

Psychopathologies of illegal behavior of convicts in the Russian Federation and methods of their correction using gestalt therapy

Psicopatologías del comportamiento ilegal de los condenados en la Federación de Rusia y métodos para corregirlos mediante la terapia gestalt

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Abstract

The article analyzes the prevalence of psychopathological manifestations in behavior, mental disorders that do not exclude sanity among convicts in correctional institutions in the Russian Federation. We gave a theoretical substantiation of the need to create a methodology for carrying out corrective measures using gestalt therapeutic techniques for convicts in correctional institutions. We presented the data of statistical observations on the revealed psychopathologies in persons in correctional institutions. We evaluated the possibilities of gestalt therapy in the correction of the illegal behavior of convicts, arising from the psychopathological development of the personality in society. It was considered the basic principles of psychotherapeutic work (gestalt therapy), which describe the important key points of working with the psychopathological convicts in correctional institutions. We assessed the possibility of gestalt therapy in correcting convicts, determining that an employee of a correctional institution can also master the technologies of gestalt therapy, provided that he/she undergoes advanced training in mastering the techniques of gestalt therapy counseling as such training does not require special medical education. We also studied the motivational reasons for the unlawful behavior of a convict, being a trigger for the unlawful act. It is proposed some preventive and corrective methods of work on the correction of personality psychopathologies by gestalt therapy techniques.

Keywords: convicts, unlawful behavior, deviant behavior, psychotherapy, correctional institutions, penitentiary system, gestalt therapist, convict, convict reorientation.

Resumen

El artículo analiza la prevalencia de manifestaciones psicopatológicas en el comportamiento, trastornos mentales que no excluyen la cordura entre los condenados en instituciones correccionales de la Federación de Rusia. Damos una fundamentación teórica de la necesidad de crear una metodología para la realización de medidas correctivas mediante técnicas terapéuticas gestálticas para condenados en instituciones penitenciarias. Presentamos los datos de observaciones estadísticas sobre las psicopatologías reveladas en personas en instituciones penitenciarias. Evaluamos las posibilidades de la terapia Gestalt en la corrección de la conducta ilegal de los presos, derivada del desarrollo psicopatológico de la personalidad en la sociedad. Consideramos los principios básicos del trabajo psicoterapéutico (terapia Gestalt), que describen los puntos clave importantes del trabajo con los presos psicopatológicos en instituciones correccionales. Estudiando las posibilidades de la terapia gestáltica en la corrección de convictos, se determinó que un empleado de una institución correccional también puede dominar las tecnologías de la terapia gestáltica, siempre que se someta a una formación avanzada en el dominio de las técnicas del consejo de la terapia gestáltica, en vista que tal formación no requieren educación médica especial. También estudiamos las razones motivacionales de la conducta ilícita de un convicto, siendo un detonante del acto ilícito. Se proponen algunos métodos de trabajo preventivos y correctivos sobre la corrección de psicopatologías de la personalidad mediante técnicas de terapia Gestalt.

Palabras clave: convictos, conducta ilícita, conducta desviada, psicoterapia, instituciones correccionales, sistema penitenciario, terapeuta gestáltico, convicto, reorientación de convictos.

Introduction

Criminal behavior is not, itself, indicative of mental illness. If it were, perhaps it could be treated medically. However, some criminals are motivated to engage in illegal and antisocial behavior by underlying psychiatric conditions, especially those conditions that manifest themselves in symptoms such as lack of impulse control and lack of inhibition, hallucinations and delusions, paranoia, hyper-activity, and inability to concentrate or possession of impaired communication skills^{1,2}.

The spread of technology in today's fast paced world and the alarming pace of data and information transfer, and human awareness of all situations and surroundings, have caused unknown concerns and stress in the human psyche³. Such diseases and disorders in individuals sometimes unknowingly or knowingly provoke the commission of criminal acts^{3,4}.

According to the official statistical reporting of the Federal Penitentiary Service of Russia, about 8-10% of convicts and inmates (on average 45,000 - 50,000 people), patients with mental disorders and behavioral disorders, are in correctional institutions of the penal system¹, the presence of which interferes with successful measures aimed at personality correction in the Russian Federation at present. This problem has become so serious that even the order published by the Government of the Russian Federation No. 2808-r dated December 23, 2016 "On Approval of the Concept of the Federal Target Program "Development of the Penitentiary System (2017-2025)"² and the Resolution of the Government of the Russian Federation No. 420 dated April 6, 2018 "On the Federal Target Program "Development of the Penal System (2018-2026)"³ indicates that a fairly large number of convicts have various personal pathologies. "By accepting people with pathologies, carrying out, in fact, their clinical examination and providing them with medical care guaranteed by the Federal Law No. 323-FZ dated November 21, 2011 "On the Basics of Protecting the Health of Citizens in the Russian Federation", the penal system institutions contribute to the improvement of society as a whole"⁴. This fact makes us think about the presence of specialists in the penitentiary system institutions of Russia who could assume the functions of correcting the illegal behavior of convicts, the very fact of which is presupposed by the presence of personal psychopathologies.

