

**PAPERS
OF SOCIAL
PEDAGOGY**

**ARBEITEN ZUR
SOZIALPAEDAGOGIK**

**ТРУДЫ ПО
СОЦИАЛЬНОЙ
ПЕДАГОГИКЕ**

Social Prevention in Late Modern Society

ISSN 2392-3083

P S P

NR 1(6) / 2017

***Editorial
board***

EDITORS

Editor in Chief: Danuta Lalak

Executive Editor: Aneta Ostaszewska

Associate Editor: Irena Dychawy-Rosner

Graphic Editor: Ewa Rosłonec-Czobodzińska

EDITORIAL COUNCIL

Professor Arno Heimgartner, Universität Graz (Austria)

Professor Franz Hamburger, Johannes Gutenberg-Universität
Mainz (Germany)

Professor Ewa Syrek, University of Silesia (Poland)

Professor Maria Mendel, University of Gdansk (Poland)

Professor Andrej Timonin, Nekrasov Kostroma State University
(Russia)

Professor Walentina Bassowa, Nekrasov Kostroma State
University (Russia)

Professor Dana Knotová, Masarykova Univerzita (Slovakia)

Professor Olga Bezpalko, University Kyiv (Ukraine)

Professor Peter Husak, Lesya Ukrainka Eastern European
National University (Ukraine)

LIST OF REVIEWERS

Elżbieta Budakowska, University of Warsaw (Poland)

Judit Csoba, University of Debrecen (Hungary)

Agnieszka Golczyńska-Grondas, University of Lodz (Poland)

Elżbieta Górnikowska-Zwolak, University of Silesia (Poland)

Ludmyła Gusak, Lesya Ukrainka Eastern European National University (Ukraine)

Franz Hamburger, Johannes Gutenberg University Mainz (Germany)

Davina Höblich, Hochschule RheinMain - University of Applied Sciences (Germany)

Petro Husak, Lesya Ukrainka Eastern European National University (Ukraine)

Ewa Jarosz, University of Silesia in Katowice (Poland)

Ewa Kantowicz, University of Warmia and Mazury in Olsztyn (Poland)

Barbara Kromolicka, University of Szczecin (Poland)

Tomasz Kaźmierczak, University of Warsaw (Poland)

Joanna Ostrouch-Kamińska, University of Warmia and Mazury in Olsztyn (Poland)

Oleg Padalka, National Pedagogical University in Kyiv, National Academy of Pedagogical Sciences of Ukraine (Ukraine)

Mikołaj Pawlak, University of Warsaw (Poland)

Tadeusz Pilch, University of Warsaw (Poland)

Katarzyna Stokłosa, University of Southern Denmark (Denmark)

Jerzy Szmagalski, The Maria Grzegorzewska University in Warsaw (Poland)

Dariusz Schmidt, University of Warsaw (Poland)

Mikołaj Winiarski, University of Computer Sciences and Economics in Olsztyn (Poland)

Matthias D. Witte, Johannes Gutenberg University Mainz (Germany)

PUBLISHER AND EDITORIAL OFFICE

PAPERS OF SOCIAL PEDAGOGY

Institute of Social Prevention and Resocialization

University of Warsaw

Ul. Podchorążych 20

00-721 Warszawa

pedagogikaspoeczna.uw.edu.pl

*Table
of Contents*

INTRODUCTION

Danuta Lalak

TOP ISSUES

**6. RECHTSPÄDAGOGIK UND DIE GEGENWERTIGEN
HERAUSFORDERUNGEN IM BEREICH DER
ERZIEHUNG, PRÄVENTION UND RESOZIALISIERUNG**
Dariusz Schmidt

**24. PREVENTIVE INTERVENTIONS
IN SOCIO-PEDAGOGICAL SOCIAL WORK**
Irena Dychawy Rosner

**37. FORMATION OF JUVENILES SOCIAL COMPETENCE IN
THE PROCESS OF RESOCIALIZATION**
Petro Husak, Liudmyla Gusak, Andrej Skits

**48. VIEWS OF SECONDARY SCHOOL TEACHERS
ON CIVIC COMPETENCIES ACCORDING TO
FRAMEWORK EDUCATION CURRICULA**
Helena Skarupska

58. DOING ETHNICITY IN ELDERLY CARE
Linda Lill

REVIEWS

**67. REVIEW OF „SYMBOLIC VIOLENCE IN SOCIO-
EDUCATIONAL CONTEXTS A POST-COLONIAL
CRITIQUE” EDITED BY ANNA ODROWĄŻ-COATES
& SRIBAS GOSWAMI, WARSAW: WYDAWNICTWO
AKADEMII PEDAGOGIKI SPECJALNEJ, 2017**
Justyna Pilarska

