

# Grossesco Crimine. The rising force of evil

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## ABSTRACT

The theme of evil, as a prerogative of the human being, is analyzed through the tendency to commit criminal acts on the basis of irrefragable impulses, not only in a context where psychic development is deviated from destructive phenomena but also, and mostly, in contexts where men's malevolent ego increases proportionally to the typology of the committed crimes. Using the phrase "*grossesco crimine*", the evil is indicated as an expression of violence arising from situations of intolerance towards one's own frustrations, combined without any empathy or sensitivity of others feelings, can develop into a natural drive translated into the acting out of a criminal action. And the attempts of philosophical sciences are clear on bringing the evil theme back into the broader concept of *crisis of meaning*, intending as a *crisis of reason*, compromising the ability to define the reality in a critical and objective way. The abstraction of evil in philosophy, and his projections in society, is expressed in the evil of man over man: from crimes of instigation to suicide where the evil is expressed through those behaviors suitable to strengthen a self-destructive purpose, till all of those actions who represents the prelude of a suicidal act or that represent an unfulfilled attempt and which are included, in literature, in the concept of *parasuicide*.

## RIASSUNTO

Il tema del male, inteso come una prerogativa dell'essere umano, viene analizzato attraverso la tendenza a commettere atti criminali sulla base di impulsi irrefrenabili, non soltanto in un contesto in cui lo sviluppo psichico risulta deviato da fenomeni destrutturanti ma anche e, soprattutto, nei contesti in cui l'ego malevolo dell'uomo accresce in maniera proporzionale alla natura dei crimini commessi. L'utilizzo della locuzione "*grossesco crimine*" vuole riferirsi, appunto, al male quale espressione di una violenza scaturita da situazioni di intolleranza verso le proprie frustrazioni che, unita ad una totale mancanza di empatia o di sensibilità nei confronti dei sentimenti altrui, può alimentare una pulsione naturale che trova sfogo nell'acting out dell'azione criminale. E i tentativi delle scienze filosofiche appaiono chiari nel ricondurre il tema del male nel più ampio concetto di crisi di senso, da intendersi come vera e propria *crisi della ragione*, comportando, pertanto, una concreta compromissione della capacità di definire la realtà in maniera critica ed obiettiva. L'astrazione del male nella filosofia, e delle sue proiezioni nella società, si concretizza nel male dell'uomo sull'uomo: dai delitti di *istigazione al suicidio* ove il male si esplicita attraverso quelle attitudini idonee a rafforzare un proposito autolesivo, alle condotte che rappresentano il preludio di un atto suicidario o che ne rappresentano un tentativo non compiuto e che sono ricomprese, in letteratura, nel concetto di *parasuicidio*.

## RESUMEN

El tema del mal, entendido como prerogativa del ser humano, se analiza a través de la tendencia a cometer actos criminales sobre la base de impulsos irrefrenables, no solamente en un ámbito en el cual el desarrollo psíquico resulta desviado por fenómenos desestructurantes pero también, y sobre todo, en contextos en los cuales el ego malévol del hombre aumenta en manera proporcional al carácter de los crimines cometidos. La utilización de la locución "*grossesco crimine*" hace referencia al mal cual expresión de una violencia surgida de situaciones de intolerancia hacia las propias frustraciones que, unida a una total falta de empatía o de sensibilidad respecto a los sentimientos ajenos, puede alimentar una pulsión natural que encuentra desahogo en el acting out de la acción criminal. Los intentos de las ciencias filosóficas aparecen claros en reconducir el tema del mal en el más amplio concepto de crisis de sentido, de entenderse como autentica crisis de la razón, comportando, por tanto, una concreta alteración de la capacidad de definir la realidad de modo crítico y objetivo. La abstracción del mal en filosofía, y de sus proyecciones en la sociedad, se concretiza en el mal del hombre: desde los delitos de instigación al suicidio en los cuales el mal se expresa a través de aquellos comportamientos aptos para reforzar una intención autolesiva, a las conductas que señalan el preludio de un acto suicida o del cual representan un tentativo no cumplido y que son incluidas, en literatura, en el concepto de parasuicidio.

## Introduction

The words *Grossesco Crimine*, from the Latin verb *grossescere*, literally means "*Accresco nel Crimine*" (*Heighten within Crime*) and wants to suggest that concept of brutality of man who, if dominated by criminal inclinations, often grotesque and vulgar, sees that evil instinct increase, almost animal-like, that feeds its own instincts in a foolish way.

We are therefore confronted with the theme of *evil* too often manipulated, for convenience; but always and in any case opposed to the concept of *good*.

And if evil is a *sad prerogative of man*, good represents its essence, hope and desire: and to discuss evil one must inevitably speak of the sense of *pleasure*, meant not only as physical pleasure, but also psychological and mental.

Pleasure is what nourishes the desire of man and his instinctive impulses; it is something that one ardently wants to replicate

and increase. Where limiting (or subtracting) the experiences that determine pleasure in one's life causes pain and flows into the abstraction of the concept of *evil*.

Hanna Arendt<sup>1</sup> claimed that "*the sad truth is that much of the evil is done by people who never decide to be good or bad*".

Inevitable, therefore, is the historical and temporal contextualization of the concept of *good* and how it often represents the transposition of action according to moral laws imposed from outside or self-imposed.

Well, just as evil becomes the object of that *relativism* to which it replicates itself by conforming, through its own behavior but also and, above all, through its own thought.

Conforming not only to external impulses but, sometimes, conforming to one's own thought, when ready to transgress that *act according to moral norms* and which thus leads to that *trivialization of evil*, to quote again Hanna Arendt, which arises when one stops adhering to a thought of rational conformity.

One can come to think, therefore, of a society pervaded by evil, whose roots lie in an intrinsic and hidden evil, often tacitly accepted or subtly imposed: and here the evil filtered by the whole society worms into the individual who, if naturally predisposed to absorb it, can reverberate it towards his neighbor (with heterodox violent conduct) or towards himself (in the extreme hypotheses of suicidal conduct).

And hence a deep reasoning on the theme of suicide: is it really a gesture of extreme evil towards oneself, a contempt for the value that life represents? Or is it the extreme exacerbation of the evil that one wants to the next? If you think about it, *mors omnia solvency*, but the pain remains in those who remain.<sup>2</sup>

Furthermore, without the criminal hypotheses of incitement to suicide, it is legitimate to wonder if it is possible to identify an accomplice, albeit involuntarily, of such an extreme gesture as suicide: banned, that is, all those situations in which there is a third party who provides instructions to get to death, suicide can result from the omissive behavior of others?

The theories on display are only a small fragment of the many existing ones, studied and accepted by modern criminology.

However, what we must highlight here is that multifactorial element of the stimuli that condition the development of the personality and, above all, the laboriousness of the path of growth of an individual, which makes psychic balance a rather ambitious goal.

The most important aspect that we want to underline in conclusion of this speech is the fact that the tendency to commit criminal acts on the basis of uncontrollable impulses is the result of a psychic development deviated by destructive phenomena.

<sup>1</sup> H. Arendt. *Eichmann in Jerusalem: A Report on the Banality of Evil*. Essay published in 1963 through which she deals with the theme of the trial of the Nazi hierarch Eichmann, held in Jerusalem in 1961.

<sup>2</sup> Ugo Foscolo, in "Dei Sepolcri" (*of the Sepulchres*), argued the question of death by questioning for which subject was the tomb useful, dead or surviving? *Qual fia ristoro a' di perduti un sasso che distingue le mie dalle infinite ossa che in terra e in mar semina morte?* ("What solace is there to the loss of a stone that distinguishes my own from the infinite bones that on earth and in the sea sow death?") In the same way, one could ask oneself to whom suicide really does harm.