Overall, the main objective of the study is to investigate the prevalence of psychopathological manifestations in behavior, mental disorders that do not exclude sanity among convicts in correctional institutions in the Russian Federation.

Methods

In order to accomplish the objective of the study, we provided a theoretical substantiation of the necessity to build a methodology for performing corrective measures utilizing gestalt therapeutic techniques for convicts in correctional institutions. We supplied the data of statistical observations on the revealed psychopathologies in individuals in correctional institutions.

Results and Discussion

According to the order of the Government of the Russian Federation No. 2808-r dated December 23, 2016 "The Concept of the Federal Target Program "Development of the Penitentiary System (2017-2025)"², one of the most important tasks to be solved by the specialists of the psychological service of the penitentiary system (PS) is the introduction of adequate psychotherapeutic technologies into the system of ensuring the personality correction process, as well as the prevention of illegal behavior among convicts.

Officially, correctional institutions contain about 20% of persons suffering from various types of psychopathologies that do not exclude sanity, including persons suffering from addictive behavior; their share is about 60%¹. This type of pathology requires increased attention from the employees of institutions since they require special psychotherapeutic intervention during the personality correction of the convict. A confirming factor that speaks of the prevalence of psychopathological personality traits among convicted persons in correctional institutions is the research results conducted by Antonyan et al.⁵ who found that 95% of persons had such signs of psychopathology as psychopathy, mild debility, the consequences of traumatic brain injuries that affected the psyche, out of the entire one hundred percent sample of persons in relation to whom psychiatric studies, psycho-psychiatric studies were assigned. A fairly large group of convicted persons (about 40%), staying in correctional institutions, are persons suffering from various types of psychopathies of those identified^{5,6}. However, despite the given data, we are forced to state that there is no sufficient level of medical and psychological assistance in correctional institutions for convicts with psychopathological manifestations of personality.

They have not paid due attention to psychological and psychotherapeutic assistance in relation to the correction of illegal behavioral manifestations in convicts in the penal system of the Russian Federation for a very long time. The main work on the correction of convicts was carried out within the framework of occupational therapy, but no attention was paid to the mental health of convicts, although this fact is the root cause of illegal behavior. In our opinion, it is necessary to rethink the capabilities of correctional institutions in terms of correctional work with convicts⁷⁻⁹.

The psychopathologies of the personality of convicts are manifested both through aggressive behavior, directed outward, and self-destructive behavior directed inward. This fact determines the creation of a well-built system of diagnostics of convicts in the criminal correctional system to identify psychopathologies in them and an established comprehensive system of measures to provide psychotherapeutic assistance. To diagnose psychopathological manifestations in a convict, specialists in the field of psychology, psychiatry, and psychotherapy should be involved, but we recommend using the principles and techniques of gestalt therapy.

Forming a safe place to live, gestalt relieves a person from destructive forms of behavior through rehabilitation¹⁰. Correc-

tion of behavior by gestalt therapy methods has the goal of “not changing (a feeling of) oneself as “oneself”, but rather to realize oneself and one’s feelings”¹¹. The theory and practice of gestalt therapy have a beneficial effect on those suffering from personality disorders, psychosomatic problems, and substance addiction. The evidence has shown that gestalt therapy shows better results than other methods of treating various psychological disorders¹²⁻¹⁵.

In our opinion, the gestalt therapeutic approach of correcting unlawful behavior and resocialization of a convict staying in a correctional institution is the most convenient and effective. It is so since psychological correction using the gestalt therapeutic methods covers the entire structure of the personality and is a continuous process of correcting personality changes, which takes place after therapy with a specialist already in the consciousness of the psychopathological personality itself. Psychotherapy as a corrective effect is aimed at the convict’s awareness of his/her motives, which prompted him/her to commit illegal activities. The gestalt therapist works from the principle of maintaining all mental processes that occur with the convict during therapy, avoiding the evaluative component of the convict’s actions. During psychotherapy, there is a meeting (contact) of the convict with new forms and mechanisms of interaction with the surrounding reality, a rethinking of old destructive forms of interaction. Such work does not contradict the order of the Ministry of Justice of the Russian Federation No. 238 dated December 12, 2005 “On Approval of the Instructions for Organizing the Activities of the Psychological Service of the Penitentiary System”. The advisory function is aimed at providing psychological assistance to an individual in solving personal psychological problems, problem situations, assistance in career guidance, self-development, as well as for solving office problems, taking into account psychological factors¹⁶.

