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SEXUALITE ET MILIEU PENITENTIAIRE

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I

EXPOSE INTRODUCTIF PAR

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I - CADRE, VISEE ET NIVEAU RESTREINTS DE CETTE ETUDE.

Cette étude sur la sexualité en prison est située dans une optique particulière qu'il faut préciser.

NON PENITENTIAIRE. Le point de vue de cette étude n'est pas pénitentiaire. S'adressant à des spécialistes des questions pénitentiaires, cette étude n'a pas la visée qui serait naïve de se substituer à ces spécialistes pour les informer de ce qui se passe dans les prisons, ce sur quoi ils peuvent être bien mieux renseignés que quiconque.
Non plus de se substituer à eux dans la charge de leurs problèmes propres ni sur les plans théoriques ou pratiques, ni sur les plans de la critique ou de la recommandation.

Tout au contraire cette étude veut proposer à ces spécialistes l'information d'un tout autre abord possible que le leur du problème posé.

NON CRIMINOLOGIQUE. Cette étude se situe en dehors de toute considération de délinquance, de culpabilité, de responsabilité légale ou psychiatrique. En dehors également des notions de châtiment ou de réadaptation ou même de perfectionnisme dans les objectifs de la détention. Tout cela est du ressort des criminologues. Cette étude se situe en dehors des questions sociales ou pathologiques, elle n'envisage pas non plus la causalité criminologique, ni dans sa forme ni dans son accès.

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NON PSYCHOLOGIQUE. La base de cette étude n'est pas non plus, à proprement parler psychologique, même si elle concerne des éléments psychologiques. Ce point est plus difficile à préciser. Une comparaison : une étude sur la dilatation des métaux, par exemple, à des implications dans toutes les utilisations de ces métaux, cependant il n'y est pas question directement de ces utilisations.
Ici, cette étude est centrée sur la situation de détenu, ce qui aura des implications dans tous les comportements des détenus, sans qu'il y soit question, à ce niveau, de ces comportements. En réalité, il en sera quand même question, mais dans un second temps autant pour développer notre sujet que comme exemple de ce qui pourrait être déduit de cette étude dans d'autres domaines tels ceux de la discipline, des punitions, du travail etc...

Cette étude ne visera donc pas à établir des états descriptifs ou statistiques des comportements individuels psychologiques ou psychiatriques. Ceux-ci sont accessibles de l'intérieur même du cadre pénitentiaire et avec l'appareil à sa disposition : médecins psychiatres, psychologues, éducateurs, surveillants, etc... Cette étude visera plutôt à proposer un éclairage distinct de ces abords pour en soutenir les perspectives.

NIVEAU RESTREINT DE CETTE ETUDE. Le registre où se place cette recherche est en quelque sorte "infra-psychologique", la visée étant d'évaluer ce qui sous-tend la psychologie du détenu dans son ensemble donc ce qui sous-tendra notamment sa psychologie sexuelle. On pourrait comparer cela à un abord clinique de la sexualité où seraient étudiés les effets de la fièvre, des anesthésiques ou de la faim sur ladite sexualité. Pour aborder les effets de la détention sur la sexualité, nous devrons d'abord saisir les implications profondes de la détention. Les critères de cette saisie seront des critères psychanalytiques et il convient donc de les préciser brièvement.

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II - ABORD PSYCHANALYTIQUE DU PROBLEME.

LA SEXUALITE HUMAINE. La sexualité humaine ne peut en aucune manière se comprendre à partir de la sexualité animale. Il est vrai que l'appareil physiologique humain a son homologue chez l'animal et que le fonctionnement de cet appareil est sensible à des éléments correspondants : glandes diverses, interrelation entre l'état de tension de l'appareil et divers organes des sens : vue, odorat, audition de cris ou de chants, etc... On reconnaît aisément, là, des facteurs ayant leurs correspondants chez l'animal et chez l'homme. Cependant la sexualité humaine se différencie dans son exercice de la sexualité animale et cela de façon fondamentale, c'est-à-dire mettant en cause ses fondements mêmes.

Ce qui spécifie le fondement de la sexualité humaine, c'est qu'à tous les stades de sa fonction, elle est soumise à une dimension totalement souveraine sur son exercice, depuis son surgissement jusqu'à ses modes d'accomplissement. Cette dimension souveraine, c'est la dimension du sens ou de la signification.

Dans d'autres domaines physiologiques plus élémentaires comme la nutrition ou l'excrétion on peut aussi saisir le physiologique dans la dépendance de conditions de signification. L'homme y est affronté à ce qui le constitue dans ses usages et ses valeurs.

Dans le domaine de la sexualité c'est avec une plus grande dépendance que se fait la soumission du physiologique à la signification. Il est banal de remarquerque cet instinct n'est pas vital pour l'individu - sinon pour l'espèce - donc qu'il peut être davantage "maîtrisé". Est-il possible d'évaluer en quoi consiste cette maîtrise ?

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Cette maîtrise est en réalité une contrainte, imposée dès la plus petite enfance et dont nous pouvons chacun mesurer un des effets premiers : à savoir qu'elle interdit de penser à la réalité de la vie sexuelle des parents, à celui-là même qui en est justement le fruit. Pendant l'enfance, les parents, en protégeant plus ou moins farouchement leur intimité physique, voire leur réalité corporelle, interdisent à l'enfant tout accès à ce domaine. Pour l'enfant, indépendamment des punitions réelles qui viennent sanctionner sa curiosité, qui est attisée par l'interdit, s'associe l'idée de punitions mal explicitées, mais toujours pressenties comme terribles. Et en particulier localisées sur le lieu même de leur curiosité : on est puni par où on a péché.

Il est banal de constater que nous ne sommes pas libres de nos pensées sexuelles. Certaines nous font horreur, d'autres nous dégoûtent, d'autres ne nous inspirent nullement, tandis que certaines privilégiées sont à la fois "parlantes" et acceptables. A cela nous ne pouvons rien : chacun subit cette structuration en lui du monde de la sexualité qui doit pour exister présenter certaines caractéristiques spécifiques à chacun. Ce que la psychanalyse nous a enseigné, c'est que cette structuration du monde de la sexualité - autrement dit, notre excitation sexuelle - est dans la dépendance des expériences de notre enfance. Ce sont certaines expériences privilégiées de notre enfance qui vont imprimer leur style à nos passions. Comme éléments de ces expériences infantiles il y a au premier plan les interdits des parents aux curiosités sexuelles (normales) des enfants, et les détours pour les pallier.