<sup>3</sup> Theoretical philosophy, first, philosophy of religions, later.

<sup>4</sup> P. Pallotta. *Il Bene e il Male fra filosofia e letteratura*. Rivista internazionale di lingua e letteratura, 2014.

<sup>5</sup> Plato. *Teeteto* (Θεαιτητος in Greek) dialogue traceable to the stage of maturity, placed between 386-367 B.C.

However, this does not mean justifying criminals, but rather understanding those who act as a result of a mental illness.

Of course, criminals who are lucid and healthy in their minds and who are therefore attributable, and who commit their actions only to achieve personal benefits, do not fall into this category. Their malevolent egos increase in proportion to the nature of the crimes committed, and their strength is an indication of a violence that evolves to such an extent that they are forced to *acting-out*.

## Evil in philosophy and philosophy of evil

*"The only objects of practical reason are good and evil. The first means a necessary object of the faculty to desire, the second a necessary object of the faculty to abhor, but both according to the sole principle of reason".*  
Immanuel Kant, (1724-1804)

Philosophy<sup>3</sup> has always sought to provide countless and adequate answers about the nature of *evil*, as generally conceived and perceived.

To do this we have always started from the concept of *good*, understood as righteousness and justice. And if good is dictated by heterodetermined moral rules, evil then corresponds to a behavior opposed to it.

The concept of *good*, as opposed to *evil*, has distant roots and rests its theoretical basis in ancient Greece, with the philosopher Plato and his disciple, Aristotle.

The metaphor of the *Sun* used by Plato in the 6<sup>th</sup> century B.C. is evocative and extremely useful: the sun, rising and rising in the sky, slowly reveals all the elements that make up reality, nourishing them with its rays. Thus, *Good*, the supreme and definitive reality, represents the force capable of revealing things, even though it is well above them.

As an antithesis, *Evil* can only be interpreted as *not being*, an absolute denial of *Good* and therefore only an "accident of reality".<sup>4</sup>

And if it was Epicurus who claimed that evil is the perfect proof that the gods are disinterested in humanity, the concept expressed by Platonic sophism is different and contrasting.

For Plato, precisely, the concept of *Theos Anaitios* is fundamental: God is innocent. And he's innocent of both our suffering and our doing evil. Evil is slavishly endured by choice, just as, by choice, we put it into being; the divine is not determinant of its evolution nor of its transposition.

Plato says: "*Of the evil, of our doing evil, God cannot be held to be the cause. God is good, God is immutable, he is simple, he is truthful, and he is the cause of all goods: theos anaitios, God is innocent.*"<sup>5</sup>

St. Augustine (Father of the Church and Philosopher) initially affirmed that God created "*being*", that is, Good, and Evil - which, on the contrary, corresponded to "*not being*".

Evil in itself does not exist, but it is man who, thanks to free will, has the possibility of choosing between Good and Evil; the choice of Evil is influenced by two reasons: because he desires an unconditional autonomy of choice to emancipate himself from God and because he loves the material world. After abandoning Manichaeism, Augustine divided Evil into three categories: *meta-physical-ontological Evil*, *moral Evil* and *physical Evil*.

The first stems from the fact that in the cosmos there is no Evil in itself but lower degrees of being than God, depending on the limits of created things, on the defects inherent in matter: precisely from this derives Evil.

The second represents sin; the will of man should tend to the

“supreme good”, but since there are many goods, man can tend to these, preferring the creature to the Creator, the lower goods to the higher ones, matter to the Spirit.

Finally, physical evil is that of the body or the spirit: illness, suffering, the torments of man and death, these are the consequences of original sin.<sup>6</sup>

Nietzsche’s philosophical work introduces the idea that the human being must place his work “beyond good and evil”, outside any pre-established ethical structure. It will not be possible, therefore, to draw on concepts and reflections of a moral nature, since morality is a non-originating concept, which therefore goes beyond the existence of the human being.

The concept of evaluation in a general sense, according to which it is man who determines the value of his actions, will be different.

He argues that any new idea that presents itself as extraneous to the moral thought of power is immediately classified as Evil as opposed to the Good that coincides with the dominant ideology.

In the past, the philosopher affirms, the concepts of Good and Evil did not coincide with good and evil; on the contrary, Good is what allows man to affirm himself, that is to say, to have the courage to dare, to affirm himself over others, even by crushing them, if necessary; in his path there is no malice, but only energy, “*will of power*” that pushes him towards the Good that is the affirmation of himself.

Evil is represented by the life of men within a group in which they accept and recognize certain canons and stereotypes, which, therefore, leads to homologation and anonymity.<sup>7</sup>

The extremes of the concept of evil can derive, then, from the Husserl’s concept of crisis of reason.

What characterizes man is the ability to reason, that is, the ability to use his own intellect in order to evaluate critically and objectively, the other’s and his own behavior, the other’s and his own thought. Good and bad, then, are placed in a system to be contextualized (for example, historically, culturally and also from the legislative point of view) in which the *crisis of meaning*, to be understood as a crisis of the values of culture, leads to a real *crisis of reason*.

This involves compromising the ability to reason and to define in a critical and objective way the reality that surrounds us.<sup>8</sup>

Husserl needs to be in a dubious situation: *he* needs to doubt everything in order to bring his knowledge within a critical boundary. And so, if we lay the foundations of critical thinking and transpose them into the concept of good and evil, then we can arrive at a syllogistic reasoning.

If we return to the generic concept of Good,<sup>9</sup> then, doubting the

existence of good, we must also doubt the existence of evil and *vice versa*. If I doubt evil, I also doubt the existence of what is good.

As previously stated, most theological evaluations are based on the Platonic concept that God is not guilty of the evils of the world but also, and above all, of our own harm.

This means that man, if he does evil, does it by his own direct choice and responsibility: in this sense evil, and therefore doing evil, is an expression of man’s freedom: it is not the divine that determines acting in evil; our imperfections, our miseries, are the fruit and product of our *freedom*.

But if man is free, how does omnipotence coexist, divine omniscience with human freedom? If he is free, how can such *freedom* be present with the assumption that God knows everything that has happened, happens and will happen?<sup>10</sup>

It will be Augustine himself who affirms that man’s incompleteness consists precisely in his freedom: being free, man is imperfect, because freedom consists in the possibility of making a choice, therefore it means *responsibility*.<sup>11</sup>

## Evil in society

The primordial and original clash between good and evil is revealed in all its evidence in today’s society, whose Dante’s premise, in the *Divine Comedy*, appears as a sad prelude, an inevitable premise.

If Dante’s greatness was precisely in his superb ability to enter the soul of the man-pecker, probing in depth the complexity of the human and religious mystery, *criminology* (necessarily united with other disciplines, including, among others, psychology, forensic psychiatry and forensic medicine) now tries to provide answers.

Because, this is clear: evil remains such and, at times motivated by the particularly grim experience of those who commit it, at other times for their own sake, places man in a state of absolute uncertainty, making it necessary to explain its manifestations.

Evil is not, therefore, a force of alien derivation from which man cannot escape. It comes precisely from man and is the direct cause and consequence of him.

Therefore, once the need to protect society from the evil that man is capable of doing has been established, it is imperative to question the conditions that lead man to do evil.

Every society is based on the rules that, over the years, have taken root and that it has determined itself and that represent the expression of the historical and legal culture of each country.

Within each society, therefore, culture and historical knowledge of it, understood as knowledge, as implicit and conscious knowledge, play a fundamental role.