Let’s consider the principles of work of gestalt therapists. The basic principle is “now” or “here and now”. The principle involves developing the ability to concentrate your feelings and manifestations in the present moment. Therapy develops the convict’s ability to learn to determine his/her feelings in relation to what is happening to him/her and around him/her at a given moment, the convict gets the opportunity to respond to what is happening with the help of a psychotherapist. As a rule, when the therapist talks about feelings “here and now”, it is difficult for a convict with personality psychopathology to feel himself/herself at the moment, he/she is paralyzed by the painful experience of the past hidden in the subconscious and then we can observe various aggressive reactions from the personality. The therapist’s task is to actualize these experiences, to transfer this material to “here and now”, to help the convict react to painful experience. In cases where this finally succeeds, the person always experiences relief, a certain trust arises between the psychopathological person and the therapist, and then we can talk about a positive therapeutic effect, establishment of contact between the person and the therapist.

Integrity principle - a person is an integrated system that combines biological, psychological, social, and spiritual aspects.

He/she seeks to represent a single gestalt with his/her environment. Accordingly, it is necessary to teach the convict to see the environment without fear, to be able to define him/her in this environment, to determine the boundaries of safe contact with the environment. It is necessary to create complete automated schemes for secure interaction with the environment. Since any aspect of behavior is a manifestation of the integral being of a person, it is necessary to designate the contact boundary between the convict and the environment in this unity. The problem of a psychopathological personality with illegal forms of behavior is that he/she is under the influence of unfinished gestalts, that is, non-experienced problems, which makes him/her live not here-and-now, but turn and resort to the past experience. The main obstacle to personal growth is incompleteness, lack of response to past situations, as well as a fear of returning to loneliness, which occurs when a person is deprived of the usual patterns of behavior. This state leads to the inability to withstand strong experiences and is expressed in various emotional manifestations, the awareness of why this is happening marks a person’s rebirth, the response of the previously restrained, distracting part of the energy and the opportunity to live in the present.

Principle of the phenomenological approach. Perls¹⁶ called gestalt therapy philosophy of the obvious. He also said that “gestalt therapy is the first existential philosophy to stand on its own feet”. Support for any individual experience or phenomenological state means how each of us perceives the world, how we organize our world and ourselves, and how we create our meanings. Phenomenology consists in the ability to listen to the personality “refreshed”, discarding existing values, theories, interpretations, knowledge, since this is the experience introduced by the environment and not the experience of the convict’s personality. This approach makes it possible to understand and see the origin of the primary experience of the convict and try to understand the reasons for behavior by neutralizing their stereotypes.

Principle of field theory. The “field” concept is borrowed from natural sciences. It is suitable for describing the person’s interaction with the environment, which leads to contact, which can interrupt contact, how the contact with the environment occurs, what forms of contact and withdrawal from contact are used by the person.

The most difficult element of working with a psychopathological person is always preliminary contact. For a person with illegal forms of behavior, the aspect of trust is very important in a psychologist’s relationship, but he/she has great difficulties with trust since he/she feels to be and is an “outcast” of society. The psychotherapist needs to gain the confidence of the convicted person through conversation, where he/she gets the opportunity to feel heard, understood, and accepted. The exchange of feelings is very important in the gestalt approach since the feedback is a need and useful for a person. The feedback function is to achieve a state where the self-knowledge possibilities are significantly increased. The resourcefulness of awareness of one’s feelings, needs, desires, bodily processes increases. We would like to note once

again that psychotherapy is a long process and the therapist does not set the task of an immediate change in behavior and rapid elimination of symptoms of a psychopathological personality or a rapid change in his/her behavior. The formation of psychopathology is a process that has its origins in the distant past, and it would be presumptuous to obtain an immediate and lasting result¹⁷.

The gestalt therapist works not so much with the problem itself, but with how this problem is solved and its formation as a pattern that affects the convict's interaction with society. The psychotherapeutic process takes place at the level of bodily and sensory awareness. Gestalt therapy techniques allow the convict immersing in the direct sensory experience.