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DIFFICULTES PROPRES A L'ABORD DU PROBLEME. Si ne pas avoir d'option politique est en fait une option politique, délibérée ou inconsciente, dans le domaine sexuel il en est de même : le désintérêt y est aussi significatif d'une position sexuelle que l'intérêt. Bref on peut dire que chaque homme a une option sexuelle qu'il aura malgré lui tendance à généraliser comme normale : normal son exercice ou normal au nom de quoi - en lui - ledit exercice lui est interdit. C'est dire la nécessité de situer toute observation en dehors des points de vue de normalité ou de moralité.

Une autre difficulté vient de ce que pour chaque homme l'exercice de sa sexualité est un compromis entre des tendances diverses, qu'on peut résumer être entre ses instincts et ses interdits. Or le lieu de ce compromis est essentiellement variable selon la pression actuelle de l'instinct et selon la pression actuelle des interdits. C'est dire que ce qu'il s'agit d'observer et de mesurer risque d'être déplacé, amplifié ou diminué, selon les modalités mêmes de l'observation. En effet devant l'investigateur le sujet s'attachera à découvrir le point de vue sexuel de cet investigateur à travers les questions qui pourraient lui être ou non posées et la forme même dont elles lui seraient posées. L'expression de tel ou tel point de vue risque d'en être plus ou moins déformée.

Par ailleurs les confidences authentiques en ce domaine sont une espèce de complicité sexuelle actuelle entre l'investigateur et le sujet. Complicité qui peut être plus ou moins gênante ou plus ou moins libidinalisée, c'est-à-dire vécue comme un plaisir.

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La difficulté est donc de se tenir entre deux extrêmes. A un extrême le sujet se sent interrogé avec un esprit critique et il aura tendance à ne dire que ce qu'on l'"autorise" à dire. C'est cette altération que risque de rencontrer une investigation faite à l'intérieur de l'appareil pénitentiaire. A l'autre extrême les confidences faites dans un esprit grivois de complicité sexuelle peuvent tendre à un jeu actuel n'ayant que peu de rapport avec la réalité. C'est dire les précautions nécessaires pour aborder ce domaine pour que l'objet observé ne soit pas déformé par l'observation elle-même.

LA PSYCHANALYSE ET LA SEXUALITE. La psychanalyse a été très critiquée pour avoir mis en avant la sexualité dans des situations en apparence les plus éloignées de ce domaine et même chez l'enfant. Essayons de nous faire une idée juste à ce sujet.

Si nous ne confondons pas sexualité et exercice de la fonction sexuelle, nous voyons que dès le plus jeune âge, l'enfant est situé comme garçon ou fille dans chacune de ses activités : habillement, coiffure, jeux, promiscuité... les garçons avec les garçons, les filles avec les filles ! Punition des jeux d'intimité physique entre sexes différents. Toute l'éducation et l'exercice même de la vie en société sont basés sur cette ségrégation sexuelle. L'enfant ne peut même pas parler sans que dans sa phrase il précise son appartenance sexuelle dès qu'il accorde ses adjectifs ou pronoms au masculin ou au féminin.

Le complexe d'Oedipe, le plus souvent fort mal compris, n'est que cet aspect de ségrégation sexuelle qui empêche ou limite les effusions entre le garçon et sa mère. Cela est ressenti par l'enfant comme interdit par le père, qui, lui, a droit à cette intimité physique. L'enfant faible et sans défense perçoit le père comme tout-puissant, même si c'est la mère qui limite par sa pudeur ses effusions, par exemple au lit, avec son petit garçon.

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Si les moeurs, les usages peuvent être d'une grande variété d'un pays à l'autre, la ségrégation sexuelle avec ses interdits respectifs est un fait universel. Les activités auto-érotiques voire les jeux homosexuels sont moins sévèrement réprimés. Il est curieux de noter que, au moins dans notre civilisation, les adultes tolèrent mieux chez l'enfant les manifestations auto-érotiques ou homosexuelles que les jeux entre sexes différents.

La spécification sexuelle est fondamentale, elle exerce une hégémonie sur tout le vécu humain. A savoir que quelle que soit la nature de tout autre rapport que nous pouvons avoir avec quiconque nous nous situons avant toute chose comme étant du même sexe ou de l'autre. Toute notre relation en sera induite. Tout notre comportement sera modulé par cette parité ou disparité de base. Nous essayons de séduire ou nous risquons de l'être. Nous aurons en face de nous ou bien un individu avec qui nous pourrions avoir un échange sexuel, c'est un objet sexuel possible, même si nous n'en n'avons pas l'envie et quel que soit le mode de cet échange : négatif, par exemple, chez un jeune homme insensible à une vieille femme. Ou bien nous avons affaire à un concurrent du même bord par rapport auquel nous avons à affirmer notre supériorité ou subir notre infériorité. Que ce soit en force, en intelligence, en âge, en beauté etc... la rivalité intellectuelle en est une bonne incarnation. Lors de conversations banales il est rare que ne soit pas sensible qui mène le jeu, qui s'impose comme leader.

En résumé la psychanalyse nous apprend que dès l'enfance nous sommes situés comme sexués d'une part et d'autre part comme conséquence que nous situons inévitablement un interlocuteur soit comme objet sexuel soit comme rival. Ceci évidemment derrière les rapports en apparence banals de la vie quotidienne.

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La clinique psychanalytique qui sait justement apprécier les modalités selon lesquelles l'individu s'affirme vis à vis de l'interlocuteur, nous informera au-delà même du contenu manifeste d'une conversation sur les structures en présence. Le sujet aura-t-il des difficultés, et lesquelles, à s'affirmer comme objet sexuel ou comme rival. Ce type d'investigation sur lequel il serait trop long et en dehors de notre sujet de nous étendre ici est une pierre de touche voilée de l'authenticité de l'investigation, une fois décodé ce qu'apporte dans la situation l'investigateur avec sa personnalité propre.

III - LA DETENTION.

La situation de détenu ramène à un état infantile de dépendance.

