

Renata Szczepanik, Ph.D.

Laboratory of Special Education
Faculty of Educational Sciences
University of Lodz, 91-433 Łódź, Smugowa 10/12
Poland

DEVELOPMENT AND IDENTITY OF PENITENTIARY EDUCATION

Introduction

Penitentiary education is a part of resocialization pedagogy and is in line with the system of general penitentiary interactions. Broadly speaking, one can say that the scope of its interest includes the impact of education on persons (criminal) serving a prison sentence.

The term “penitentiary education” found its place in pre-war work of an outstanding Polish criminologist and lawyer - Leon Rabinowicz (1933) who stressed the need for educational work with the inmate during the execution of imprisonment and expressed faith in its effectiveness. In the mid-war period, the discussions of resocialization character were heated and resulted from the influence of mainstream positivist criminology on legal studies. Optimism prevailed among scientists about the possible influence on the personality of the inmate in order to compensate for the lack of socialization and reduce criminal predispositions (compare: Raś, 2006). In the 1930’s, in pre-war Polish education programs and professional development of Polish penitentiary workers, “prison pedagogy” was one of the core subjects in the curriculum (Barczyk, Barczyk, 1999).

In the first decade of the existence of the People's Republic of Poland, in fact, no correctional concept existed whatsoever (Górny, 1996). Nor did a system of correctional personnel training. The subject known by the name of “penitentiary education” was included in the training programs for correctional officers only in the 1960’s. Penitentiary education was incorporated into the education and training curriculum of Penitentiary Technical School employees in the school year of 1960-1961. In the second half of the 1960’s, numerous articles on issues of prison

education with a strong emphasis of its political and social role appeared in specialist publications for law enforcement and justice.

The next stage of development of thought and the formation of the identity of penitentiary education fell at the turn of the 1990's and 2000 and remains in a strong connection with the views on the impact of anti-resocialization consequences of the prison isolation. This article aims at showing the role attributed to penitentiary education during the times of the People's Republic of Poland and the presentation of selected determinants of changes and developments which are subject to this field of knowledge and social practice in modern times.

The Concept of Penitentiary Education During the Times of the People's Republic of Poland

In the post-war Poland, official Marxist ideology dominates according to which crime is strongly associated with capitalism and has no place in a society where so-called class conflict was eliminated. The phenomenon of violence and common crime is thus absent in social relations, filled with common consent, justice and harmony. Crime in such political conditions was seen as a primitive form of resistance and, therefore, was given a political nature. Paweł Moczydłowski (2003, p. 80) puts it in a following way: "a thief who stole, made illegal privatization. This activity, therefore, sought to introduce socio-economic relations taken from the enemy formation. A thief was a class enemy, counter-revolutionary mutation because his/her activities aimed at reinstating the ousted system, a society in which the crime existed. Criminalizing counterrevolutionary acts indirectly served as the fight against criminals." Common criminal proliferated to the rank of a rebel against whom severe criminal repressions appropriate to the enemies of the political system were used. The reasons of a very restrictive criminal and penitentiary policy in post-war Poland are rooted in this ideology. Therefore, it should not seem surprising that publicizing crime cases, disclosure of their structure and their actual size blended well with the socio-political success propaganda of the new socialist order. In such ideological conditions in Poland, the first prison in which a specific pedagogical experiment was conducted appears, and the organization of which is a strong part of the development of the penitentiary education. Unfortunately, the post-war origins of this field of knowledge and practice is the dark spot on education which will languish in prison mentality for many decades to come.