And it is precisely the culture and knowledge of their origins, their history and the rules on which their society is based that allows people to build a *backbone* necessary to ensure a peaceful coexistence, so that *ne cives ad arma veniant* (that is, “*So that citizens do not come to arms*”, Latin brocard that indicates the need to avoid, through legislative activity, that civil coexistence is polluted by the use of weapons).

Culture takes on the fundamental role necessary to be critical of what appears to be conformism, attitudes and thoughts.

And it is in such a context that the need to rebel against conformism arises if it is in conflict with the values of one’s own society and culture, and can therefore endanger the values on which it is based.

In this sense, transgression (at a command contrary to the rules of society) becomes an important tool of self-determination, fun-

<sup>6</sup> On the theories of St. Augustine of Hippo (Tagaste, 13 November 354 - Hippo, 28 August 430), see G. MOTTA, *Brief speech on evil*, in the Laboratory of Sociology of Law, 2016.

<sup>7</sup> G. Motta, *op. cit.*

<sup>8</sup> Husserl, in fact, stated, for example, that the crisis of reason has led to the fluid and progressive extension of totalitarian regimes.

<sup>9</sup> Affirming that it is the opposition to the concept of Evil...

<sup>10</sup> In this sense the studies of St. Augustine of Hippo on the philosophical and theoretical concept of evil converge.

<sup>11</sup> Having freedom, but still being incomplete, man can always make a mistake, a mistake, full and ultimate expression of his fragility. Hegel recalls that “*the idea of freedom came into the world through Christianity, for which the individual as such has infinite value and being the object and purpose of God’s love is destined to have an absolute relationship with God as spirit and to have this spirit dwell in him, that is, man is in himself destined for the ultimate freedom*”.



damental to stop conforming and start thinking with your own head: in this sense it is again useful to quote Hanna Arendt because this rebellion allows us to avoid the banality of evil implicit in obeying a command (illicit) because we are afraid to act and think with our own heads (a reasoning that recalls “*The banality of evil*”, a text in which the evil of man is considered as an expression of “*frightening, unspeakable and unimaginable banality of evil*”. Evil as “*banality*” indicates the aspect of “*unawareness*” not of the “*fact*”, but of the “*negative value*” that those responsible for extreme evils have of their actions. Thus showing a condition of “*moral blindness*”).

A typical example is the emulative behavior of children who have grown up in criminal environments: they assume early delinquent attitudes and tend to emulate the behavior of their family members, if they are themselves delinquents.

The spirit of emulation, in this case, intersects with the fear of disappointing its own (wrong) references. And so it is that rebelling against these behaviors, trying to understand the necessary revolutionary tool, makes subjects become autonomous, able to self-determine and, above all, able to give value to a culture that rejects aggression (physical or verbal) and that denies, consequently, crime.

*Evil* would correspond, therefore, to being someone else’s involuntary and unconscious arm, which slowly instills that aggression and that direct virulence derived from violence.

And it is precisely in the aggressiveness of individuals that it is possible to identify one of the main evils of society. Aggressiveness to be understood generically as the set of those verbal or physical behaviors intentionally directed to cause suffering, pain and harm to others.

And it is precisely on aggression as a response to frustration that it is worth dwelling on.

One of the first psychological theories, the theory of frustration-aggressiveness by J. Dollard (1939), was based on the link between *frustration* (understood as any event that hinders behavior aimed at achieving a goal) and *aggression*.

In the theory it was argued that frustration always leads to some form of aggression, emerging when the motivation to achieve the goal is very strong, if you experience a sense of gratification in achieving it and if the obstacle between us and our goal is unsurpassed.<sup>12</sup>

Aggression, in fact, is not necessarily directed towards those who represent the immediate and direct cause of their frustration: often, in fact, they learn to manage it, redirecting it to less hostile targets, towards a new target, easier, safer and socially acceptable.

Imagine a practical assumption: the man humiliated or mocked by his office manager assaults his wife; she mistreats her son, and the latter kicks the dog.

This is certainly a reductionist example, but it wants to indicate that sort of cyclicity of the aggressive event and its rampant nature within the primary social form, of which the family is the emblem.

However, aggression is not limited to responding to a provocation: the theory of frustration-aggressiveness, in fact, argued that any frustration - defined as the inability to achieve an important goal - inevitably triggers aggression.

Useful, in this sense, the study of Leonard Berkowitz (1978, 1989) proposed a broader model that also accounts for the original evidence that linked frustration and aggression. According to Berkowitz, any negative feeling *can* induce aggression. Such feelings include not only frustration and anger but also pain, fear and irritation. Frustration produces anger, an emotional state that predisposes to aggression. Anger is unleashed when those who frustrate our goals or desires could have chosen to act differently.<sup>13</sup>

With reference to today’s society, many philosophers and authors express the profound need for “*a renewed philosophy of values*”, a philosophy that has given - as Roberta De Monticelli says<sup>14</sup> - “her resignation from this task”. And here comes the concept of the banal evil, wanting to indicate that aspect of unawareness, that negative surplus value of those who commit an extreme evil and for which they must be held responsible.

We enter, therefore, into a complex and difficult era characterized by uncertainty and insecurity, where reason falters, disenchanted and outclassed by a deep sense of existential instability.

A society in which the individual born and raised in crime, is accustomed to live it, almost indifferent to the evil inflicted on him and that he inflicts on others and that results in a kind of condition of emotional atrophy. An atrophy that ends up involving and shattering the values on which society is founded.

The founding characteristic of postmodern society finds its outlet in the “*liquid*” one, as defined by Zigmunt Baumann: values have been dissolved, they are liquefied, as well as emotional, family, social, institutional and, finally, regulatory ties.

Society is at stake and with it the values that have been built up over time, which belong to it by historical, social and religious tradition.

The more the norms are transgressed, the more one submits to a normative apparatus that sees in the illegality its own root: then, perhaps, it is not even correct to affirm that the norms are no longer respected, but, rather, that structured, circumscribed and well defined (criminal) rules are respected.

On the other hand, also the mafiosos have their own “code of ethics”, their own customary and traditional regulations. With rules, very specific sacredness rituals.

And here comes the issue of freedom once again. The freedom to arbitrarily decide which code to follow. And that’s when the concepts of good and evil come back, of legitimate and illegal.

Here we see the *absence* of philosophical thought of humanistic and enlightened derivation, combined with the dream of a society that promotes civilization and humanity.

This erosion of values and ideals involves both personal and collective ethics and therefore public ethics.

And if good tends to translate into good conduct, in acting according to moral rules rather than legal, evil is the opposite force.

An evil that nourishes the minds of certain subjects and that, exponentially, the more they are in evil, the more they desire it. And it’s a wish that goes beyond the paraphernalia of sadism.

The term *Gross Crime* refers precisely to the exponential desire for evil, to a force that rises in the soul of man when his committing evil fully satisfies his desire. Especially when such an illness is the result of a payroll for the wrongs, failures and (positive) failures of one’s own existence.

Émil Zola in “*The human beast*”<sup>15</sup> affirmed: “Justice, what a last illusion! Isn’t wanting to be fair a chimera when the truth is in the middle of the brambles? It was better to be cautious, and to lend a hand to support that *declining society*, which threatened to fall into ruin. Thus recalling that concept of the absence of justice

<sup>12</sup> D.G. Myers. Social Psychology.

<sup>13</sup> D.G. Myers, op. cit., *on aggressiveness*.

<sup>14</sup> R. De Monticelli, *On this side of good and evil* (Einaudi), speaks of moral blindness to indicate a sort of inertia in the face of the perpetrating of a widespread evil.