LE DETENU ADULTE se trouve brusquement soumis à une autorité tutélaire et cela à l'occasion de la transgression d'un interdit. Or cette situation se trouve justement être celle dont, enfant, il a eu à souffrir pendant toutes les années de sa maturation. Autorité dont il a eu à souffrir de la façon la plus normale ; elle était naturelle aux yeux de l'enfant, sans nécessiter aucune justification. La loi, c'est le père qui impose sa volonté à tous. Dans certaines familles que ce soit la mère qui sur ce point remplace le père à des conséquences psychologiques saisissables qui permettent de confirmer l'importance structurante indispensable du vecteur autorité paternelle pendant l'enfance.

En contrepartie de cette soumission l'enfant est protégé. S'il obéit il a la sécurité ou au moins la tranquillité.

Après la puberté, correlativement avec la maturation sexuelle, le garçon aura à se situer par rapport à ce problème de l'autorité et de la sécurité. Pour devenir un adulte, sera-t-il capable de se dégager de l'autorité parentale sans crainte excessive, ou bien pour prix de sa sécurité devra-t-il toujours s'abriter derrière une autorité, quitte à la rencontrer chez sa femme ou son patron ou son chef ou en la prison.

LE DETENU ADOLESCENT, se trouve, lui, justement à cette phase de maturation qui s'accompagne de l'essai d'affirmer son indépendance par rapport à son père. Phase de révolte que la détenion ne change pas, mais qu'au contraire elle tend à exaspérer. Celui que son insubordination aura amené en prison ne pourra pas considérer la détention comme la rançon de cette insubordination. Il y verra au contraire la nécessité de s'insubordiner davantage et, il faut bien le reconnaître, pas en raison du plus mauvais de lui-même, mais en raison de ce qui, en d'autres circonstances, signerait qu'il a passé les épreuves de l'initiation des hommes du clan.

QUOIQU'IL EN SOIT le détenu doit obéissance à l'autorité qui veille sur lui et c'est le prix de sa sécurité, en tous cas de sa tranquillité. Ses besoins seront, à ce prix, satisfaits comme ils l'étaient par ses parents qui assuraient sa subsistance, son gîte et sa sécurité avec une efficacité et un pouvoir absolu, au moins dans la petite enfance.

Et voilà aussi le détenu replongé dans le monde des interdits sexuels ne serait-ce que par le milieu unisexué de l'enfance.

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CONSEQUENCES AFFECTIVES.

Brusquement replongé dans cette situation archaïque le détenu cesse tout aussitôt d'être un adulte normal. Il ne peut déjà plus se comporter comme un adulte, dont justement une des caractéristiques réside dans une certaine liberté par rapport à l'autorité sécurisante. Obéir librement aux lois, implique la possibilité de ne pas obéir. Le détenu n'a pas ce choix, il ne peut que se comporter comme un mineur. Ces points sont familiers à ceux qui expérimentent la semi-liberté et les méthodes pénitentiaires nouvelles.

Le détenu ne peut que se plaindre, et les circonstances lui donnent lieu de se plaindre. C'est cela qui efface sa faute à ses yeux : "il paye à la Société". Or sa plainte c'est justement le signe de son infantilisation, car imagine-t-on le véritable adulte se plaignant au lieu d'agir. Et le détenu ne peut agir. C'est de cela dont il se plaint.

Mais à qui peut-il se plaindre, comme au doux temps de son enfance où sa plainte rencontrait l'amour de sa mère. En fait il ne le peut guère, et pour certains cette envie de se plaindre, qu'ils sentent bien infantile, les incite au contraire à se révolter. C'est là le cercle à briser, mais ce n'est pas notre sujet.

Il nous faut préciser que l'état d'indépendance opposé à l'état de détention n'est pas une véritable indépendance. Seul l'aliéné est indépendant puisque rien ne le lie. L'homme libre est pris dans de nombreux réseaux qui restreignent sérieusement cette liberté : famille, travail, vie sociale, amitié ... qui créent des obligations auxquelles l'homme ne peut se soustraire sans démissionner de sa qualité d'adulte.

Or le paradoxe veut que à celui qui devient détenu aucun devoir n'incombe plus, par force. Si le prisonnier cesse d'être libre, ce n'est pas sans être soulagé de nombreuses obligations vis à vis desquelles le voici, en compensation, devenu libre. Beaucoup de détenus trouvent un certain apaisement dans la détention, au moins les premiers temps, justement parce qu'elle est contre leur gré, elle les débarasse de leurs obligations : c'est, retrouvée, la liberté de l'enfance. Mais à quel prix ?

CONSEQUENCE SEXUELLE.

Un des prix de cette situation c'est justement dans la sphère sexuelle que le détenu va, à son insu, le payer. Car en même temps qu'est réactualisé l'état de soumission ou de révolte, va se trouver réactualisé, comme par réflexe conditionné, l'état de contrainte dans le surgissement des pulsions sexuelles.

DETENU ADULTE. Pour la plupart - le type des exceptions confirme le fait - les détenus adultes voient disparaître leurs préoccupations sexuelles. Ecrasés par la situation, ils ne se soucient que d'elle. Dans la vie normale la vie sexuelle de tout un chacun est faite d'insatisfactions auxquelles parfois répondent des satisfactions. Pour satisfaire un désir, encore faut-il avoir ce désir, et le désir c'est une insatisfaction. Pour le détenu, tout cela s'estompe. Quand plus tard cela fera retour, ce sera sous une forme très proche des désirs vains de l'enfance. Tout cela, donc, s'estompe. Davantage encore : l'incapacité où se trouve le détenu de s'assurer une position sexuelle satisfaisante supprime l'angoisse liée aux solutions le plus souvent imparfaites qu'il apportait - comme chacun, souvent - à la réalisation de ses désirs.