**70. REVIEW OF THE RETURN OF HISTORY: CONFLICT,
MIGRATION, AND GEOPOLITICS IN THE TWENTY-
FIRST CENTURY. (JENNIFER WELSH 2016 ANANSI)
AND REFUGE: TRANSFORMING A BROKEN REFUGE
SYSTEM
ALEXANDER BETTS AND PAUL COLLIER 2017 ALLEN
LANE**
Adriana Mica

CALL FOR PAPERS

Introduction

Dear Readers,

Social prevention is an interdisciplinary field of reflections, research and practical activities. It is strongly rooted in education sciences (special education, social pedagogy, and social rehabilitation pedagogy), public policies (social policy), and other applied social sciences (criminology). The Institute of Social Prevention and Resocialisation at the University of Warsaw was established in 1972. It was the first academic institution of this kind in Poland. Today there are several other multidisciplinary research and development centres in Poland. Their research activities put an emphasis on examining the changing social reality. The planning of social solutions and the undertaking of social prevention tasks manifest themselves in the assessment and activities aimed at supporting social reintegration of people and entire groups which are subject to the processes of exclusion and marginalisation. The mission of the Institute of Social Prevention and Resocialisation, which publishes a journal (we present the latest sixth issue to our Readers), is to combine theory with practice in order to optimise these processes. The Institute's academic achievements fit into the mainstream of studies on pathological phenomena, the development of theory, and the promotion of knowledge about changes in the social order of Polish society as well as about systems of activities, concepts and programmes which maintain and counteract violation of that order.

In Poland, social prevention and resocialisation is also a major which prepares students for careers in the social field (in institutions and in the open environment) and social services guarding law and social order (police officers, city guards, border guards). Students participate in research on how to solve social problems (addictions, crimes, social maladjustment among young people), conduct migrant policies, and implement innovative social solutions.

The collection of papers presented in this issue gives the opportunity to share experiences and reflections in the interdisciplinary field called social prevention.

Laura Lalak



*Rechtspädagogik
und die
gegenwertigen
Herausforderun-
gen im Bereich
der Erziehung,
Prävention und
Resozialisierung*

DARIUSZ SCHMIDT

Institut für Prävention
und Resozialisierung
der Warschauer Universität
e-mail: d.schmidt@uw.edu.pl

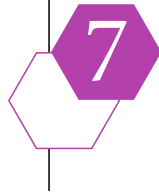
DE

Der Artikel wird der Darstellung der Rechtspädagogik gewidmet, die durch Sigrun von Hasseln in der Hälfte der 90er Jahre des vergangenen Jahrhunderts gebildet und verbreitet wurde. Die Entstehung der Rechtspädagogik, verstanden als ein den Anforderungen der heutigen Welt entsprechende Bildungs- und Erziehungssystem einer Bürgergesellschaft oder als eine Wissenschaft über rechtsbezogene Erziehung, wurde durch die Gründung von deutschen Jugendrechtshäusern, d.h. von den nach Prinzipien der Rechtspädagogik funktionierenden regionalen Zentren für Prävention, begleitet. Den Erwartungen einer interkulturellen, aufgeschlossenen und demokratischen europäischen Gemeinschaft entgegenkommend, sucht von Hasseln nach einem Klammerelement, das religiöse, soziale, kulturelle und moralische Barrieren überschreitet. Dieses bildet das Recht, das in ihrem Konzept die Ausmaße eines übergeordneten Reglers der Koexistenz im 21. Jahrhundert annimmt.

Es wurden sowohl die Theorie der Rechtspädagogik, ihre Inspirationen, Annahmen, ihr Ziel sowie die methodischen Hinweise zur Erziehungsarbeit – durchgeführt gemäß den durch sie bearbeiteten 21 Regeln – als auch die praktische Seite: die Tätigkeit von einigen Dutzend von Jugendrechtshäusern in Deutschland dargestellt.

Einen wesentlichen Aspekt dieser Arbeit bildet der Bezug des Konzepts von Sigrun von Hasseln auf das Schaffen des polnischen wissenschaftlichen Gedankens, insbesondere der Resozialisierungspädagogik, der Pädagogik des Herzens von Maria Łopatkowa sowie der Ansichten von Leon Petrażycki zu erzieherischer Einwirkung des Rechts.