<sup>15</sup> E. Zola. *La Bête humaine* (the Human Beast), 1890.

in a declining society in which to do justice on one's own, in a criminal manner, satisfies much more and pays the man for the wrongs suffered.

It increases the desire for evil and, therefore, for that pleasure that from crime derives nourishment for one's soul, in a way that is directly proportional to the diminution of culture, to which derives a difficulty in reasoning and an effective impediment to constructing logical-deductive arguments.

And so those who increase their spirit in crime, in the reflection of a society whose values falter in emptiness, lack precisely that intellectual-argumentary spine, which allows them to keep their violent impulses at bay, to contain their instincts and fear, and therefore instead of reflecting and thinking about the consequences of their actions, are confronted with the reality of things, with their neighbors and problems in general, in an aggressive, ruthlessly violent, brutally criminal way.

To return to Baumann, in today's society the categories of good and evil cannot be identified today, but take shape from the "container" that from time to time contains them, within an absolute relativism.

Man's identity, in fact, cannot be built without forms, without models and without reference discipline to follow and to be inspired by, where evil is the mystery of a lack of compactness of the person.<sup>16</sup>

## Evil in the individual

As mentioned in the introduction, evil is a sad prerogative of man, whose traumatic or dramatic experiences during childhood or adolescence, can lead him to a precise mental scheme to be implemented, which links him to suffering and sometimes death, their own or that of others.

The mechanism is often of a compensatory nature, aimed at rebalancing the abuses and wrongs suffered in childhood or adolescence and, sometimes, in adulthood.

At birth, in fact, the human brain is structurally almost complete, but as far as *behavior* is concerned, only the circuits responsible for the functioning of instinctive behavior are active: if we think about it, a newborn child only implements those innate behaviors, such as closing his eyes in the presence of a very strong and sudden light, crying.

The only innate predisposition in man consists in *temperament*, that is, his natural predisposition to react more or less reactively to external stimuli. And it is precisely to be connected to reactivity that aggression is, as well as emotion and anxiety.

The evaluation of a person's mental state, regardless of whether it is an appraisal (*i.e.* a person whose mental state appraisal has been requested by judicial authorities or lawyers) or any patient, takes place through what clinicians call a diagnosis.

This term may inexactly suggest that, always and in any case, the subject subjected to it is attributed a psychiatric condition or, at least, a psychological discomfort (in fact, it is much more extensively a framing of the personality profile of an individual who, therefore, could also be perfectly healthy).

Often man is in the grip of such an anguish that it invades him when, on a conscious level, memories, impulses and considerations re-emerge that he does not want to recognize as his own, because they profoundly undermine his sense of identity and can create intolerable feelings of guilt and inadequacy.

Faced with such a situation of deep anguish, the individual could put in place a mechanism of defense so-called *projection*, through which are incorrectly attributed feelings, thoughts and

intentions, mainly negative, to another individual, when in fact they are their own, or reflect their fears.

Therefore, some subjects lack the ability to analyze the elements of the environment or of a situation, perceiving all the significant details and attributing the correct meaning to them, without losing themselves behind irrelevant nuances or, on the contrary, without being influenced by a general and superficial impression.

It is impossible for some people to distinguish the stimuli coming from the eternal world from those from the internal world, a function that is invalidated by defensive mechanisms such as the projective one.

Significantly relevant topic not only from the psychological point of view, but also from the social (and, as already mentioned, philosophical and religious) is the development of moral consciousness in every human being, from childhood to adulthood.

Knowing the dynamics and phases of the development of morality and the elements that influence it, in fact, can help to better understand the role of each person in society.

One of the first to deal with this theme was psychologist Jean Piaget, who in his first writings first focused on children's morals, studying how children play to understand and define the concept of "good" and "evil" that they attribute to their activities. Observing the rules of the game, Piaget stated that morality is also an evolutionary event.

The evolution of morality, therefore, goes through phases in which family life and the first inclusion in social groups are the first natural training tools.

Consequently, the subjectivity of the adult is the projection of the sum of all the characteristics acquired in childhood, especially in the aspect of the development of one's morality.<sup>17</sup>

In fact, *Piaget* himself, analyzing the morality of the child, identifies, in the development of the same, the connotation with the concept of *rule*: in early childhood and up to about eight years, it will correspond to a heteronomous morality, that is, imposed from outside and applied by virtue of the authority from which it comes; the value attributed to them, also increases because of the authority that emanates: often the value attributed to the rules dictated by grandparents is different from those dictated by the mother or father, sometimes have more importance those pronounced by a teacher and so on.

This does not mean that they are dictated by the child's mere will, but that they are perceived as a peaceful agreement: the rules are mandatory when the children recognize their authority and, above all, they decide to follow them.

The projection into adulthood of the perception of the rules of morality is reflected in the concept of justice. A justice that is born as a feeling of retribution, that is, establishing that the benefits achieved are a direct consequence of their own merits and that then results in a form of distribution of the merits, given a perceived need for equality.

It will then be in a preadolescent phase, around the age of eleven/twelve, that the concept of fairness takes over in the child's morals, according to which the demands of justice become parametric to concrete situations and, therefore, vary from time to time.

There are adults in whom this sense of egalitarian justice has

<sup>16</sup> C. Ferrandi. *Evolution and the problem of evil: what can philosophy say to the sciences?* in [www.disf.org](http://www.disf.org).

<sup>17</sup> On the studies on the development of the morality of the child, see <http://www.stateofmind.it/2016/02/sviluppo-della-moralita-bambino/>

never developed, indeed, their conception of morality, completely arbitrary, has come to a halt at a stage of retribution of their own pain: causing suffering to others becomes almost a retributive element of the pain suffered, clearly, according to a completely distorted view of reality and, above all, at a time of fragility both intellectual and affective.

Many people, in fact, fall victim to what can be considered an obsession to hurt others, acting (or wanting to act) according to impulses that aggressively invade their minds and dominate their attitude.

In subjects whose morality is adequately developed, this desire is appeased through mechanisms of control, in an attempt to eliminate (albeit superficially) the obsessive desire to harm others.

In subjects whose morality has not sufficiently evolved, the inability to attribute negative connotations to their malevolent actions can result in a series of aggressive behaviors that are harmful and potentially lethal to those who are the object of their uncontrolled desire to cause evil, almost as if they were in a *pre-moral* phase, devoid of any rule.

Essentially in line with Piaget's theories of moral development, the theories of the American psychologist Lawrence Kohlberg, who elaborates three levels of stages of development of morality:

1. **pre-conventional:**
  - a) **orientation award/punishment:** for the child is correct the action that is not punished
  - b) **individualistic and instrumental orientation:** the action from which an advantage can derive is correct
2. **conventional:**
  - a) **orientation of the "good boy":** the boy understands that the rules have a conventional structure and that it is correct to adapt to the expectations of the social group
  - b) **orientation towards the maintenance of social order:** the boy realizes that the rules serve for the functioning of the social system (*he matures the consciousness of the sense of duty*).
3. **post-conventional:**
  - a) **orientation of the social contract** (or legalistic contract): for the adult, the rules lend themselves to dialogue, according to the assumption that what is socially negotiable is correct, therefore, an expression of democracy;
  - b) **orientation of conscience and universal principles:** the adult understands that it is good what reflects absolute and universal values (the inviolability of life, freedom, respect for the person...).

Given the analysis of the concept of the development of morality illustrated so far, it is clear that the development of the adult's personality is the result of an evolution, in stages, of what was experienced from birth to childhood, up to adolescence.

If, on the one hand, the experiences lived up to twelve/thirteen years of age indelibly influence the personality, character and temperament of an individual, on the other hand, the same impulses will be a useful key to understanding the social behavior of the individual.