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Cet état de désintérêt pour les choses sexuelles manque rarement. Mais cet état de quasi inhibition s'il accompagne les premiers temps de la détention va lui-même s'estomper, lorsque le moment de saisie par la situation sera lui-même estompé. Très variable selon les individus ce stade peut durer de quelques semaines à quelques années. Quoiqu'il en soit une fois installée la réalité de la détention, c'est sous les formes infantiles que réapparaîtra l'activité sexuelle. La masturbation retrouvera une actualité oubliée, d'autant que ressentie comme compensatrice, elle sera moins culpabilisée et vécue comme moins avilissante malgré l'âge adulte. Toute une dimension imaginaire de la femme sera évoquée où elle apparaîtra infiniment plus satisfaisante que dans la réalité, d'autant que son accès n'est pas en cause, ni son inaccès d'ailleurs. Ce qui signifie que la distance entre le rêve et la réalité, ne met plus en cause les qualités viriles de l'homme, qui ne se sent plus responsable de la pauvreté de sa vie sexuelle eu égard, au contraire, à la richesse de ses exigences imaginaires. Donc la masturbation est le peu qui reste licite, mais ceci n'est pas, non plus, une limitation sans contrepartie. Combien de ces hommes détenus ont au dehors une vie sexuelle satisfaisante ? S'ils peuvent supporter mieux leur insatisfaction, c'est que la détention ne met pas en cause leur responsabilité ou leur participation à cette insatisfaction.

LONGUE DETENTION. Dans les longues peines l'effet de sidération de la détention est loin. Bien qu'il existe un nombre appréciable de condamnés chez qui elle se maintient plus ou moins.

Pour les autres, installés dans un monde artificiel en ce qu'il est unisexué, ils essayent soit de grapiller ici où là une satisfaction clandestine, soit d'établir des relations régulières avec tel ou tel détenu. Les relations homosexuelles sont elles-mêmes marquées d'un style particulier. Il y a les homosexuels vrais qui trouvent là une situation comparable à celle qu'ils ont connu à l'école, à l'armée. Il y a les homosexuels d'occasion, qui sont homosexuels par structure mais qui dans la vie normale sont culpabilisés par les pratiques auxquelles la détention donne une absolution. Ceux-là trouvent les conditions d'une vie sexuelle plus satisfaisante en prison : même réduite, elle est sans angoisse. Restent ceux qui vont se tourner vers les échanges homosexuels selon des modalités qui ne leur seront jamais satisfaisantes.

JEUNES DETENUS. Pour ceux-ci la détention n'atténue nullement leur sexualité, car ils en sont justement à la phase de revendication sexuelle que la restriction va justement renforcer. Pour certains ce sera de même que pour les adultes la liberté du désir puisqu'il ne met pas en cause la possibilité de le satisfaire, et le plus souvent son incapacité. Masturbation solitaire ou mutuelle. Ce sont les dérivatifs d'une vie sexuelle qui n'a pas encore pu trouver à s'instaurer dans la vie normale. Mais dont l'instauration pourra rester marquée par l'aspect plus facile de la relation homosexuelle. Cependant la délinquance restant très en corrélation avec la revendication virile, la sanction qui supprime les femmes va provoquer des revendications viriles de compétition homosexuelle. Peut-être à ce niveau la détention concourt-elle à la découverte de vocations homosexuelles. Mais sans doute les découvre-t-elle plus qu'elle ne les crée. Combien de jeunes - dans la vie courante - ne sont-ils amenés à l'homosexualité que par des voies où les nécessités ont bon dos. Qu'en est-il de la vie dans les pensionnats ? dans la marine ?... etc.

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LES DETENUES FEMMES. Ici le problème est différent en ce sens que la promiscuité homosexuelle semble rencontrer moins d'interdit que chez l'homme et que dans l'ensemble elle est vécue comme un palliatif par celles qui ne sont pas homosexuelles vraies. L'homosexualité féminine reste toujours comme un faux semblant de sexualité, qui n'engage pas, qui reste superficiel, qui laissera peu de traces perturbantes sur la vie sexuelle ultérieure.

DETENUS POLITIQUES. Cette catégorie va nous permettre de mettre en évidence l'interrelation entre la demande sexuelle voire l'exigence sexuelle et l'attitude de l'administration.

Mais tout d'abord considérons que les détenus politiques ne constituent pas une population homogène et il est possible d'opposer les détenus de 40 - 45 de la Résistance et ceux détenus plus tard, à l'occasion des évènements d'Algérie. Il semble que ce soit la différence de traitement qui les ait fait réagir de façon différente.

La rigueur de la détention des résistants a le plus souvent donné comme résultat cette inhibition sexuelle chez l'adolescent comme chez l'adulte avec compensation, sublimation dans le registre de leur option politico-militaire.

Au contraire la relative souplesse du régime des visites en faveur des détenus politiques de l'O.A.S. a été l'occasion d'un fléchissement de la moralité. Ce que l'administration tolérait était-il interprété comme une faiblesse ou comme la preuve d'un sentiment de culpabilité à l'endroit de ces détenus politiques ? C'est possible. Quoiqu'il en soit ces détenus réagirent comme des enfants devant la carence de l'autorité paternelle, par une baisse de la moralité et une tentative pour essayer de voir jusqu'où on peut aller trop loin.

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CONCLUSION

Cette étude, très restreinte dans son champ et préliminaire en quelque sorte, a voulu présenter l'information d'un abord inhabituel du problème. Difficultés de l'observation d'une part et assimilation de la détention à un retour psychologique à la situation infantile d'autre part, telles étaient ses deux axes majeurs. Ce retour à la situation de l'enfance ne se manifestant pas chez chacun de la même manière étant donné les conditions justement particulières à chacun de son enfance. Mais ce retour est le dénominateur commun des comportements psychologiques des détenus.

Si on n'a pas insisté sur les délits sexuels commis dans la population pénitentiaire, détenus ou surveillants, c'est qu'ils apparaissent comme plus anecdotiques que significatifs de l'état de détention, même si ces délits portent évidemment la marque du milieu où ils ont été commis.

En conclusion il nous a semblé et ce fut notre étonnement de le découvrir, que hormis les cas de variations individuelles qui sont l'exception, une impression d'ensemble se dégage : les problèmes sexuels seraient moins source d'angoisse dans la population détenus que dans la population normale. Exactement comme chez les malades où les soucis sexuels se trouvent relégués au second plan derrière les soucis de santé, ou purement et simplement absents.

Ce qu'on appelle en médecine les bénéfices secondaires de la maladie trouve ici son parallèle : il y a des bénéfices psychologiques secondaires à l'état de détention. Il est bien évident que la détention n'est pas réductible à cet aspect, mais celui-ci mal connu valait d'être souligné.

