acts previously considered unavoidable fatality. In conclusion, psychoanalysis not only recognizes responsibility as a fact, but attributes to it hitherto unsuspected powers (Ferenczi, 1928a, p. 192, our translation from Italian).

Ferenczi describes a new and innovative way of understanding criminology for the time. Regarding the concept of responsibility, which implies the notion of freedom of human being, he states that psychoanalysis is certainly a deterministic science, and therefore the impulsive behavior is causally connected with unconscious motivations and representations not elaborated by the subject. Furthermore, in his famous writing on lay psychoanalysis, Freud noted that the subject of law does not coincide at all with the psychoanalytic conception of the neurotic individual (Freud, 1926, pp. 221-222) and/or with the subject of the unconscious. However, as recent contributions on the matter also point out (Alparone, 2020), the causal connection between unconscious psychic content and conduct, i.e. the psychic determinism of psychoanalytic theory, does not exclude the responsibility of the subject at all, far from it. In fact, the path of analysis pushes the individual into a process of interpretation and elaboration of the unconscious, therefore, to broaden the field of responsibility, and not to narrow it (Acke & Meganck, 2024). From this point of view, what Freud states in this regard appears interesting:

Dr. Ferenczi reports that he was a distracted person himself, and was considered peculiar by his friends on account of the frequency of his falling. But the signs of inattention have almost all disappeared since he began to practice psychoanalysis with patients, and was forced to turn his attention to the analysis of his own ego. He believes that one renounces these failings when one learns to extend by so much one's own responsibilities. He therefore justly maintains that distractedness is a state which

depends on unconscious complexes, and is curable by psychoanalysis. (Freud, 1901, p. 156, note added in 1910).

In this sense, the acquisition of a sense of responsibility also extended to those actions, which individual does not recognize voluntariness, could be considered the objective of the analysis: wanting to take up the classical legal definition in a broad sense, “A responsible individual is someone who can be held accountable for their actions”.

From this perspective, it is possible to reread the famous Freudian phrase “*Wo Es war, soll Ich warden*” (Freud, 1933, p. 111) in the sense that the acquisition by the Ego of new territories of the Id implies precisely the expansion of the responsibility. In other words, we could therefore say that a subject in the strict sense is someone who can be responsible for one’s own actions, therefore the subject of psychoanalysis is a subject who has also made herself responsible for unconscious intentions, possibly following a course of analytical treatment. It is precisely from this point that Ferenczi can think in a pioneering way about the possibility of analyzing the “criminal” subject, although he still keeps in mind the possible deadlocks of this practice.

In fact, some declinations of criminal conduct, with certain psychic or psychopathological structures, in particular those not attributable to neurotic types, cannot necessarily be analyzed:

there is also an area that criminal psychology and the theory of neurosis contend with: the so-called “sexual perversions”. The latter, in fact, if on the one hand give rise to illicit acts prosecuted by law as they constitute a threat to the safety of society and the individual, on the other hand they are sometimes subject of analytical treatment. I say “sometimes” because most of the so-called “perverts”, and indeed, the most dangerous, have completely agreed with their situation and their actions, and the last thing on their minds is to see a doctor to remedy it (Ferenczi, 1928a, p. 185).

In these criminals, in fact, there would be a sort of coincidence between the conscious will and the repressed instinctual drives. If in the case of neurotic criminals, there were instinctual drives that push the subjects to carry out actions, for which they will later experience remorse of conscience (ibid. p. 188), in the case of “perverse” criminals, instead, there would be a coincidence between instinctual drive and conscious will. In this sense, we could say that the habitual criminal puts into practice what the neurotic only allows himself to dream (Assoun, 1993, p. 156).

In this case, it is clear that the subject cannot have access to a sense of guilt, therefore not even a real assumption of responsibility in the strict sense. Therefore, this type of criminal cannot always be analyzed, as in the case of drug addiction and it is necessary to also refer to other therapeutic techniques in addition to the psychoanalytic one (Ferenczi, 1928a, p. 185). There is a difference between neurotic and “perverse” criminality which will return in all subsequent criminological elaborations by psychoanalysts, as in the case of the “normal criminals” or

“organic type psychopaths” of Alexander and Staub (1929), or the “neuropathic criminal” by Weiss (1932, p. 93). Furthermore, consider that many current researches still reveal the difficulties in treating so-called “psychopaths” from a psychodynamic point of view and not only (Dragone et al., 2022).