Consequently, the roles assumed by the family (by the parents in the first place) and by the institutions (among which the school assumes a primary role) will be fundamental for the formation of the conception of the morality of an individual and, therefore, of a society itself.

On the other hand, by setting the existence of a hypothetical time line, it is natural to understand how one remains a child for a short time, whereas once an adult, one is such forever: impart inappropriate stimuli, or in line with a corrupt morality, causes society to pay a significantly high price, as well as dangerous.

## Evil toward the next: The crime of inciting suicide

*"The body is impure par excellence because it ingests, digests, assimilates, expels and secretes"*  
Michela Marzano, *The philosophy of the body*

For our Criminal Code, Article 580, it is the responsibility of the subject ("whoever", being a so-called common crime of damage and event) that, by instigating, determines or reinforces (malicious action) the suicide purpose, and that suicide (event) occurs or that from the attempt result in serious or very serious injury. If neither event takes place, the fact is not punishable.<sup>18</sup>

It is a crime against life and individual safety, expressed in protection of the "good life" generally considered, pragmatizing itself, in the specific case, in the violation of such good with specific conduct.

Since criminology and law in general do not deal with those actions that go beyond the intimate sphere of the individual, suicide in itself cannot be considered a crime, nor does it constitute a fact otherwise expressly prohibited by law.

These are, in fact, the social realities where it is possible to identify a particular obligation of protection on the part of *official custodians*, such as medical personnel, prison guards and finally, teachers and educators.

Neither the omissive one - it should be added - appears to be the only conceivable profile of responsibility. Not infrequently, what happens in these areas becomes the real cause of the suicidal impulse: for the prisoner, who is the object of violence and abuse; for the conscript, who is the victim of abuse and injustice; for the worker, who is subjected to unbearable risks and stress.<sup>19</sup>

Human life, as a protected legal asset, falls within the category of rights not available also to the owner, to whom corresponds the interest of the State to guarantee and protect its security, safeguarding it from participative events in suicide; hence, the will (and the duty) to punish criminally any participation extraneous to the suicide action: *translated*: not being able to logically punish the person who committed suicide, because he is deceased, we provide for ex post protection, going to punish those who, materially or psychologically, contributed to the realization of suicide, to punish those who, materially or psychologically, contributed to the realization of the suicide.

And if it seems clearer the active participation of the offender in the suicide of others, and of that evil that voluntarily determines and induces the creation of others, we must nevertheless dwell on the concept of psychological participation in the crime in question and how such conduct can be decisive in the execution, then, of suicide.

In fact, a psychic participation will take place, always punished

<sup>18</sup> If the suicide survives and no injuries have been caused, the agent, in addition to not being able to be prosecuted criminally, cannot even be subjected to security measures, since neither Article 49 of the Criminal Code nor Article 115 of the Criminal Code is applicable, because suicide does not constitute a crime; just as, on the contrary, the exemption of legitimate defense, pursuant to Article 52 of the Criminal Code, will be applicable to anyone who commits a crime to prevent the suicide from implementing its purpose. A. Continiello, G. F. Poggiali, *Il delitto di istigazione o aiuto al suicidio nell'ordinamento italiano e sovranazionale*, Giurisprudenza penale web, 2017, 4.

<sup>19</sup> P. Cendon and L. Gaudino, *Il suicidio e la responsabilità*, Key ed., 2015.



according to art. 580, when a subject is determined to commit suicide or by reinforcing in him his pre-existing suicidal intention. Where, by *determination*, it is intended, therefore, that the victim should be given the purpose that did not exist before (to take his own life) and, by *reinforcement*, that the suicidal purpose that had already arisen in the victim should be given greater vigor and intensity: in this last hypothesis, it will be necessary to demonstrate both the objective contribution to the action of others of suicide and the foreshadowing of the event as dependent on one's own conduct, since it cannot be considered the proof of intent absorbed in that of randomness.<sup>20</sup>

An emblematic case and the subject of doctrinal and jurisprudential debate is that of *incitement to anorexia*.

In a context of interdependence of reciprocal influences, the conduct of those who feed their ego and their paraphilia creeps in, inducing some to anorexia, and therefore to the reduction of food, to the point of determining the complete rejection of food: in such hypotheses, depriving others of food nourishes their (perverse) pleasure.

Evil, in this context, corresponds to the will to control of a third subject who already lives a psychotic form of deformation of reality.

And so, while on the one hand it increases that strong desire for the malaise of others, on the other hand it diminishes and almost annihilates submission to one's own will.

Although there is no criminal hypothesis linked to the induction to anorexia, however, mechanisms can be identified that lead to the hypothesis of other criminal cases and that see, in the lesions first, and then in the incitement to suicide, the emblematic outcome of this terrible pathological mechanism.

Often eating disorders, such as anorexia, lead to depressive symptoms that lead to death or suicidal thoughts. The one who instigates anorexia, therefore, also instigates suicide and for this reason could be found guilty of this criminal hypothesis.

Over the years, and on this it is appropriate to reflect carefully, the problem of eating disorders (and deaths related to it) has been attributed as a determining fault first to the mothers (and then to the family), then to fashion and the rules and models it proposed, to arrive at the current blame of social networks.

It is certainly difficult to identify a single person responsible when the malaise that leads to death, passing through physical mortification is connected to a series of personal, family and social reasons.

In conclusion, since this is a free-form crime - the offence of *incitement to suicide* can be committed with any conduct suitable for the achievement of the purpose, precisely to emphasize how the object of protection, the good of life, enjoys absolute protection to guarantee that unavailability which it constitutes emblematically, primary law.

Precisely by virtue of this flexible extension, the provision of Article 580 of the Italian Criminal Code could lend itself to exaggeratedly broadened realities, with the risk of also involving legally irrelevant conduct, such as, for example, mere knowledge of the instigating purpose.

So, the real problem is to determine how much conduct can facilitate the suicide event.

For example, facilitation is the conduct that has a direct link to the event of death by suicide: think of providing a weapon to those who have expressed an intention to end their lives.

Among the hypotheses of extensive conduct with respect to that referred to in Article 580 of the Italian Criminal Code, particularly debated is that relating to *incitement to eating practices suitable for causing anorexia, bulimia or other eating disorders*.

While on the one hand it is true that those who experience eating disorders have tended to have already developed other psychological, psychotic, obsessive, sometimes depression-prone pathologies, on the other hand the conduct of those who incite to practices that lead to eating imbalances, could be considered as facilitating and, therefore, suitable to strengthen a self-helpful purpose, from which may result, in the case of anorexia, for example, death.

On the other hand, those who instigate the eating disorder do nothing but hit a *symptom*, the symptom of a disease already inherent and rooted in the minds of the victims just like those who provide a weapon to the one who has manifestly shown the intention to commit suicide.

## The hunter of anorexic girls

A particularly emblematic case for the hypothesis of *instigation to anorexia* is that of the so-called anorexic hunter.

Marco Mariolini, antiquarian with an obsession with skinny, almost skeletal girls. Author of the autobiographical novel "Il cacciatore di anoressiche" (*The hunter of anorexic girls*) of 1997, he describes his own as a condition dictated by a real perversion that pushes him to desire and to accompany particularly thin women, almost skeletal, to favor their pathology, inducing them to an excessive thinness, pushing them to malnutrition at the limits of survival, with the awareness, admitted by the same (and desired) that his contribution would lead women to death.

Abandoned by his wife, who has reached the limits of a pathological and particularly serious anorexia, he tries to support his desire to accompany very thin women, recruiting his "victims" through ads published in dating magazines.