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I THE LIMITED FRAMEWORK, AIM AND LEVEL OF THE STUDY.

It is first necessary to specify the particular perspective of this study of sexuality in prison.

NON-PENOLOGICAL. This study has not been made from a penological point of view. It is addressed to specialists of penology and it would be naive to usurp their place and tell them what goes on in prisons when they know more about it than anyone else. Nor is it intended to take their problems in charge, either theoretically or practically or by way of criticism or recommendation. On the contrary, the aim is to bring to the notice of these specialists the possibility of an approach to the problem quite different from their own.

NON-CRIMINOLOGICAL. This study is not concerned with considerations of delinquency, culpability, legal responsibility or mental responsibility, or with notions of punishment, rehabilitation or even with ideas of better achieving the objects of detention. All that is the business of criminologists. This study is outside social or pathological questions and it is not concerned, either in its form or its approach, with criminological causality.

NON-PSYCHOLOGICAL. Although this study is concerned with psychological elements, it is not properly speaking psychological. This is more difficult to explain. By way of analogy, a study on the expansion of metals may be relevant to all the uses made of those metals, but it is not concerned directly with those uses. This study is centred on the situation of the prisoner, which may be relevant to all aspects of behaviour of the prisoner, but at this level, it is not concerned with this behaviour. In reality, these things will

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Wherefore, this study will not aim to draw up descriptive or statistical statements on individual psychological or psychiatric behaviour. These may be obtained within the prison system with the means at its disposal : psychiatrists, psychologists, educators, warders etc... Rather will it aim to maintain the particular perspectives of these approaches by choosing quite another one.

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II PSYCHOANALYTICAL APPROACH TO THE PROBLEM.

HUMAN SEXUALITY. Human sexuality can in no way be understood from animal sexuality. The human physiological apparatus corresponds to the animal one and the functioning of this apparatus is sensitive to corresponding factors sight, scent, the sound of cries or songs etc... These factors are readily recognized as finding their equivalent in both man and beast. Yet human sexuality differs from animal sexuality in its practice - and quite basically, by which is meant that its very basis is involved.

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What distinguishes human sexuality is that at all stages it is subject to a dimension holding sovereign

sway over its practice, from the moment of its appearance up to its accomplishment. This sovereign dimension is that of meaning or signification.

In other more elementary physiological domains such as nutrition or excretion, the physiological can also be seen as dependent on conditions of signification. Man is brought face to face with what he is made of in his habits and his import.

In the sexual domain the physiological is even more dependent on the signification. It is commonplace to state that this instinct is not vital for the individual - as opposed to the species - and that it can therefore be "mastered". Is it possible to tell what this mastering consists of ?

This mastering is in reality a compulsion which imposes itself from earliest childhood and one of which we can all judge one of its first effects, namely the prohibition from thinking about the sexual life of the parents of the being who is the fruit of it. Parents stubbornly conceal their physical intimacy, and even their bodily reality from the child and forbid him from entering this domain. The child's curiosity, excited by prohibition, is rewarded with punishment and there is born the idea of punishment insufficiently explained but always foreseen as terrible, and in particular situated exactly in the place toward which the curitosity was directed : punishment comes thence where one sins.

It is not necessary to remark that we are not free in our sexual thoughts. Some fill us with horror, some with disgust, others leave us cold, while select ones are both informative and acceptable. We can do nothing about this : each must accept that structuration within himself of the sexual world which has to manifest certain specific characteristics to himself. What psychoanalysis has taught us is that this structuration of the world of sexuality - our sexual excitation - is contingent on our childhood experiences. It is certain select childhood experiences which are going to impress

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themselves on our passions. The main elements of these childhood experiences are the prohibition by the parents of (the normal) sexual curiosity of the child and the way to get round it.

DIFFICULTIES PECULIAR TO THIS APPROACH. If not to make a political choice is in fact to make such a choice, it is the same in the sexual domain. Lack of interest is as significant of a sexual position as interest. One might say that each man makes a sexual choice that he will tend, in spite of himself, to regard as normal, either in its exercise or in its prohibition for himself. This demonstrates the need to keep all observations outside the view points of normality or morality.

Another difficulty arises out of the fact that for every man the exercise of his sexuality is a compromise between divergent tendencies, between, one might say, his instincts and his prohibitions. Precisely where this compromise takes place depends essentially on the relative pressures of instinct and prohibition at the time. That means that what is to be observed and measured may be displaced, magnified or diminished, according to the mere method of observation. The subject will endeavour to discern the sexual viewpoint of the investigator from the questions he puts or does not put and from the way they are put. There is a danger that the expression of a given viewpoint will be more or less deformed.

Furthermore, genuine confidences in this domain are a sort of sexual complicity between the subject and the investigator. This complicity may be more or less embarassing or more or less libidinalised - that is, experienced as a pleasure.

The difficulty is therefore to strike the balance between two extremes. At one extreme, the subject feeling he is being interrogated critically will tend to say only what he is "permitted" to say. One risks this kind of distortion if the investigation takes place within the machinery of imprisonment. .../...

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PSYCHOANALSYSIS AND SEXUALITY. Psychoanalysis has been greatly criticised for having dragged sexuality to the forefront of situations which appear most distant from this domain, and even those concerning children. Let us try and clear our thoughts on this matter.

Distinguishing between sexuality and the exercise of the sexual function we see that right from the earliest age the child is identified as either a boy or a girl in every activity : dress, hair style, games, promiscuity... boys with boys and girls with girls ! Play of physical intimacy between those of opposite sex are punished. This sexual segregation lies at the foundation of education and life in society. The child can not even speak without declaring which sex he belongs to by his choice of personal or possessive pronouns.

The Oedipus complex, often greatly misunderstood, is only this aspect of sexual segregation which prevents or limits effusions between the boy and his mother. This is felt by the child as forbidden by the father, who alone is entitled to this physical intimacy. The child, weak and defenceless, sees the father as all-powerful, even if it is really the mother's shame which limits her effusions towards her little boy, for example in bed.

While customs and habits may vary greatly from one country to another, sexual segregation, with its prohibitions, is universal. Auto-erotic and even homosexual play is less severely repressed. It is strange that, in our civilisation at least, adults more easily tolerate auto-erotic or homosexual activities in children than heterosexual play.