## Thinking and acting out

Summarizing what has been said so far, it is possible to affirm that the subject is not a natural given, nor a transcendental emanation or an ontological figure, it is not even a matter of a universal substance that is always the same as itself. As emphasized by several authors elsewhere (Alparone, 2021, p. 209 ss.), the legal subject is an abstractly responsible entity, capable of understanding and intending at the time of committing the unlawful act. However, in psychoanalysis, this discourse is not valid; the responsibility of the subject must not only be assessed concretely but also considered for the actions that are not directly linked to conscious control. In psychoanalysis, the subject is the result of an evolutionary and developmental process, during which specific abilities and skills are acquired at the intellectual and affective level. According to this thesis, the individual does not have a sense of autonomy and responsibility by nature or metaphysical grace, but develops it starting from environmental stimuli of a symbolic, socio-cultural and affective dimension, without ignoring one’s own individual variability (ibid.).

In this regard, the social philosopher Axel Honneth (2011), taking up the psychoanalytic theory of Winnicott (1940, 1965), conceives the acquisition of moral autonomy as the result of social interactions of recognition, both primaries affective and relational, and secondary social and institutional. Even in the psychotherapeutic process, the therapist’s recognition of the patient’s mental states allows the acquisition or strengthening of the subject’s sense of self as capable of autonomously implementing effective actions (Fonagy & Allison, 2014).

In this sense, we must speak of the process of subjectivation, taking up the contribution of some psychodynamically oriented authors (Richard & Wainrib, 2006), referring precisely to the thought of Ferenczi (1933). They point out how the process of emotional and intellectual development can be prevented, interrupted and hindered by traumatic events, or even by unelaborated transgenerational unconscious contents (Perpete Berger et al., 2018, p. 114).

Yet what is the nature of the unconscious motivation that pushes the subject to acting out? What is the mechanism that underlies the working of impulsive behavior? About this question, it is worthy to take up the following passage from Ferenczi’s text, in which the author speaks in a very illuminating way about the function of thought:

we must not forget that thought is a kind of rheostat inserted between feeling and wanting; when the activity of thought has reached such a degree of completeness as



to generate a belief, then the dams of motility spontaneously open and we feel emotions, impulses to act and speak which correspond to the conviction we have formed (Ferenczi, 1928a, p. 190).

The metaphor used by Ferenczi about “thought” as a “rheostat between feeling and wanting” is very significant for the topic we are addressing. Of course, Ferenczi does not use this image to explain a pathological or criminal functioning, but rather to talk about what happens daily in each of us, and in particular in psychoanalyst’s mind when she reflects on her own clinical experience. This is an aspect that makes the definition even more interesting and acute, especially if we consider that it is placed within a writing on criminology. One wonders, therefore, what happens at the subjective level when this “rheostat” fails or does not exist at all.

Freud (1890) already identified “thought” as an important function in the connection between the so-called “psychic life” and “somatic processes”, noting how «it is quite an everyday experience that the generation of affect inhibits the normal passage to thought» (Freud, 1895, p. 357). In the subsequent development of Freud’s work, thought increasingly takes on a central place in structuring the subject’s ability to adapt to the needs of reality:

the ego controls the approaches to motility under the Id’s orders; but between a need and an action it has interposed a postponement on the form of the mnemonic residues of experience. In that way it has dethroned the pleasure principle which dominates the course of events in the id without any restriction and has replaced it by the reality principle, which promises more certainty and greater success (Freud, 1932, p. 76).

In other words, for Freud, thought is something that lies between the instinctual need of the Id to be satisfied and the motor action capable of satisfying it. In this sense, thought inscribes the action within a project, comparing the current situation with previous experiences and introjected rules, and thus inscribing the action in a trajectory in which the purpose and possible consequences are projected: «a new element is inserted between impulse and action: a lapse of time that makes room for the possibility of thinking» (Solms, 1996, p. 357).

Returning to Ferenczi (1928), the “rheostat” is an artefact that is inserted inside an electrical circuit, decreasing the voltage and avoiding overheating of the elements. Thought, therefore, would act as an intermediary between incoming stimuli (feeling) and the drive to action (wanting). It is well understood that when it is missing, the psychic apparatus gives in and there is the drive to action without mediation, the impulse without brakes. Regarding the term “conviction”, Ferenczi already uses this concept in another writing, in which he states that conviction, as opposed to simple belief, is the result of a process of acquiring an idea or opinion after a subjective elaboration that involves the entire personality of the individual, in a conjunction of the affective and intellectual dimensions (Ferenczi, 1919b, p. 448).