Keywords: Rechtspädagogik, Human Law, Jugendrechtshaus, soziale Prävention, Resozialisierung, Erziehung.



Die Komplexität sozialer Probleme der gegenwärtigen Welt sowie ihre dramatisch steigende Dynamik bewirken, dass wir heutzutage vor vielen Herausforderungen mit nicht ganz vorhersehbarer Weiterentwicklung stehen. Sie bilden eine Fortsetzung von den seit langem bekannten Prozessen, obwohl sich darunter auch solche befinden, die uns sowohl quantitativ, als auch qualitativ überraschen. Vom Standpunkt meiner wissenschaftlichen Interessen würde ich unter den ersten vor allem diese nennen, die soziale Unangepasstheit von Kindern und Jugendlichen auf einem – pädagogisch gesehen – nicht zufriedenstellenden Niveau halten. Als eine vielgestaltige und komplexe Erscheinung nimmt diese unterschiedliche Formen an: einer defekten sozialen Funktion, eines sitten- oder/und verbrechensbezogenen sozialen Herunterkommens oder – auf der Grundlage der Warschauer Schule für Resozialisierungspädagogik – eines destruktiven Antagonismus (vgl. z.B. Czapów 1978, Pytka 2005). Des Öfteren wird sie zur Kriminalitätsquelle, die ein hohes Niveau tendiert (vgl. Polizeiliche Kriminalstatistik 2015). Dies erlegt dem Staat bedeutsame Aufgaben im Bereich der Verhinderungspolitik von Verbrechen auf allen Ebenen auf: Gesetzgebung, Verfolgung von Verbrechen, im Straf- und Strafvollzugsbereich. Die letzten zwei Perspektiven definieren den Resozialisierungshorizont, indem sie bestimmen, was das Ziel der Strafe bildet und wie diese vollzogen werden soll. Derzeit beobachten wir in diesem Bereich dramatische Verlagerungen Richtung einer starken Betonung des Schutzes der Gesellschaft vor dem Täter und der Rückfallvorbeugung, aber nicht mehr nach klassischer „Resozialisierung“, sondern nach der Bewertung des Risikos, erneut in Konflikt mit dem Gesetz zu geraten, und nach dem Management dieses Risikos. (Andrews, Bonta, Wormith (2006), oder Ward, Yates, Willis (2012) Die Maßnahmen werden immer mehr spezialisiert und generieren enorme Kosten (auch soziale). Darüber hinaus erfordern sie eine weitgehende Professionalisierung des Personals jedes Dienstes, das im Alltag den Fragen der Gerichtspsychiatrie begegnet.

Mit dieser „klassischen“ Schicht überlappen sich Prozesse, die mit der Weiterentwicklung sozialer Struktur, dem Übergang von modernistischem zum postmodernem Modell sowie mit politischen Wandlungen vieler Länder in Bedingungen einer fortschreitenden Globalisierung zusammenhängen. Wir haben also mit Funktionieren einer viel-/multikulturellen Gesellschaft mit aufgeschlossenem Charakter zu tun (Popper 1992), die sich entwickelter Technologien bedient und in einer Risikosituation lebt (Beck 2007). Ihre Mitglieder nehmen die umgebende Wirklichkeit u.a. vom Standpunkt der Netzsysteme, abstrakter Schemen, hergestellten Risikos und der Ungewissheit des morgigen Tages wahr. (vgl. z.B. Urban, Stanik 2007, S. 25-29). Es ist schwer, sich an diese Perspektive zu gewöhnen, sie vollständig zu akzeptieren und sich in eine reibungslos funktionierende Erkenntniskette zu integrieren.

Heute kommt es auf unserem Kontinent zu einer geradezu dramatischen Anhäufung von ungünstigen Faktoren. Die nach demokratischen Regeln funktionierenden Länder werden zeitweilig von Ereignissen erschüttert, die in diesem Ausmaß europaweit bisher nicht aufgetreten sind. Unter diesen ist beispielsweise der Verfall der durch deutsche Politiker schon einige Zeit vorher verbreiteten „Multi-Kulti“-Ideologie zu nennen (Horst Seehofer: „Als Union

sprechen wir uns für die deutsche Kultur und gegen die Multi-Kulti-Idee aus. Multi Kulti ist tot¹; Angela Merkel: „Die Strebung nach Multikulturalismus ist gescheitert. Völlig gescheitert.“²). Die größte Bedeutung wird aktuell jedoch der Terrorgefahr und der Migrationskrise zugeschrieben.