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Sexual identification is fundamental to, and exercises hegemony over, all human experience. Whatever relationship we may have with another person, above and before all we identify ourselves as either of the same sex or of the other. Our relationship will devolve from that; our behaviour will be modulated by this basic parity or disparity. We shall try to seduce or we shall run the risk of being seduced. Either we shall have before us a person with whom we could have a sexual exchange, a potential sexual object, even if we have no desire for it and whatever the nature of such an exchange : negative, for examplel, for a young man not sensitive toward an old woman. Or else we are dealing with a rival whom we must either affirm our superiority over or suffer our inferiority to. This may be in the domain of strength, intelligence, age, beauty - and intellectual rivalry may be an expression, a substitute or a manifestation of it. Even in commonplace conversation it is rare that a leader does not emerge.

To sum up, psychoanalysis teaches us first that we are identified as of a given sex and second that in consequence we inevitably identify others either as sexual objects or as rivals - behind, obviously the apparently banal appearances of everyday life.

Clinical psychoanalysis knows just how to tell in what manner the individual affirms himself vis a vis his interlocutor and will tell us more than the evident content of a conversation of the structures present. Will the subject have difficulties - and which ones - in affirming himself as a sexual object or as a rival ? This type of investigation lies outside the bounds of our subject and the limits of our time, but it is a touch stone by which to tell the authenticity of the investigation, once it has been determined what the investigator brings into the situation with his own personality.

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III IMPRISONMENT

The Prisoner is Reduced to a State of Childlike Dependance.

THE ADULT PRISONER suddenly finds himself subject to the authority of a guardian - on the occasion of transgressing a prohibition. Now this was precisely his situation as a child throughout the period of growing up. This authority was perfectly natural to the child; it was normal that he should be subject to it and it needed no justification. The Law was the father who imposed his will on everyone. Where in certain families, the mother replaced the father in this respect, understandable psychological consequences appear which confirm the indispensible structuring importance of the authority vector of the father during childhood.

In return for this subjection the child is secure, or at least in tranquillity. After puberty, in correlation with his sexual maturity, the boy will have to find his place in relation to this problem of authority and security. Will he be able to free himself sufficiently from parental authority, without excessive fear, in order to become adult ? Or, at the cost of his security will he always shelter behind an authority, even if he must find it in his wife, in his boss or in prison .

THE ADOLESCENT PRISONER is precisely at that stage in growing mature where he attempts to affirm his independence from his father. This is a stage of revolt which imprisonment does not change but rather tends to aggravate. Insubordination has brought him to prison and he can not regard his imprisonment as the ransom for his insubordination. On the contrary he will feel the need to be even more insubordinate, not, it should be recognised, on account of the worst in him, but for what in other circumstances would signify that he had passed the tests of initiation to be admitted a full

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grown man of the tribe.

IN EITHER CASE the prisoner owes obedience to the authority that watches over him, and that is the price of his security or at least of his tranquillity. For this price his needs will be satisfied as they were by his parents who provided his food, shelter and security, efficiently and absolutely, at least during his early childhood.

Further, the prisoner is again immersed in the world of sexual prohibition, if only through the unisexual situation of childhood.

AFFECTIVE CONSEQUENCES.

Suddenly re-immersed in this archaic situation, the prisoner immediately ceases to be a normal adult human being. He can no longer behave like an adult, one of whose characteristics is to enjoy a certain liberty in relation to the authority that provides security. Freely to obey the law implies freedom not to obey it. The prisoner has no such freedom and is compelled to behave as a minor. These points are perfectly familiar to those who are experimenting with non-secure prisons and other new penological methods.

The prisoner can only complain - and his circumstances give him cause to do so. In his eyes, it is that that wipes out his guilt : "he is paying his debt to society". Now his complaint is precisely the sign of his infantilisation, for imagine the true adult who complained instead of taking action. But the prisoner can not act - and that is his complaint.

But whom can he complain to, as when in sweet childhood his complaint was caught up by his mother's love ? In fact, he has hardly anyone to complain to and some, recognising this desire to complain as childish , turn instead to revolt. This is the circle to be broken. But that is another subject.

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is not true independence. The madman alone is free since he is bound by nothing. The free man is caught up in various entanglements which seriously limit his freedom - family, work, social life, friends - and which create obligations that can not be ignored without abandoning adulthood.

Now, all obligations are removed, by force, from him who becomes a prisoner. Although he ceases to be free, he is relieved of numerous obligations. Many prisoners find a certain peace in imprisonment - at least at first - precisely because it is against their will and discharges them of their obligations. It is the freedom of childhood refound. But at what cost ?

SEXUAL CONSEQUENCES.

It is precisely in the sexual sphere that the prisoner is unknowingly going to pay a price for this situation. As the state of submission or revolt reappears, so, as if by conditioned reflex, reappears the state of restraint in the welling up of the sexual impulses.

THE ADULT PRISONER. For the most part - the exception proves the rule - adult prisoners see their sexual preoccupations disappear. Their only preoccupation is the overwhelming situation in which they find themselves. In normal circumstances sexual life is made up of insatisfactions punctuated by satisfactions. To satisfy a desire, it is first necessary to have a desire. And desire is insatisfaction. For the prisoner all that is toned down. When it reappears later it will be in a form much akin to the vain desires of childhood. Furthermore, the prisoner's inability to have a satisfactory sexual position does away with any anxiety due to the often imperfect solutions he - like the rest of us - found for satisfying his desires.

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things is fairly general. But the state of quasi-inhibition which accompanies the first stages of imprisonment will itself disappear as the situation which caused it ceases to predominate. This stage is extremely variable from one subject to another and may vary from a few weeks to a few years. In any case, once the reality of imprisonment has established itself sexual activity will reappear in childish forms. Masturbation will come into its own again, and being considered a compensation it will be laden with less guilt and be regarded as less defiling, in spite of the adult age. An imaginary dimension of the woman will be ovoked in which she will appear infinitely more satisfying than in reality, the more so because there is no question of her accessibility, or of her incaccessibility either. This means that the gap between the dream and the reality no longer brings the virility of the man into question, for he no longer feels responsible for the poverty of his sexual life in comparison with the richness of his imagination. Masturbation therefore is all that remains licit. But this limitation is not without its counterpart. How many prisoners have a satisfactory sex life outside prison ? If they can put up with their insatisfaction it is because imprisonment relieves them of responsibility for their insatisfaction.