The “conviction” is the result of the subject’s ability to

project herself into a medium-long term project, an indication of the ego’s good integration skills, possibly developed in psychoanalytical therapy (ibid., p. 450). In this sense, “conviction” is a thought that thinks itself, allowing the subject to access his deepest feelings through language. At this regards, Solms (1996) points out that it is through words and their grammatical rules, which we inherit from others, that we can communicate our deepest experiences, therefore transforming primary processes through the reality principle (ibid., p. 342).

Therefore, the function of thought appears fundamental for the subject’s decision-making space to be constituted with respect to the implementation of a conduct. A space for processing the roughest and most primitive mental elements that does not allow their direct expulsion through action (Bion, 1972). It is in the moment of thought that the subject cannot only curb the impulse, but also become aware of some contents of her own and others’ minds, a fundamental moment for the acquisition of a sense of responsibility, underlining the correlation, in both clinical and social contexts, between the mentalization process and agency (Schimansky, 2010; Fonagy et al., 2019).

## Two cases from prison

Two cases of two subjects incarcerated to have committed crimes will allow us to demonstrate the link between thought deficiency and impulsivity, thus emphasizing the importance of the subjectivation process for acquiring responsibility. Specifically, the second case will also allow us to illustrate what we mean by psychoanalytic responsibility. Haut du formulaire

D. is a forty-year-old inmate with several experiences of incarceration and a conviction for murder which he is serving time for. The event took place several years ago, and now he speaks about it with a certain clarity. D. and his criminal gang had recovered a significant haul from a robbery. During the division, one of the group members insisted on a larger share for himself. This led to a quarrel that resulted in the killing of that group member. Re-counting the tragic episode, not without some emotion, D. states:

“You see, doctor”, he said, addressing me, “it was anger. Anger, when it rises, often becomes uncontrollable”. “We had pulled off a robbery with a group of guys. It was just fooling around with friends. Then one of them wanted to keep more for himself... and well, it ended up in an argument”. He concludes by saying, “It was a moment of recklessness, that’s all”. “Then maybe you think, ‘What have I done?’ when you’re calm, but then perhaps at that moment, an argument erupts, and you make a mistake”.

In describing the violent criminal act, here a homicide, D. frames the act in terms of “uncontrollable”, “recklessness”, with a general sense of “loss of control”. At that moment, the subject’s mental state is characterized by a

complete absence of thought. There is no planning in consciousness, no representation of the consequences of actions. The “rheostat” mentioned by Ferenczi is absent. Therefore, the impulse manifests directly in motor discharge, muscular action (Freud, 1911, p. 221) without the mediation of consciousness, thought, or speech. Even Ferro highlights how criminal behaviour is characterized by a very low level of thinking, specifically emphasizing how criminal behaviour provides a pacifying effect for the individual of unthinkable mental states that are discharged through a motor (muscular) activity (Ferro, 2007, p. 34). Through Ferenczi’s perspective on criminology, one could say that in D.’s case the thought rheostat does not function at all, so the subject in blackout of thought acts without mediation of the mental function. Haut du formulaire

Clearly, the individual in question does not suffer from a form of psychopathology that would render them unable to understand his actions at the time of the crime. It is simply a typical case of acting out linked to the absence of thought mediation, with a general deficit of subjectivation process. Nevertheless, psychoanalysis, as Ferenczi asserts, still acknowledges implicit responsibility of the subject. A responsibility for acting out, and so unconscious elements of personality. With Lacan, we could say that: «psychoanalysis simultaneously resolves a dilemma in criminological theory: in unrealizing crime, it does not dehumanize the criminal» (Lacan & Cénac, 1966, 110). In other words, thanks to psychoanalysis, it is possible to understand how the subject, in such cases, is moved by an unconscious fantasy in the criminal act, the role of discharge that the act serves for him as lacking in thought. On the other hand, however, this also allows us to recognize a form of responsibility, namely humanity. It is clearly a paradoxical theoretical position. Psychoanalysis acknowledges both the lack of subjectivation in the acting out and simultaneously an implicit responsibility. From this perspective, it is as if the subject unconsciously (and paradoxically) chooses to act instead of thinking. This is the teaching of Freud, Ferenczi, Lacan, and psychoanalysis in general on the responsibility of the criminal.

The second case is of another subject with a much longer and more eventful criminal career than D., but author of fewer violent crimes, demonstrates this aspect of unconscious responsibility of the subject and appears from this point of view more interesting.

