

The pedagogical consequences of criminal punishment in Poland

Based on the example of prisoners who were repeatedly imprisoned

Summary

The dissertation is based on pedagogical reflections on how a normative institution functions, one statutorily appointed for criminal punishment in public life systems in Poland. In terms of research interest, this work refers to an area where such scientific disciplines as pedagogy, public policy studies, law, administration science, the selective problems of sociology and psychology intersect. In the narrative adopted in this work for the purposes of scientific analysis, punishment is treated as *necessitates sui generis* educational reality, in which the superior controlling and supervising role is played by alienated and reified criminal punishment systems established and performing their functions in the public sphere: law enforcement, justice and penitentiary authorities. It can be noticed that the matrix of the variables presented here reveals the distinctiveness of a biopsychosocial criminal repeatedly punished being an outline of a well-grounded theory. This fact is not only marked by the perspective of assessing the penitentiary system as such, it can also be the basis for taking into account these characteristic, researched and observable features in daily diagnosis and in the creation of rehabilitation projects. It should be emphasized that in the biographies of *homo prionicus*, the primary educational role was fulfilled by the punishment systems included of the law enforcement agencies, the extent and enforcement of justice, and penitentiaries. Their structure, situational conditions and how they function ultimately determined the success of all social and individual functions of the criminal punishment, including its pedagogical effects, at least, this is the result of the research presented here. In the later part of the work, the problem of how criminal punishment systems function is addressed as a (hyper) variable of the independent pedagogical effectiveness of the existing criminal punishment systems, in theoretical, empirical and praxeological terms. Although the postulates in jurisprudence include theories, *de facto*, of a return to multifaceted shaping and regulating human social behavior instead of ruthless models of punishment, in penitentiary practice we deal with the "funnel effect": the more often and longer a person stays in a penitentiary unit, the more unilaterally he/she is treated by the judicial authorities. All that remains for the individual is to undergo an ever-longer process of isolation, disintegration and social degradation. It is possi-

ble to formulate a few detailed conclusions describing the situation of falling into the funnel at the bottom of which is a state that can be called "social eugenisation":

1. The punishment systems have become alienated and reified in terms of the systemic and institutional influences conforming and regulating the behavior of individuals, primarily from educational systems.
2. In the case of repeat offenders, the systems' instruments of influence involve reglementarism, causing penitentiary reduction.
3. Prisons have been isolated from punishment and punishment systems as a relatively autonomous social system and institution whose functions (isolation, stigmatization, derailing, and maladaptive) mean that individuals not only have no real chance of resocialization and re-adaptation, but also fall into a kind of the spiral of the consequences of punishment in the form of psycho- and socio-degradation. Negative phenomena also affect the prison service, and as a result discussion about the legitimacy of reforming the prison remains valid.
4. There are two real models of normative punishment processes: a preventive and control model, and a compensation model. The former recommends a permanent quest to exacerbate criminal penalties, simplifying the punishment procedure, and totalizing organizational relations in institutions of punishment. The latter focuses on creating measures to compensate for the effects of increasing and totalizing punishment, and of a humanitarian nature (social work, therapy, psychological help, mentoring, coaching, skills and competence training, etc.). Compensation is ineffective in terms of the cases examined. In addition, penological theories are not used, and in practice, reduced theoretical models are applied, serving system reporting needs rather than the real needs of improvement, resocialization and re-adaptation. The above phenomena cannot be reconciled with the philosophical and anthropological paradigm of humanism. Socially alienated punishment systems also act "in a closing way" on development and rehabilitation for individuals and groups subject to the institutional regulation of behavior.

Due to the negative pedagogical effects of criminal punishment observed, several schemes of reforming actions are recommended for the state institutions responsible for punishing:

1. Using the mechanisms of "social control in action", i.e. social action through control. The concept of directional and final control integrating systems of behavior into the area established by the conformist order and the social order.
2. Agencies' control as a tool for targeting human behavior and activities (using control institutions, i.e. inspection agencies, their competence, personal and institutional resources). Integration of criminal punishment systems into social control systems and submission to programmed socialization.
3. Longer and more effective conformation and regulation of social behavior by counteracting the funnel effect (general level of criminal policy).
4. Individualized and personalized retraining and compensating activities.

5. Use of probation, mediation and reconstruction of relations in the social fields of those who are being punished.
6. Use of psycho-correction and limiting the syndrome of psychological prisonization
7. Developing pedagogical reflection on the institutional punishment system for crimes (research – action – education). The phenomena and processes observed here, as well as their pedagogical assessment, seem to be important for the processes of criminal prevention and social policy, as well as for basic research and the reconstruction of training and study programs in law, psychology and sociology of deviation, criminology, resocialization, special, penitentiary and social pedagogy.