Juvenile Correctional Facility in Jaworzno operated from 1951 to 1956. This prison was designed for the youngest prisoners (between 15 and 21 years of age). Almost all juveniles incarcerated there were so-called. political prisoners. "Oppositional behavior" of the youth bore the hallmarks of treason and were

attributed the characteristics of espionage, assassination, and even fascism. Oftentimes, they were students of middle and secondary schools convicted of belonging to illegal independence organizations. Various judgments were passed, including judgments of the death penalty converted to long-term imprisonment. A common denominator of the prisoners was their hostile attitude towards the People's Republic of Poland and insusceptibility to change beliefs. Theoretical sources of the activity lay in the prison resocialization system of Antoni S. Makarenko. The creator of the pedagogical concept of the facility was Aleksander Levin. It should be noted that the majority of correction officers employed at the facility had not completed primary education, and some of them were those who were transferred to Jaworzno by way of punishment for abusing convicts in other prisons. Such properties of personnel favored the formation of the atmosphere of violence, ruthlessness and terror which embraced all spheres of juvenile prisoner functioning. Wiesław Theiss (1999, p. 176) stresses that "the hidden agenda of Jaworzno activities was a form of realization of the essential objectives of the Soviet absolutist and totalitarian communism education." The main objective here was "systemic character breaking" and prevailing methods included coercion, violence and denunciation. Educational tasks were implemented with the use of such forms as the collective, work, political education (indoctrination), school education and cultural and educational activities. Under the facade of this particular form of pedagogical impact upon juvenile prisoners, what happened in reality was the process of destroying their individuality, personality and physical health. The collective was a method with which such features as denunciation, absolute obedience, disregard for the needs of the individual and a sense of bondage were shaped. Adolescents were treated with all-encompassing control. Heavy physical work was based on compulsion of competition and rivalry. It had a devastating character (lasting all day), and its organization bore direct reference to the rhetoric of Nazi concentration camps. Theiss draws attention to the following elements: armed soldiers holding dogs on leashes, roll-calls and four-person musters modeled on concentration camps, commands, reports, and even the inscription on the Jaworzno gate ("Work makes you free"). The main method of political education were lectures and initiating discussions on issues related to presenting the superiority of the socialist system over capitalism as well as demeaning of the pre-war politicians and military commanders. Also school education and cultural and educational activities were imbued with political ideology. Emphasis was put on the promotion of an ideal vision of the socialist system.

From the perspective of the development of penitentiary education, what is essential is that instructors and teachers entered the prison staff for the first time ever in post-war Poland. In Jaworzno, the position of an educator was introduced for the first time. Their duties included, i.a., methodical exploration of prisoners, conducting individual interviews with them, guiding the work of the prison

collectives, criminal reports assessments, and putting forward the motions concerning prisoners.

The first turning point for the changes that occurred in the prison after the war was the year 1956, when the reality of the Stalinist era prisons was partially revealed. Information about cruel treatment of prisoners, especially political ones saw the light of day. After 1956, the treatment of convicted persons no longer was characterized by dramatic repression, but was far from performing their resocialization functions. Incidental attempts were made to introduce the innovative solutions to the system of imprisonment, but they remained on the margins of the mainstream prison policy and were solely experimental. An example of pedagogical venture was a project implemented by Witold and Hanna Świda between 1958 and 1959 in the correctional facility in Szczypiorno near Kalisz (Special Prison for Juvenile Delinquents)¹. In the stipulations of an educational concept of penalty, specificity of prisoners, the organization of vocational training, educational atmosphere and post-penitentiary work were referred to. This project consisted of young prisoners considered to be particularly “difficult”, attractive training program in terms of labor market was introduced, the conditions for minimizing the negative effects of prisonization were created and expanded opportunities for contacts of prisoners with the outside world (i.a. through the introduction of passes and modernization of visit conditions). Unlike the previously described system of education in Jaworzno prison, Szczypiorno did not exercise so-called collective responsibility. The third phase of the project included school education and activities aimed at developing self-discipline. This project was in line with the educational ideas of the punishment role. Unfortunately, the project lasted only a year.

Prison authorities have recognized more than a dozen convicted of escape defeat the pedagogical experiment. The project was revived in 1962. They began research to show the conditions for the effectiveness of an innovative child care proceedings under the juvenile prison. Implementation of the project and the study was continued until 1967. In the early 70s completely eliminated from the different forms and methods used to work with juveniles and replaced them appropriate for that period repression and domination of the educational function of discipline. From the very beginning of the project, accompanied by critics seeking to step up formal discipline within the prison. They saw innovative solutions Szczypiorno as dangerous. Implementers were accused of excessive liberalization experiment in dealing with prisoners and giving them too many privileges. Moreover, the large uncertainties and the negative attention of critics raised that to participate in the project were selected only some juvenile (with prior diagnosis of psychological). The penitentiary policy and political and social conditions of the time did not create opportunities for the continuation and implementation of educational work in other correctional facilities. Undoubtedly, this project represents