LONG IMPRISONMENT. For those who are serving long sentences the state of shock may be long past, although there is an appreciable number of convicts in whom it more or less remains.

The others, immersed in a world which is artificial because unisexual, try either to snatch some clandestine pleasure here and there, or to establish regular relations with another inmate. Homosexual relations themselves bear a certain stamp. There are genuine homosexuals who find in prison a situation similar to that of the school or the army. There are homosexuals of opportunity who, homosexual in structure, in normal life are inhibited by guilt and find

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in imprisonment absolution. These find the conditions of sexual life in prison more satisfiying; although reduced, it is free of anxiety. There remain those who will turn to homosexual relations in a manner that will never give them satisfaction.

YOUNG PRISONERS. For them, imprisonment does nothing to attenuate their sexuality, for they are precisely at the stage of asserting their sexuality and restriction will reinforce their assertion. For some there will be, as for adults, a liberty of desire since the question of possibility, and often of the inability, to satisfy the desire is not raised. Solo or mutual masturbation are the derivatives of a sexual life that has not yet been able to establish itself in normal life, but which might well remain affected by the easier aspects of homosexual relations. Delinquency is in close relation to proving manhood and the sanction which eliminates women will also provoke homosexual competition on this level. Imprisonment may contribute to the discovery of homosexual tendencies, but it undoubtedly discovers more than it creates. How many young people in everday life are led to homosexuality only through virtual necessity ? What about life in boarding schools, in the Navy, etc..?

FEMALE PRISONERS. The problem is different for women prisoners in that for them homosexual relations are associated with prohibition to a lesser degree. On the whole they may be indulged in as a palliative by those who are not really homosexual. Feminine homosexuality remains a sort of pretence at sexuality, which is non-committal, remains on the surface and leaves few traces that will affect sexual life later.

POLITICAL PRISONERS. This category brings out the relationship between sexual demands and the attitudes of the authorities. First, however, it should be noted

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in imprisonment absolution. These find the conditions of sexual life in prison more satisfying; although reduced, it is free of anxiety. There remain those who will turn to homosexual relations in a manner that will never give them satisfaction.

YOUNG PRISONERS. For them, imprisonment does nothing to attenuate their sexuality, for they are precisely at the stage of asserting their sexuality and restriction will reinforce their assertion. For some there will be, as for adults, a liberty of desire since the question of possibility, and often of the inability, to satisfy the desire is not raised. Solo or mutual masturbation are the derivatives of a sexual life that has not yet been able to establish itself in normal life, but which might well remain affected by the easier aspects of homosexual relations. Delinquency is in close relation to proving manhood and the sanction which eliminates women will also provoke homosexual competition on this level. Imprisonment may contribute to the discovery of homosexual tendencies, but it under bitedly discovers more than it creates. How many young people in everyday life are led to homosexuality only through virtual necessity ? What about life in boarding schools, in the Navy, etc..?

FEMALE PRISONERS. The problem is different for women prisoners in that for them homosexual relations are associated with prohibition to a lesser degree. On the whole they may be indulged in as a palliative by those who are not really homosexual. Feminine homosexuality remains a sort of pretence at sexuality, which is non-committal, remains on the surface and leaves few traces that will affect sexual life later.

POLITICAL PRISONERS. This category brings out the relationship between sexual demands and the attitudes of the authorities. First, however, it should be noted

that political prisoners do not form a homogeneous group. Those of 1940-45 in France contrast with those resulting from the more recent events in Algeria. It seems that the difference in their reactions is due to the difference in their treatment.

The severe imprisonment that the members of the Resistance suffered has more often than not resulted, both for the adolescent and for the adult, in sexual inhibition sublimated on to the political or military level.

By contrast, the relatively lax regime of visits in favour of the political detainees of the OAS was the occasion for a lowering of morals. Perhaps the toleration of the authorities was interpreted as weakness or as evidence of feelings of guilt regarding these political prisoners. In any case they reacted as children would if paternal authority broke down : morality was lowered and in general they tried to see how far it was possible to go too far !

CONCLUSION

The aim of this study, narrow in its field and somewhat preliminary, has been to draw attention to an unusual approach to the problem of imprisonment. Its two main axes have been the difficulty of observation and the assimilation of the psychological predicament of imprisonment to that of the child. This return to the predicament of childhood does not manifest itself in the same way in different people precisely because of their different childhood situations; but it is the common factor in the psychological behaviour of prisoners.

No attention has been paid to sexual offences committed in prison, either among the prisoners or the warders, because they appear to be rather of anecdotal value than of significance in regard to the state of imprisonment, even though they bear, naturally, the stamp of the milieu where they were committed.

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To conclude, it seems that apart from exceptional individual variations a somewhat surprising general impression emerges. It is that sexual problems are less a source of anxiety among the prison population than among the outside population. It is the same situation as with the sick, for whom sexual problems are relegated to the background, if not lost altogether, beside the dominating problem of health.

There is here a parallel to what are called in medicine the secondary benefits of sickness. There are secondary psychological benefits of the state of imprisonment. Obviously imprisonment can not be reduced to this dimension alone, but it is worthy of wider note.

II

EXPOSE INTRODUCTIF

par

M. l'abbé Marc ORAISON

Docteur en médecine, ancien interne des hôpitaux de Bordeaux

I - L'ABORD CLINIQUE DU PROBLEME.

Nous avons peu tenu compte de l'abord statistique, qui risque d'orienter dans une direction abstraite et de faire perdre de vue la réalité vécue.

Le personnel masculin réagit devant le problème d'une façon très cohérente ; Directeurs, Directeurs-Adjoints, Surveillants, Détenus - sauf très rares exceptions - sont d'accord sans s'être concertés sur les remarques qui vont suivre. Le personnel féminin (Service Social) réagit aussi de façon cohérente, mais de façon très contraire : il ressent les problèmes sexuels des hommes détenus comme très intenses et très préoccupants.

La réaction des hommes fait ressortir :

- Chez les adultes, peu de difficultés sexuelles proprement dites (masturbation, compensations pseudo-homosexuelles). La frustration sexuelle a beaucoup moins d'importance réelle qu'on ne pourrait croire.