Having met the 29-year-old Monica Calò, she first becomes her partner and then her executioner. Skinny and with eating disorders already in place, she was repeatedly subjected to harassment and humiliation by Mariolini, who longed for her angular and skeletal image and, above all, wanted her to be totally under his complete and constant psychological and physical control.

Almost at the limit of endurance, Monica Calò tried to get rid of her executioner, attacking him in his sleep with a hammer, after another violent and traumatic dispute.

Sentenced for attempted murder and injury, she is sentenced to house arrest at her home.

In the meantime, in 1997 Mariolini published his own autobiographical novel, which on the one hand appears as the chronicle of a crime announced by the other attributes a holographic character to a criminal will.

It will be precisely during the press conference that he will claim to want to be helped and stopped because his recognized paraphilia will push him one day, to kill someone.

On July 14, 1998 Mariolini met Monica in Verbania, under the pretext of talking to her and, after an animated attempt to reconcile with her, killed her by stabbing her 22 times.

In the author two homicidal paradigms are clearly present: the obsessive/narcissistic disorder and the overkilling attitude with which he repeatedly intrudes on the victim's body.

The obsession, therefore, to look for women with thin bodies to complete satisfaction of their sexual desires, then the obsession of controlling the will of others and the ideal of shaping the object

<sup>20</sup> *Ut supra*, A. Continiello, G.F. Poggiali.

of his desire, an anorexic woman, to his absolute ideal obsessive imaginary.

The obsession with plagiarizing the mind, through the body and *vice versa*. His disorder, not entirely capable of diminishing his ability to understand and will, was considered by the Court that had to express its opinion on the murder of Monica Calò perfectly attributable.

The sentence is based on a CTU<sup>21</sup> that avoids his (even partial) inability to understand and want, and rather underlines the fact that his sexual perversions have not affected his decision-making capacity on the death event. The latter, in fact, was desired and pre-meditated by the same.

The resentment towards the victim - who by now rejected all his unhealthy and exasperated intent - grows more and more until it becomes the only thought that afflicts his mind and that guides his conduct towards the murderous intent.

The other aspect lies precisely in **overkilling** (*i.e.* exerting a strong fury towards one's own victim), represented by those 22 stabs: an exasperated violence on the body, by now lifeless already after some stabs, not functional to the execution of the homicidal action. It is the expression of the extreme possession of that body experienced as an object until death.

Having immediately confessed to the crime, opting for the abbreviated rite, recognized as imputable, Marco Mariolini is sentenced to 30 years imprisonment by the Court of Assizes of Novara, and serves his sentence at the prison of Pavia.

Obviously, Mariolini is not guilty of the mere crime of inciting suicide, for the simple reason that he himself stabbed his ex-partner who, almost certainly, would have died anyway because of the malnutrition he was instigated.

Therefore, the conduct - of incitement - embraces only the initial phase of the homicidal process and is particularly useful to describe and understand that evil that increases exponentially and evolves to reach an extreme desire for death of the victim.

An evil, that expressed by the perpetrator of this crime, particularly sneaky and intentionally directed to win the affection of a person, already particularly fragile because of an illness, and then go on to manage, in a malevolent and criminal way, the psyche.

And here is the expression of a devious and evil violence that grows in proportion to the involution of every feeling of protection, protection and preservation of oneself, revealed by the victims.

Therefore, the active subject of the crime of **incitement to suicide** can be *anyone*, as can be deduced from the text of Article 580 of the Italian Criminal Code: this does not exclude, then, that more than one active subject can co-exist, who carry out different behaviors.

Just as it is not to be excluded that the passive subjects - even though they must remain the real and concrete purpose of killing themselves and not a simulation of suicide - may be indeterminate people in number.<sup>22</sup> One can think about the numerous girls (often very young) who manage and maintain *blogs* whose content is a real manual devoted to anorexia (or, in other cases, bulimia) in order to induce users to carefully cultivate various eating disorders.

The so-called *pro-Ana* (*pro-anorexia*) blogs, for example, encourage girls (above all) to limit food as much as possible until they reach a sick and exasperated thinness that, almost with certainty, causes very serious physical injuries that led to the death of girls, often very young.

In such cases it is very weak to determine the boundary for the configuration of the crimes of very serious injuries caused to third parties in addition to the configured attempt to *incite suicide*.<sup>23</sup>

Even more tangible, in these hypotheses, is the concept of *evil understood as a shared force* that wants to involve more people indiscriminately and that sees its essence grow exponentially.

Almost as if to feed a phagocytized need to cause pain to oth-

ers, to alleviate their own suffering, or even to involve others in a suffering that no longer remains isolated and exclusive.

In this sense, that evil becomes the almost vindictive, remunerative and *trivial* instrument, because it is adapted to a thought conformed to one's own distorted will.

This combination of energies aimed at producing moral and social damage, such as *suicide*, is precisely that relationship between people that determines the preventive-repressive intervention of law against the third stranger, from which exclusively comes the element that brings the individual fact out of the intimate sphere of suicides.

## Evil towards oneself: The theme of suicide

The drive underlying the suicidal act may have significantly different derivations, obviously, from case to case, but it almost always results in a strong weakening of that conservation instinct which characterizes man and the animal world in general.

Emile Durkheim<sup>24</sup> was the first to make an important contribution to the study of suicide as a social phenomenon, linking it, in particular, to the socio-cultural context of the author (and therefore to religious, family, political and normative values) going well beyond the mere analysis of psychological factors.

Durkheim talks about four types of suicide,<sup>25</sup> which can be traced back to the social matrix:

- **Selfish suicide** in the face of a lack of social integration, noting that, in the presence of strong social ties (such as belonging to a religious community, family ties or marriage) the suicide rate is significantly reduced. According to the author, selfish suicide derives, therefore, from the marginalization and loneliness with which one finds oneself having to face everyday life;
- **Altruistic suicide** occurs when a person is perfectly inserted at a social level to the point of committing suicide to satisfy the social will: typical of societies of primitive matrix or of those totally closed realities, in which the individual depends completely on the collective;
- the **anomic suicide**, where *anomie* means the generalized absence of ideal values and reference points; a typical example is the suicide of those who are unable to withstand sudden economic collapses that disrupt the style and quality of life. A frenetic pursuit of success is extremely stressful for particularly fragile people, limiting them in facing economic and social adversity;
- Finally, the **fatalistic** suicide that the author contrasts with the anomic one, which takes place in the face of exaggeratedly limiting prohibitions and commands, whose strength corresponds to preventing the human being from emerging and realizing his personal or social ideals (a typical example is the con-

<sup>21</sup> The CTU report was performed by Dr. Salvatore Reitano, Neuropsychiatrist.

<sup>22</sup> In the case, for example, of the blog pro anorexia, recipients of the message aimed at creating young anorexics were, without distinction, the users who daily enjoyed reading the blog itself.

<sup>23</sup> V. Manzini, "Trattato di diritto penale italiano", ed. Utet, Turin 1964.

<sup>24</sup> Emile Durkheim, *Le regole del metodo sociologico*, Editori Riuniti, 1996.

<sup>25</sup> Emile Durkheim, *Suicide. Study of Sociology (Le Suicide, étude de sociologie)*, 1897.



ditions of imprisonment or slavery in which, death, self-induced, represents the only possible escape).

According to Durkheim's sociological survey, suicide therefore derives mainly from social dynamics, rather than from concrete individual problems.

In the text "*The suicide*", Durkheim suggests possible remedies to contain the suicide event, for example by creating centers of solidarity between men can create more solid and lasting relationships through constant monitoring of individual behavior, so as to exercise the function of moral education, as well as integration, once assured especially by the family.