¹ For more, see, among others, Bogdan Nowak (2008).

a clear spot in the achievements of the Polish thought in terms of resocialization in the prison isolation conditions. Analysis of historical sources² suggests that in the post-war Poland penitentiary education found its established position as late as in the 1960's through reprints and Polish interpretation of the contents of Soviet studies entitled "Pedagogy of corrective labor" by W.F. Pirożkow, B.S. Utiewski and A.P. Jewgrafow. It was the first book ever in the socialist bloc countries to have a character of a text book on the problems of prison labor. The content of individual chapters were reprinted in "Penitentiary Gazette." It was emphasized that "(...) as opposed to other branches of education, the subject of penitentiary education is not education itself but the improvement and re-education of people with specific deficiencies in education which encourage crime" (*Pedagogika penitencjarna*, 1968a³). Doubts were not raised by the fact that "the basis of penitentiary influence is a regime, work and political-educational activities (...) The purpose of penitentiary education is to indicate and substantiate the pedagogical requirements and conditions under which the regime, labor and political-educational activities will be most effectively used in the process of reeducation and improvement of convicts". Pedagogical value was seen in dependence and the servicing role of the penitentiary education for the law. The following was written on the subject: "The fact that the educational process in prisons is subordinated to penitentiary law standards should be used for educational purposes. Strict performance standards contained in the norms of the penitentiary law posses educational value because they teach the inmate the principles of conduct and develop respect for the laws." (*Pedagogika penitencjarna*, 1968c)

They separated two goals of the rehabilitation of prisoners. First, a minimum target, which was "desire to form in the prisoner of respect for the law, the applicable rules of social intercourse, to implement it to socially useful work, restoring it to a normal life" (*Pedagogika penitencjarna*, 1968b). Maximum educational process to run in prison was "not only striving to ensure that the prisoner does not commit new crimes, but the desire to completely transform the ideological and moral prisoner, to transform the former criminals in a conscious member of society".

Emphasis was given to that education penitentiary use their own methods of research "and the collective personality of prisoners" (*Pedagogika penitencjarna*, 1969a). They lists the experiment, conversation and correspondence with relatives convicted, personality testing techniques prisoner. Much space was devote to the study of the collective of prisoners, the composition of the prisoners, prisoners of the collective relationship to work, study, discipline and evaluation asset prisoners.

² A biweekly magazine "Penitentiary Gazette" was issued from the early 1960's to 1991. It was intended for the judiciary and law enforcement agencies subject to the "internal use only."

³ Further in the article: Pp.

Penitentiary education occupied an important place in the realization of functions performed by the prison in a socialist state: “prisons have the specific task of the socialist education of convicts” (Morawski, 1968). These tasks were carried out mainly by means of “developing ideological and educational work among the prisoners”. The prison was presented as one of the most important “ideological fronts” and, therefore, teaching should pay special attention to the politicization of education. “The Communist purposefulness and party-oriented process of improvement and re-education is reflected in the selection and application of methods, means and forms of educational effect” (*Pedagogika penitencjarna*, 1969a). Methods were allowed that “are not inconsistent with the requirements of the socialist rule of law (that is scientifically sound and humane). The use of coercive measures is not inherent in this principle, similarly to the incompetent use of rewards that is used for building the attitude of selfish individualism in prisoners and undermines the sense of responsibility towards the society for a committed crime”(ibid.).

According to the principles of penitentiary education of that period, the primary form of educational activity organization was a group (the collective) and the group work. According to Soviet penitentiary education ideologists, resocialization values of the collective work are rooted in the inclusion of a prisoner “in the system of a mutual friend-from-friend dependence (...) Collective relations impose specific responsibilities on each prisoner, the execution of which bears a moral responsibility to the collective and disciplinary duty towards the administration (...) By means of collective work, the educator can look into the prisoners faster and deeper (*Pedagogika penitencjarna*, 1968d).