- Même chez les détenus pour délits sexuels, d'après certains d'entre eux fort observateurs, la détention a souvent comme résultat d'apaiser les besoins érotiques.

- Les comportements sexuels "délictueux" sont l'exception.

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- Chez les jeunes, le problème est différent. Il semble que la masturbation isolée ou à deux ou trois soit fréquente mais pas dans des proportions tellement différentes de ce qui se passe dans un internat forcé quelconque. La véritable homosexualité (de tendance constituée) est en fait peu fréquente, et souvent mal supportée par les co-détenus. De l'avis de tous, la détention ne dévie pas les sujets normalement orientés même s'il y a eu des comportements érotiques à plusieurs.

Les "viols" quand il y en a paraissent être le fait de quelques grands déséquilibrés, ou traduisent des troubles qui se situent plus au niveau de l'agressivité que de la sexualité proprement dite.

Il semble que l'activité sexuelle "verbale" est beaucoup plus importante que l'activité érotique.

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En conclusion, après 20 - 25 ans, les préoccupations affectives sont très largement prédominantes par rapport aux poussées érotiques.

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II - ESSAI DE REFLEXION.

A) Le problème est celui de la frustration sexuelle imposée par l'entrée dans un univers unisexué. On peut comparer à ce point de vue avec la captivité de guerre, et avec l'entrée dans un monastère.

Les modalités d'entrée sont très différentes. L'entrée au monastère est librement voulue : le sujet choisit d'entrer dans un univers sans femme et vise un certain comportement sexuel qui est la continence ; en principe, il serait logique que la proportion de déséquilibres sexuels soit plus importante que pour les entrées "forcées" des diverses captivités. L'expérience clinique tend à le confirmer.

La captivité militaire comporte un élément affectif positif de réaction : solidarité, rage, sentiment stimulant d'être victime et non coupable, etc... Toute cette vie émotionnelle a de fortes chances de prendre le devant de la scène et de faire passer les problèmes érotiques au second plan ; de nombreux témoignages le confirment.

L'entrée en prison est différente, mais n'est pas motivée par la recherche d'un certain style sexuel. Il est normal, à priori, qu'elle ait également peu de retentissements sérieux sur l'érotisme. Mais elle pose les très complexes problèmes des motivations inconscientes de la délinquance "qui se fait prendre" (passivité ? désir d'être à l'abri, protestation contre tel ou tel personnage du monde intérieur du détenu, etc...).

B) Les réactions des détenus paraissent bien être fonction - comme pour tout l'ensemble de la population masculine - de leur degré de maturité, au sens où l'entend la psychologie dynamique moderne. Cette maturité peut d'ailleurs très bien être concomitante à des immaturités ou de petits déséquilibres dans d'autres secteurs de la vie affective.

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Cela explique la différence globale constatée entre la population adolescente ou jeune et la population adulte.

L'un des fonctionnaires rencontrés a prononcé, sans réfléchir et sans préoccupation morale, une formule intéressante : "pour un homme normalement constitué, la continence sexuelle ne pose pas tellement de problème ; ce sont d'autres choses qui le préoccupent".

Physiologiquement et psychologiquement parlant, la continence sexuelle est en effet possible.

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Introduction to the lecture by

The Reverend Marc ORAISON, Doctor of Medicine, ex-intern at Bordeaux Hospital

I THE CLINICAL APPROACH TO THE PROBLEM

We have taken little account of the statistical approach, which can lead us toward abstraction and make us lose sight of real life.

Men react to the problem in a consistent manner, be they Governors, Deputy Governors, Warders or Prisoners. With a few exceptions they agree, without collusion, with the remarks that follow. The women (of the Social Service) also react consistently - but quite differently. They see the sexual problems of prisoners as very intense and predominant.

The men's reaction brings out :

- That adults have few difficulties which are properly speaking sexual (masturbation, pseudo-homosexual compensation). Sexual frustration has less real importance than one might think.

- That even among those who have been convicted for sexual offences - and according to some of them who are very observant in the matter - imprisonment often has the effect of quietening erotic needs.

- That guilty sexual behaviours is exceptional.

- That the problem is different for the young. It seems that masturbation is frequent, either solo or mutual, but not more so than in any other place where youths live together. Genuine homosexuality (of an affirmed tendency) is infrequent and often ill regarded by fellow-detainees. All agree that detention does not deviate those who are normally oriented, even though there may be mutual erotic activity.

When there is sexual assult it tends to be the doing of a very unbalanced few, or the expression of trouble on the level of aggression rather than on that of sexuality proper.

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"Verbal"sexual activity seems much more important than erotic activity.

X

In conclusion, after 20 or 25 years of age, affective proccupations generally predominate over erotic pressures.

X

II REFLEXIONS

A) The problem is that of sexual frustration imposed by entry into a unisexual world. From this viewpoint comparison can be made with the prisoner of war or the postulant in a monastery.

The circumstances are however very different. Entry into a monastry is an act of free will. The subject chooses to go into a world without women and aspires to a certain way of sexual behaviour which is continence. It would be logical to suppose that the incidence of sexual imbalance would be higher here than it is in the case of forced entry through captivity of one kind or another. Clinical experiments tend to confirm this supposition.

Military captivity is marked by a positive affective reaction : solidarity, rage, the stimulating feeling of being the victim, not the guilty one, etc... All these emotions are likely to fill the foreground and push erotic problems into the background. There is much evidence of this.

Entry into prison is different, but it is not motivated by the search for a certain way of sexual life. A priori, it would be normal if there were little serious effect on erotism. But it raises the very complex problems of the unconscious motivation of the delinquent "who gets found out". (Passivity ? Desire to be sheltered ? Protest against such and such

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a person of the interior life ? etc ?)

B) The reactions of prisoners appear to depend - as they do for the entire male population - on the degree of maturity reached, within the meaning of modern dynamic psychology. This maturity may, by the way, exist side by side with immaturities or small imbalances in other parts of the affective life.

This explains the general difference already stated between the adolescent and the adult.

Without reflexion or moral preoccupation, a member of the prison service came out with the following words : "for a normal man sexual continence does not present a problem; he is preoccupied by other things".

Physiologically and psychologically speaking, sexual continence is possible.