Surely, when faced with an extreme gesture such as suicide, the reaction of those who find themselves living it, because involved as a family member, friend or even simply as an acquaintance, is of a different nature: you go from dismay to surprise up to the sense of guilt resulting from the impossibility or inability to prevent it.

**It seems legitimate, however, to ask whether it is possible to identify those responsible other than the author himself and, therefore, except for the hypotheses already dealt with of incitement to suicide as a criminal offence in itself, is it possible to identify in the cause of suicide the omissive behavior of others?**

The field of investigation is, in particular, that of the relationship between the perpetrator of the suicide and any institutions or organizations where the victim is inserted, such as school, a hospital, but also work or prison.

Sometimes, the occurrence of a suicide episode has the effect of exposing deficiencies in the structures responsible, for example, for receiving the sick: poor maintenance of the premises or interior architecture arranged without taking into account the destination of the work; or, again, unsuitable layout of the systems (electrical, plumbing, etc.).

It is almost never a question of calling into question the behavior of the staff towards the patient. Rather, the choices made by the administration are under accusation. In the case of a suicide for "precipitation", it may be the discovery of too easy ways of access to the roof, or of defective windows (when not built in violation of precise provisions of law), to determine the condemnation of the entity - perhaps together with the builder of the building or the manufacturer of the fixtures.<sup>26</sup>

The prison population, for example, has always been one of the categories most exposed to the risk of suicide.

Especially in the initial period of internment, prison institutions must take precautionary measures to prevent suicidal conduct, first of all by placing the places of detention in safety, depriving them of any instrument capable of causing serious or very serious injuries that may result in the death of prisoners. Furthermore, it will be necessary to *train* those who deal with prisoners on a daily basis so that they can, once they have recognized the symptoms of hypothetical future suicidal conduct, prevent its effective implementation and, in any case, particularly and constantly monitor those most at risk. It is necessary, therefore, to avoid, however, that amateurism and insensitivity end up dropping into the void the signals (explicit or implicit) of malaise coming from the arrested.<sup>27</sup>

Inside the prison, in fact, suicide represents a problem that is anything but marginal: the moments of entry into the prison structure and those immediately before release represent the phases of greatest risk as far as self-destructive acts and suicidal intentions are concerned.

Over the years, there have been many legislative interventions and judicial rulings in this area. And in relation to suicide in prison, more than ever, one wonders about the nature of the responsibility of the facility and its staff.

It is clear that, in our system, the right to life and health occupy

a fundamental role within a hierarchy of values (and are certainly superordinate to the requirements of public order and, more generally, justice).

Or else, the school, for example, through its teachers, is certainly one of the institutional places dedicated to interpretation and also to supporting children with obvious suicidal intent.

Cendon and Gaudino underline how the episodes of school life have the value of triggering element with respect to a subjective condition that presents itself, in itself, deteriorated - due to difficulties that find their real origin in other moments of existence, and how the problem of prevention of juvenile suicide has been, over the years, the subject of a wide range of studies and operational experiences, which has allowed us to accumulate not only a wealth of knowledge, but also proven techniques of intervention. And it takes little to see how the school is the elected place where these tools can be applied.<sup>28</sup>

Often, in fact, school failures, the mockery by comrades and sometimes some teachers, creep into a context already problematic and already marked by the complexity of adolescent events; in general, therefore, the ability to grasp the problematic aspects of a pupil, which go beyond the limits of a natural adolescent apathy, means that the school, an institution, an obligation of activation, in fact, despite the fact that teachers are not required to have skills of the psychologist or a specialist doctor, by virtue of the status that they have and the users with whom they have to deal, should be able to be the first to experience the symptoms of discomfort and the dangers underlying the hypothesis of suicide among young people.

Debated and historically controversial the role of the teacher in such a social welfare context, but dutiful and, above all, necessary. It is configured as a delicate role precisely because the nature of the subjects with whom, on a daily basis, they establish a confrontation is delicate.

Vincenzo Mastronardi points out that "from the phenomenological point of view, suicidal conduct is not only due to a factor of clinical relevance such as, for example, the presence of a serious mental illness, but can be triggered by a deep state of inner discomfort as a result of negative and/or traumatic life experiences, or be the product of deliberate, rational and lucidly designed acts".<sup>29</sup>

## Parasuicide and psychological autopsy

*"The mortal man, Leucò, only this has as immortal.  
The memory he carries and the memory he leaves"*  
Cesare Pavese, *Dialogues with Leucò*, Turin, Einaudi, 1947.

Indeed, there may be attitudes that represent a manifest desire to end one's life.

The criminological literature illustrates how many suicides often pass from the so-called **parasuicide**, that is, from all those behaviors that are the prelude to a suicidal conduct or that represent an unfulfilled attempt.

<sup>26</sup> Cendon and Gaudino, *Il suicidio e la responsabilità*, Key ed., 2015.

<sup>27</sup> Cendon and Gaudino, *op. cit.*

<sup>28</sup> Cendon and Gaudino, *op. cit.*

<sup>29</sup> V. Mastronardi, *In tema di suicidio in carcere: la prevenzione*, published on 13 January 2017 in Cronaca, Italia, Suicidi, in [www.poliziapenitenziaria.it](http://www.poliziapenitenziaria.it); see also V. Mastronardi with the collaboration of Monica Calderaro in the Prison Police Review year XXIII - n. 244 November 2016 and [www.poliziapenitenziaria.it](http://www.poliziapenitenziaria.it)

There can also be contemptuous attitudes towards one's own life, dictated by the need to continuously feel very strong, almost dangerous emotions: in this sense it emerges as necessary to challenge life, towards death, where escaping from it represents the only bulwark of fortification of one's own existence.

All this to understand how there is little correlation between suicide and *raptus* because suicide is hardly a sudden and unthought of choice, is not a sudden event indeed, very often it is the epilogue of a disrupted state long present in the mind of the author of the suicide itself.

And his suicide turns out to be, finally, the last, exasperated attempt to seek help; a depressed state, for example, makes it harder for the subject to live happily, to access their positive memories and experiences that have brought a little joy into their lives: precisely for this reason, those who decide to commit suicide often have no intention of dying, but rather invite someone to help him live without the pain that torments his life.

An aspect much discussed in criminological literature, but useful in the hypotheses in question, is that of the *psychological autopsy*, that is the mechanism through which we try to "read" between the experience of the victim, between his habits, between his attitudes and his behavior, in order to understand the death event together with the causes that determined it.

This concept is debated because there is no real protocol to draw on in order to proceed with the psychological autopsy.

The first approach to this procedure is in England in the late seventies, in a pseudo Kubrickian context saturated with events but weak in solutions.

They tried to go beyond the event of death and, above all, they believed, of course, that the experience prior to the event of death itself contained important pieces useful to trace a fact to its author.

As said, there was not (and there is not) a real protocol, but, from time to time, it was appropriate to proceed to the creation of indications and, therefore, to a de facto protocol, dictated by the investigative and procedural needs.

We are talking, therefore, about hypotheses in which the cause of death is unknown (in the vicinity of its occurrence): it is not clear, therefore, whether it is accidental death, suicide or murder, so it will be essential to trace the causes between the experience of the victim and approach a culprit (in the hypothesis of murder).

In this sense, the theme of psychological autopsy is part of the broader and more established discipline of victimology, thus going to include all those arguments of study of the victims of a crime.

Therefore, in front of a victim who survived a criminal event, his role will be, fundamentally, that of a key witness to the event itself, but, where you are faced with a corpse, then, his body in the first place, and his personal experience and habitual then, will be essential and fundamental elements of the medical path, legal, circumstantial and judicial.