In the period of the People’s Republic of Poland, the ideological dimension of professional competence of correctional officers was stressed. It was emphasized that training prison officers requires “improvement of the curriculum to ensure the proper place for ideological and political issues” (First and foremost – training issues, 1968) and “greater saturation of the training with the socio-political and humanistic content” (ibid.) It was stressed that the measure of the teachers’ and educators’ involvement in the process of education is the party training. The insufficient awareness of the political role of the correctional officers was perceived as a risk of social pathologies and deficiencies in the workplace. The main indicator of the officer’s “aptitude” was their political attitude. The issue of education and personality predispositions were not taken into account. Professional career and promotions were, in fact, not depend on the level of education, but on the number of previous political trainings and courses as well as the “ideological” attitude. Low professional competencies and the lack of basic psychological and pedagogical knowledge resulted in the fact that officers abused alcohol and violence in order to minimize frustration state and a sense powerlessness and helplessness in dealing with convicts (Szczepanik, Soboński, 2012).

The teaching takes place mainly through cultural and educational activities, spaces thorough knowledge of the regulations and work plans, disciplinary action,

work, collective (and method of self-prisoners). The dominant pedagogical doctrine was mentioning earlier concept Makarenko. This idea is seen as a “vibrant and creative” work penitentiary educational concept. According to the promoters of the educational program, educational problems and weaknesses can be overcome through a careful analysis of the concept of collective education Makarenko. It comes down primarily to the use of productive groups of prisoners while working to create collectives. They were the team of people who live in shared goals, work together and do the same. There was a collective group of primary production, which is carried out “processing unit for forming such traits of character and conduct that are needed socialist society” (*Pedagogika penitencjarna*, 1968a:2). In practice, the collective production sought to mutual accountability of prisoners of errors: the behavior of one member, was analyzed by the other, and then assumed a common point of view of the problem situation and how it is overcome. They emphasized the importance of education and professional qualifications, “the former” prisoners to the possibility of “return to the public in accordance with the requirements and needs of the national economy” (Lenartowicz, 1970).

Over the last half-century, Polish prisons experienced enormous changes. They concerned all aspects of their operation. However, significant and systemic changes in the system of prison organization, particularly in the treatment of convicts, took place only after 1989. The biggest transformations in the conditions and possibilities of making intentional resocialization interactions inside the correctional facilities took place in 1997. The legislator resigned from the resocialization of convicted persons understood as the aim of imprisonment. In support of the government draft of the executive penal code, the need to break with the subordination of the criminal law to “any doctrine or ideology” was stressed (after Stańdo-Kawecka, 2010, p. 109) and treating it only as a means of criminal policy. This justification should undoubtedly be related to the above-mentioned forms of oppression and the “resocialization” pressures towards prisoners serving a penalty in correctional facilities during the socialist political system.

Place and Dilemmas of Penitentiary Education in the Contemporary Penitentiary System of Interactions

Prison is an institution of the criminal law. The aims of the punishment and how to implement them are determined by the legislator. Penitentiary education, however, plays the service role towards the legislation. This means that any character of actions must be in accordance with legal standards and must honor the legal status of the entity. The implication of such a solution is reducing the overall impact of resocialization to the framework outlined by the legislators. In light of the existing penal code of offenses of 1997, execution of imprisonment aims at

arousing the convict's will to cooperate in the development of socially desirable attitudes, particularly a sense of responsibility and the need to respect the law and, thus, refraining from returning to crime (Article 67(1) of the executive penal code). The legislator, therefore, considered individual prevention as the fundamental goal of the sentence, understood as the effect of a preventive and educating character. In addition, the legislator resigned from "forced" resocialization, which has now become the law or an offer directed at the convict. The exception to this rule are: juveniles, those directed to the therapeutic prison system and those sentenced for being addicted to alcohol or drugs (Hołda, Postulski, 1998). The introduction of three systems of detention (the impact of the programmable influence, the ordinary system and the therapeutic system) means that the issue of resocialization is placed in the frame of prisoner's rights or, alternatively, correctional staff's, which the convicted person may accept or reject. If, after submission of proposals for resocialization interactions, the convicts agree to cooperate in their development and implementation - being punished in the system of programmable influence (Nawój, 2007).