Most importantly, we need to understand that the behavior of such a person can be corrected. Their problems are the result of an essentially healthy attempt to survive as emotionally as possible in a hostile environment.

Summaries and Recommendations

The main goal of corrective work with psychopathological manifestations of persons in correctional institutions is to reveal the nature of the deep unconscious motives of a person's behavior, to reveal his/her selfish motives and direct them into the channel of socio-cultural self-expression, that is, to switch drives by transferring the convict's interest to other objects without changing the motive.

The process of realizing one's needs is associated with the awakening of such universal human values as goodness, conscience, justice, responsibility, duty, shame, etc., which become the main regulators of behavior. The field of personality consciousness is filled with value orientations, thereby achieving the goal of forming the legal consciousness of the convict's personality.

Thus, the discoveries made by psychoanalysts and psychotherapists can, directly and indirectly, influence the psychopathological personality of a convict staying in correctional institutions, and can be used both in preventive and corrective work with convicts to prevent and eradicate motivation for unlawful behavior. It is also recommended to work in line with increasing the level of professional competence of psychologists working in the penal system through their mastery of available methods and knowledge about psychotherapy and gestalt therapy.

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References

1. Federal Penitentiary Service [Electronic resource]: statistical data: URL: <http://www.fsin.gov.ru/>.
2. "On Approval of the Concept of the Federal Target Program "Development of the Penitentiary System (2017-2025)": order of the Government of the Russian Federation No. No. 2808-r dated December 23, 2016 // Official Internet Portal of Legal Information [Electronic source] – URL: <http://www.prgov.ru>.
3. "On the Federal Target Program "Development of the Penal System (2018–2026)": order of the Government of the Russian Federation No. 420 dated April 6, 2018 (as amended dated April 30, 2020 // Official Gazette of the Russian Federation. - 2018. - No. 16. - p. 2374 (Part II)
4. The Federal Law No. 323-FZ dated November 21, 2011 (as amended on July 8, 2016) "On the Basics of Protecting the Health of Citizens in the Russian Federation" // Official Gazette of the Russian Federation. - 2011. - No. 48. - p. 6724
5. Personality of a criminal and crime prevention /Yu.M. Antonyan / ed. by Yu.M. Antonyan. M.: Prospekt, 2017. 224 p.
6. Kalmanov G.B., Kostyuk M.F. Features of criminal liability for violent crimes in persons with mental abnormalities // Russian Investigator. 2012. No. 21. P. 10-13.
7. Law of the Russian Federation No. 3185-1 dated July 2, 1992 (as amended on July 19, 2018 "On Psychiatric Care and Guarantees of Citizens' Rights During its Provision" // Bulletin of the Congress of People's Deputies of the Russian Federation and the Supreme Soviet of the Russian Federation, 1992. No. 33. - p. 1913
8. "On the Basics of Protecting the Health of Citizens in the Russian Federation" [Text]: Federal Law No. 323-FZ dated November 21, 2011; (as amended on June 8, 2020) // Official Gazette of the Russian Federation. – 2011. – No. 48. – P. 6724.
9. On the Practice of Using Compulsory Medical Measures by the Courts: Resolution of the Plenum of the Supreme Court of the Russian Federation No. 6 dated July 2011 (as amended in March 3, 2015) // Russian Gazette. - 2011. - April 20. - No. 84. - p. 4-5
10. Levin, J. (2010). Gestalt Therapy: Now and for Tomorrow. Gestalt Review,1(2): 147-170
11. Zinker, J. (1977). Creative process in gestalt therapy. New York, NY: Random House Publishing.
12. Corey, G. (2009). Theory and practice of counseling and psychotherapy (8th ed.). Belmont, CA: Brooks/Cole Publishing.
13. Kolodziejski, D.J. (1972). A descriptive and comparative study of gestalt therapy counselor responses. Doctoral Dissertations 1896 - February 2014. 2687
14. Kendram A. Palmer. Gestalt Therapy in Psychological Practice <http://www.inquiriesjournal.com/authors/74/kendra-a-palmer>
15. On Approval of the Instruction on the Organization of the Activity of the Psychological Service of the Penal System: order of the Ministry of Justice of the Russian Federation No. 238 dated December 12, 2005.
16. Perls, F. (1969). Ego, Hunger and Aggression. New York: Vintage Book
17. Kislyakov, A.V. (2020). The prevalence of mental disorders among people serving sentences in correctional institutions as a social problem / Penitentiary law: legal theory and law enforcement practice, 1(23): 68-75.