The autopsy psychology was born as an attempt to explain the self-destructive action, that is to say the hypothesis of suicide. And in the attempt to understand an extreme resolute gesture, in the absence of physical or psychiatric pathologies that may correspond to the foreboding of a suicide: fundamental, in this sense, the study about the familiarity of the depressive episodes that have induced or that could induce to suicide.<sup>30</sup>

The attempt to identify a legal responsibility towards those who, for example, have the duty to watch over the lives of others appears to be appropriate and correct;<sup>31</sup> much more complex and rather artificial is the forcing to identify a person responsible in the event that, in the face of a suicide event, there are stories of loss or bereavement.

The difficult analysis lies precisely in the fact that suicide,

from this further point of view, appears difficult to place as a malicious gesture aimed at oneself: when suicide implies emptiness, loss, guilt or anger towards those who remain, here then is that such conduct *harmful-definitive* towards their lives, takes the form of a malicious gesture towards others.

And so it is that suicide, proposed here as an expression of an evil conduct towards oneself, could be considered as a corollary of a series of representations on what will happen in the period immediately after one's death, especially with regard to the reactions of others, especially with regard to the consideration and thought they will have of suicide.

Worrying, moreover, the tendency to mitigate, after death, especially the young authors of suicide, highlighting only some positive aspects of their character, idealizing their memory: this could be a very high-risk factor especially in terms of emulation of suicide behavior: it could almost seem that it is enough to die to achieve that notoriety, attention and idealization that, living, you have not managed to achieve.

## Conclusions

Evil, as said, is a prerogative of the human being that goes beyond all those aspects (procedural, legal and psychological) inherent in the ability to understand and want. Evil is superordinate to any conventional structure and, above all, almost never lacks an evolutionary premise for those who wish to do so.

This means that there is always a root from which it derives, there is always a cause and a reason, to be understood: this does not mean justifying the malicious action, but rather studying its origins, identifying a case history and, strategically, trying to prevent its repetition.

This is the task of a society that is attentive to protecting those who live in it: to defend it from suffering, from pain, especially when it is unexpected, gratuitous and unjustified, precisely because it is more difficult to understand.

If an illness, in fact, initially gives rise to that sense of injustice and impotence, then prevailed by the desire and hope for recovery, a sudden evil, gratuitous and unjustified (for example, because it came at the hands of third parties, strangers, or because of reasons that you do not understand) frightens terribly and goes to feed uncontrollable phobias.

It would be appropriate, and desirable, to avoid the so-called crisis of meaning that emerges, above all, when the sense of reason is abandoned, giving space to fears, even where these are unjustified. The sense of fear that poisons that society, defined by Bauman as *liquid*, in which one is "*suspended between a past full of horrors and a distant future full of risks*"<sup>32</sup> emerges.

<sup>30</sup> Whereas, in the hypothesis of homicide, instead, the psychological autopsy (to be carried out exclusively by professionals related to the world of forensic medicine, psychiatry and forensic psychology) must in fact be combined with other activities typical of the forensic sciences such as the analysis of the scene of the crime, the repertory study and expert in general. Professionals and experts enrolled in special registers or professional registers (psychiatrists, forensic doctors, psychologists, forensic pathologists) who interact in common with law enforcement agencies, on behalf of and on the order of the investigative bodies.

<sup>31</sup> Psychiatrists, psychologists, nurses, but also prison guards, policemen and teachers have been mentioned.

<sup>32</sup> Z. Bauman, *Liquid Fear*. cit.

In such a context, *evil* would correspond, therefore, to being someone else's involuntary and unconscious arm, slowly instilling that aggression and that direct virulence derived from violence. Then is evil done by virtue of the evil suffered? Also. What emerges is that every character attitude, every impulse aimed at evil, can find inspiration in that evolutionary *imprinting* on which the development of individual morality is based, whereby the personality of the adult represents the synthesis of what was experienced from birth to childhood, up to adolescence.<sup>33</sup>

It emerges that the evil, caused by man towards his fellow men, can often be considered the epilogue of something learned, from the family context or from the social fabric in which it grows and through which it relates, parameterizing its intensity and frequents it according to, precisely, the intensity and frequency of the violence of which it has been a witness.

And so evil becomes the expression of what Arendt defines as<sup>34</sup> *moral blindness*: the naturalness with which man commits certain very serious crimes derives from the fact that man himself is unable to perceive any moral disvalue in relation to his own conduct, even if illicit because it is immoral.

There are people whose evil is not learned, but innate (the expression, that is, of their own temperament): in them one observes the desire to create that evil that feeds one's pleasure when, in front of them, the fears of others are mirrored. And here grows, in a viral way, that desire to make others suffer, because the suffering of others, annihilates indissolubly, their own.

The privileged and suitable instrument to cause evil and suffering is precisely that *aggressiveness* which, as said, is to be understood generically as the set of those verbal or physical behaviors intentionally directed to cause pain and damage to others and which can have instinctual connotations, learned or deriving directly, from the state of frustration to which the subject is subjected.

This last parameter can be an expression of that evil, exacerbated by dissatisfaction, by missed results, which is not vented towards those who cause it (often themselves) but towards third parties, sometimes totally unrelated to any causal connection.

In other words, individuals are involved for what they represent, ideally, in the mind of those who act, victims chosen by virtue, for example, of their social status, their work position or, simply, because they fatally happened in the path of a mind that is not always healthy.

From internal evil to an entire society, we have therefore moved on to talk about the evil of one individual towards another individual, and in particular the crimes of *incitement to suicide* and *suicide*, which tends to be considered as an expression of evil towards oneself, but which in fact represents a further condemnation to the suffering of others.

Both the instigation to suicide and the suicide itself, even if in different contexts, see protagonists who adhere to an extreme thought.

In fact, the desire to determine the suicidal purpose is extreme, even if in subjects whose inner unease is already manifestly manifested; just as extreme is the condition of those who live suffocated by their existential malaise and who see, in suicide, as a *last resort*, the final solution to their torments.

However unpredictable human nature may be, and not always governed by balanced logic, certain conduct does not always pass through the channel of unpredictability: there may in fact be atti-

tudes which constitute the prelude to suicidal conduct or which represent an unfulfilled attempt at it.

Illustrating the theme of the so-called *parasuicide*, an attempt was made to demonstrate how certain behaviors anticipate certain *final damaging behaviors*, and how, in a context devoted to the study of criminology, such behaviors can legally detect an abstract combination of useful causes to cause the event-death and fundamental to determine morally, as well as criminally, a responsible person.

If there are, on the one hand, subjects suffering from confirmed mental pathologies that manifest themselves, for example, through attitudes of aggression and intolerance to social norms (think of the hypothesis of antisocial personality disorder), on the other hand there are certainly situations of intolerance towards one's own frustrations which, combined with a total lack of empathy or sensitivity towards the feelings of others, can feed that natural drive towards evil, which finds its outlet in criminal action.

Fundamental, then, is the constant mutability of the social context in which we live, and in which social persuasion, the direct expression of communication mediated by computers, tends to disseminate notions, ideals and intentions, not always in line with a coherent development of moral values on which a civil society should be based.

It should be underlined that the web facilitates the development of some new criminal typologies simplified by anonymity (certainly the determining characteristic to favor the *depersonalization* of the users of chat, websites, applications of online meetings) behind which it is possible to hide one's own real malicious intentions, often illicit, and through which it is possible to reach an indistinct and ever larger community.

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<sup>33</sup> Piaget's and Kohlberg's studies are the inspiration for this.

<sup>34</sup> H. Arendt, *op. cit.*



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