Today, both practitioners and theorists prison issues have no doubt about the fact that the mandatory implementation of the objectives of rehabilitation for all those imprisoned and uncritical belief in the feasibility of the assumed tasks is warranted. Henryk Machel writes about this as follows: "the assumption of the possibility of rehabilitation in isolation prison all prisoners or the vast majority has no basis in reality and is probably the goal that can not be realized" (Machel, 2008, p. 161). The concept of "rehabilitation" is still controversial, especially in the legal profession. Barbara Stando-Kawecka (2010) draws attention to the distinct reticence and even reluctance of the legislature to reach for that term by the legislature. She indicates two possible causes: (1) rehabilitation and therapeutic effects conducted in prisons and (2) rehabilitation of prisoners forced contradiction with the concept of human rights.

At this point it should also be noted that polish classics of correctional education (from which derives pedagogy penitentiary) separate *education rehabilitation* and *rehabilitation*. They compare these differences to the difference which exists between the "treatment and recovery". The rehabilitation's activities include the functions rehabilitation teacher education, care and therapy (education reahabilitation) (Czapów, 1978, compare: Pytko, 1995).

The totality of the correctional facility means that respecting the principles of teaching is difficult, and the education to live in a society in a situation of being isolated from this society - close to abstraction. Further negative factors impinging on the quality of educational relations are psycho-social derivations which are the consequence of social isolation. Moreover, the difficulty also lies in the fact that educational and resocialization interactions concern adults, which means personality structures which are relatively ready and durable undergo that psycho-correction.

The above-outlined limitations and difficulties in implementing basic principles of teaching have a negative influence on the development and sovereignty of penitentiary education and its identity. The development must be conducted within the framework of imposed solutions and legal determinants, on which, in Poland, theorists of disciplines other than law can have practically no impact at all.

It should be emphasized that “true” resocialization - as opposed to “apparent” one is a complex a process of profound changes in personality and identity reformulation. It is an extremely difficult phenomenon – and, as emphasized by Urban (2010) - requires extraordinary effort on the part of the criminal as well as favorable social conditions. This process involves the inclusion of the number of principles in the theory and practice of penitentiary education. Anetta Jaworska (2009) presents it in the perspective of seven paradigms. The first is the *filling the existential void* paradigm at the heart of which lies, i.e., the belief that criminal activities are activities designed to neutralize the sense of the “lack of need for existence” of the unit. “Penitentiary education (and any other education) must, therefore, focus on those areas of interactions that involve the filling of the existential void created by adverse life coincidences connected with many levels of human functioning” (p. 137-139). The second paradigm (*optimistic thinking in terms of personal change at every stage of their life*) refers to the belief in the effectiveness of resocialization interactions in the isolation conditions. As correctly pointed out by Jaworska, the greatest paradox of modern prison system is giving it legal and social functions of correctional centers, while articulating the lack of faith in the prison resocialization (compare: Stańdo-Kawecka, 2010). The paradigm of *focusing on positive aspects of the functioning of a prisoner in resocialization* includes the message of the need to create for the convicts the situations to do good. The fourth paradigm (*self-resocialization*) refers to the development and respecting of the subjectivity of the prisoners and their sense of perpetration, including responsibility. However, an important direction of modern penitentiary education is the principle of differential treatment of prisoners which is the result of proper diagnosis of the convict’s personality and individualization of resocialization programs. Jaworska defines this as a paradigm of *overcoming the impact of routine on perpetrators* reaching for problem-based and creative methods of educational work. The concept of penitentiary education is also a part of the sixth Jaworska’s paradigm - to *respect the personal dignity of the prisoner*, including the right to individual perception of the world.