Seit einigen Jahren steht Deutschland im Mittelpunkt dieser Probleme. In den Vordergrund tritt dort ein nicht ganz kontrollierter Andrang von Flüchtlingen, die unseren Westnachbarn gerade für ihr Zielland halten. Deutschland wurde vor Herausforderungen gestellt, die man noch vor einigen Jahren kaum erwartete, und es erlebt einen richtigen „Zukunftsschock“. Die Prognosen, auf denen man bisher basierte – auch im Bereich der Prävention und Resozialisierung (z.B. die UNO-Prognose für Deutschland 2030) – verloren stufenweise an Aktualität und die darauf bauenden Maßnahmen wurden immer weniger wirksam.

Das alles bewirkt, dass die Stimmungen überaus gespannt sind, und die Geduld der an das einigermaßen stabile und vorhersehbare Leben gewöhnten Bürger wird auf eine große Probe gestellt. Durch Medien und populistische Politiker erwärmt, finden sie ihre Widerspiegelung u.a. im Radikalisieren unterschiedlicher Umgebungen. Dieser Tatbestand, überlappt mit unvorhersehbarem Eintreten unterschiedlicher Situationen in einer postmodernen Gesellschaft, sowie die unerwarteten geopolitischen Geschehnisse setzen nicht nur enorme Herausforderungen vor dem Staat, sondern betreffen jeden Menschen und bewirken, dass das Leben immer schwieriger wird. Besonders gefährdet sind Personen und Gruppen mit sozialen Defiziten, lebensbezogen unbeholfen oder erzieherisch vernachlässigt. Sie haben immer größere Probleme, um sich in der Hauptströmung des sozialen Lebens zu halten.

Die Versuche von Korrekturmaßnahmen werden in Deutschland massenweise und vielschichtig unternommen (z.B. Strategie der Bundesregierung zur Extremismusprävention und Demokratieförderung, 2016), jedoch ihre Wirksamkeit ist viel niedriger als erwartet. Es lohnt sich also, nach unkonventionellen Lösungen zu greifen, die – aus Tradition vieler Wissenschaften abgeleitet – doch eine ganz andere Qualität bilden. Ein Beispiel für diese innovative Einstellung zur Lösung von sozialen Problemen, gestützt auf inter-/multidisziplinärer Perspektive, bildet seit über 40 Jahren die wissenschaftliche Tätigkeit des Instituts für soziale Prävention und Resozialisierung der Warschauer Universität³.

Eine der möglichen Antworten auf die Herausforderungen der Gegenwart bildet das Konzept der Rechtspädagogik (nachfolgend abgekürzt: RP) von Sigrun von Hasseln, die in Deutschland seit Ende der 90er Jahre erfolgreich entwickelt und eingeführt wird. Vor

1 Integration. Seehofer und Merkel befeuern Leitkulturdebatte, Spiegel Online, 19 Oktober 2010, 22:42 Uhr.

2 Integration. Merkel erklärt Multikulti für gescheitert, Spiegel Online, 15. Oktober 2010, 19:07 Uhr.

3 Die Leitsätze einer inter-/multi-/transdisziplinären Einstellung sollen heute keinen Zweifel wenigstens auf der Ebene der Prävention und Resozialisierung erwecken. Einige Sätze zur Veranschaulichung dieser Denkweise: Viele Probleme, auf die wir in der Arbeit mit Kindern und Jugendlichen stoßen, haben ihre Quelle in den Erziehungsdefiziten. Wenn unsere Bemühungen im Bereich der Unterstützung erziehender Funktion der Familie kein angemessenes Ergebnis bringen, werden sich diese Dysfunktionen verschärfen. Wir werden vor der Notwendigkeit gestellt, die nächste Interventionsetappe einzubinden: die Prävention, die allgemein für eine erziehungsunterstützende Tätigkeit gehalten wird. Nach erfolglosen Bemühungen auf dieser Etappe werden wir gezwungen sein, zur Resozialisierung zu übergehen. Diese drei Aspekte: Erziehung, Prävention und Resozialisierung sind unzertrennlich miteinander verbunden und sogar so eng, dass es manchmal schwer ist zu bestimmen, wann der eine endet, und der nächste beginnt. Und so z.B. die Prävention, die doch eine Resozialisierungsfunktion hat, überlappt sich so wirklich auf der tertiären Stufe mit Resozialisierung. Die gegenseitige Beeinflussung dieser Ebenen sowie die Komplexität ätiologischer Faktoren beweisen die Notwendigkeit von inter-/mehr-/oder intradisziplinären Maßnahmen.