T. is a sixty-year-old men. He is an inmate who has been arrested multiple times throughout his life for crimes of theft, robbery, and extortion. He reports a series of anxiety disorders and widespread psychological discomfort, with difficulty falling asleep. When talking to me about his sleep disturbances, he spontaneously mentions some of his recurring dreams. The most significant of these, as it is very distressing and frequent, is that of being arrested. This nightmare particularly recurs when he is in a state of freedom, that is, outside of prison. The anxiety that accompanies this nightmare is accompanied by the idea that he will soon be arrested in reality. Indeed, he is convinced that the dream always comes true afterwards.

Clearly, the functioning of the subject is now characterized by a habitual pattern of criminal behaviour, albeit of mild or moderate severity. Indeed, T. is historically linked to the criminal mafia association and therefore detained in a high-security prison. His entire life, since adolescence, has been marked by arrests and detentions. T. sometimes claims to have spent practically half of his life behind bars. However, the traumatic aspect of the arrest experience, although habitual, persists in his psyche.

The arrest takes on traumatic characteristics that the subject cannot process. The repetitive dream of the traumatic experience is merely an attempt by the subject to attribute meaning to it, to process it, as Ferenczi (1934) has also emphasized. Furthermore, it is not insignificant that the dream of arrest occurs while the subject is in a state of freedom and is fantastically imbued with a certain importance and significance, almost superstitiously. Through the dream, the subject expresses and realizes a deep unconscious sense of guilt for something much more primal and profound than the actual action committed. From a Freudian perspective, T.’s entire life could be interpreted as a typical case of a criminal driven by guilt (Freud, 1916), that is, a criminal who needs to engage in criminal behaviour to be punished in order to alleviate a much more severe unconscious guilt.

In the case of T., responsibility extended to the unconscious sphere of personality becomes evident through the recurring dream of arrest, indicating a subject with evident difficulty in accessing the function of thought. In his case, the deficit in symbolization relates to the unconscious guilt left unprocessed and unthinkable. The moment of arrest thus represents a traumatic moment for him because it is laden with meaning and enigmatic at the same time. Laden with meaning because it refers to a sense of guilt already present in his psychic experience, but enigmatic because the unconscious origin of the guilt remains unthinkable. There is a process of subjectivation which remained unachieved, uncompleted for T. It is blocked to a moment of his past, a moment of his own development, which he repeats with his captures and dreams.

T.’s affiliation with the mafia association is also a real, factual membership, but not intellectually (and therefore symbolically) recognized, not subjectivized. In that case as well, the ties of his criminal actions to a network of relationships are quite evident from a judicial standpoint, but the subject does not assume responsibility from this perspective. This is an indication not so much that the subject is lying, but rather of a psychic functioning aimed at the denial of subjective responsibility, which is much broader than that related to simple intentional acts (Acke & Meganck, 2024). The case of S. is really important to clarify this point of view, namely the paradoxical position of responsibility in psychoanalysis. The real affiliation, albeit denied by the subject, to the mafia is the clearest demonstration of this paradoxical concept of psychoanalytic responsibility. He is certainly responsible for his ties to the criminal association, even though he subjectively denies them, describing them instead as simple family

connections. His criminal attitude is acted upon rather than thought out, yet he is still responsible for it. In other words, S. denies his own responsibility thanks to a perverted superego, so we could say that the recurring dream of being arrested reminds him of his own responsibility, and is linked to a healthy part of this perverted "rheostat". We could say that this is a "contextual responsibility", a responsibility very similar at the ethics of responsibility in the Weberian sense (Weber, 1994, p. 360).

## Conclusions

In this contribution, we have attempted to show the relevance of the concept of responsibility for psychoanalysis through Sandor Ferenczi's thought. In particular, we have highlighted the relationship between acting out, thinking activity, and the process of subjectivation starting from his writings on criminology. To do this we tried to show how the paradoxical concept of responsibility in psychoanalysis is very useful, as long as it is distinguished from the strictly legal concept of responsibility. It is an undoubtedly useful and fundamental concept if we consider that it is essential in order to talk about "subjectivity", even in a psychoanalytic sense. Psychoanalysis, in fact, does not exclude responsibility, but rather expands it, precisely because it supports the process of subjectivation, allowing the patient to rediscover the authenticity of his own Self by integrating its split parts.

In this sense, thought becomes a substitute for the transition to action, representing an integrated psychic functioning or a process of subjectivation even of the unconscious aspects of personality. From this perspective, psychoanalysis offers a different conception of responsibility from the legal one, since the individual is responsible for their entire personality and not just for their conscious intentions. Haut du formulaire A paradoxical concept of responsibility.

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