Noteworthy are also the considerations of Jaworska in which she opposes new mandatory ways of perceiving reality in modern penitentiary education. The objectives of the “traditional” model of resocialization routines also include so-called general social norms and “objective” social expectations about the type and quality of behavior of the convicted person. These, in turn, are abstract in nature for the convicts themselves. The opposition for them should be to relate the purpose of resocialization to the individual experiences and needs of the resocialized

person. The change should also include the interpretation of the convicts' behavior. They are usually described in terms of manipulation designed to impress and achieve specific aims by the convict. Jaworska presents an opinion according to which these "offences" should be considered as the manifestation of self-preservation instinct and an attempt to adapt to adverse social conditions, which is prison.

At the end, the last paradigm presented by the author, namely *criminal stigmata preventing* paradigm is a part of the most recent trends in penitentiary education in general. Bronisław Urban (2010) analyzes the factors that contribute to the processes of changing the destigmatization identity of the criminal and underlines that the disposal of criminal status and achieving the status of ex-deviant requires extraordinary effort on the part of a person. Destigmatization process should start in prison, and should be continued in the conditions of freedom (compare: Bałandynowicz, 2011). This process - although as emphasized by Urban (2010) - rare and not necessary - is possible. One of the key moments in the process of destigmatization is seeking the alternative social role (see also Konopczyński, 2007). Therefore, an important area of educational and resocialization work should be advising and assisting in the development of real life plans, methods of breaking with the subculture environment and making constructive (alternative) social interactions (socializing). In this respect, penitentiary curators should be involved, whose task is to elaborate on a real project to embed the former prisoner in a social environment outside the prison walls (Urban 2010).

Summary

The contemporary theorist of law and co-author of the current criminal code and code of offenses - Stefan Leleńtal stresses that penitentiary systems currently existing in particular countries combine elements of various models elaborated in the development of the prison system. He puts it this way: "once clearly differentiated sentencing systems, currently intersect and, at the same time, converge their advantages" (Leleńtal, 1996, p. 42). In most countries, including Poland, the systems of detention are based on the principles of progression and individualization of treatment of the convict. Undergoing prison resocialization happens with the informed consent of the prisoner, and it is a prisoner's right, not a duty. It is quite advantageous from the prison education standpoint, as it is a situation of relative openness of the convict and their willingness to change. Giving correctional activities rigid regulatory framework, imposing prison rules and regulations, in practice results in the fact that the role of those supervising the process of resocialization often boils down to "handlers" and "bureaucrats" (Silecka, 2005). In the work of educators, administrative work dominates the educational one in its strict

sense. This situation causes the changing nature of educators' work who must give up (or drastically reduce) the direct contact with convicts to work behind a desk. Henryk Michel deplores this state of affairs, and stresses that this problem has often been the content of demands for positive changes in this regard. Despite the motions of penitentiary educators, the prison system management have not developed any repair project. In fact, "even the best-developed model of detention, if executed improperly, and it is now (...) and it was before, will not lead to expected results" (Machel, 2007, p. 174). Machel also compares the work of prison educators with prison psychologists who are much less burdened with administrative duties, and have more space for connecting and individual work with prisoners. This dependence is partly seen as the reason for smaller professional burnout in this group of staff.

The scientific community of penitentiary educators also points to another major issue which is deprecating the importance of pedagogical education (Machel 2007; compare: Sztuka, 2011). Indeed, although without psychological training one cannot be employed as a full-time psychologist, anyone with a university degree can be an educator. In the practice of penitentiary facilities, the position of an educator is far too often and readily given to those who have legal training because of the ability to move in the legal and penitentiary rules and terminology, and – what is involved – the ability to handle the prison records in the smooth and proper way. Not without significance for the quality of completing vocational tasks is a negative attitude of the society towards the penitentiary education and the profession of correctional officer. Stereotypical and negative reception of the correctional officer's profession poses a risk of social alienation, and could be the factor which diminishes the motivation and belief in the meaning and effectiveness of their work (Szczepanik, Soboński, 2012). Often manifested by the lack of public faith in the "rehabilitation of offenders" or belief in that "rehabilitation in prison does not exist" comes from the person undertaking the work solely to the role of embedded controller and a guard and undermines the meaning and quality of work prison-officers, and as rightly pointed out Machel (2007, p. 153): "criminal rehabilitation in prison is not a matter of faith (...), but the issue of knowledge, knowledge of human functioning in isolation prison and possible revision".

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