gewisser Zeit habe ich ihre Grundprinzipien beschrieben (Schmidt 2011), jedoch wegen ihrer ständigen Entwicklung verlor meine damalige Vorlesung an Aktualität. Ein Beispiel für Weiterentwicklung stellt die geografische Expansion der RP außerhalb Deutschlands dar, z.B. in Polen (IPSiR UW), Tunesien (*Université des Gabès, ISSH Medenine*)⁴, und die Implementierung in den Ländern der Mittelamerika (z.B. *Ciudad Universitaria Tegucigalpa*)⁵ befindet sich auf einer fortgeschrittenen Etappe. Änderungen unterliegt auch ihr Charakter. Nach der Vorkonzentration auf eine Krisenintervention und die Arbeit mit sozial unangepassten Personen wird diese durch Täter – Opfer – Ausgleich, durch Mediation sowie durch Elemente des Multikulturalismus erweitert. Heutzutage nimmt sie die Form einer globalen Rechtspädagogik (*Human Law, globale Rechtspädagogik*) an, mit den Ambitionen, den geopolitischen Problemen wirksam entgegenzuwirken. Einen Ausdruck davon bildet die Berufung 2014 eines wissenschaftlichen Netzes *International Science Group of Human Law*, das Vertreter von Universitäten, Organisationen und Vereinen aus vielen Ländern zusammenschließt und dessen Ziel die Verbreitung und Weiterentwicklung der Rechtspädagogik auf globaler Ebene ist. Für Oktober 2017 wird eine Gründungsversammlung der Stiftung *Human Law* – eines internationalen, interdisziplinären, politisch unabhängigen und über den monokulturellen Horizont hinausgehenden Körpers zur Implementierungsförderung der Rechtspädagogik – geplant.

Die Autorin der Rechtspädagogik ist Sigrun von Hasseln (aktuell: von Hasseln – Grindel), deutsche Rechtsanwältin, Richterin beim Landgericht Cottbus, Vorsitzende von Jugendstraf- und Jugendschutzkammer mit einer über 35-jährigen Justizerfahrung.

Schon am Anfang ihrer Karriere, als Richterin in Niedersachsen und Hamburg sowie als Staatsanwältin beim Landesgericht in Oldenburg, unternahm sie gelungene Versuche präventiver Interventionen, die damals noch nicht in Form eines einheitlichen Konzepts gefasst wurden. Diese Tätigkeit setzte sie in ihrer „kleinen Heimat“ – in Brandenburg – fort, inspiriert und tief ergriffen von ernststen Problemen, die nach Umwandlung der Staatsordnung auf dem Gebiet „neuer Bundesländer“ aufgetreten sind. Der Pauperismus der Bevölkerung, die Arbeitslosigkeit, das Gefühl der Vereinsamung und des Mangels an Perspektiven definierten den Horizont sozialer Wahrnehmung und generierten viele ungünstige Erscheinungen, die eine dringende Lösung erforderten. Vielleicht aus diesem Grund intensivierte Sigrun von Hasseln ihre Aktivität stark in der Arbeit mit Jugend, indem sie diese um neue Formen erweiterte und ihre eigenen Annahmen unter Unterstützung vieler Personen und Institutionen in wissenschaftliche Sprache verwandelte. Als wenn das nicht betrachten würde, ist eine Tatsache, dass erst nach dem Umzug nach Cottbus im Jahre 1998 ihre Pädagogik in voller Schönheit aufblühte.

Von Hasseln ist Autorin vieler Werken aus dem Bereich des Rechts und der Rechtskultur, die vor allem die Themen der Entwicklung und Funktion der auf einem humanitären Rechtssystem und Verantwortungsbewusstsein bauenden Gesellschaft des 21. Jahrhunderts ansprechen⁶. Sie schreibt Bücher über Rechtspädagogik (z.B. Hasseln 1998 und 2011) so-

4 Nähere Informationen hier: <http://afrr.hasseln.de/wp-content/uploads/2013/03/VorlageTunesien.pdf>

5 Nähere Informationen hier: <http://afrr.hasseln.de/wp-content/uploads/2013/03/VorlageHondurasAfRR.pdf>

6 Eine ausführliche Liste ihrer Veröffentlichung ist auf der Internetseite von Sigrun von Hasseln unter folgenden Adresse zu finden: <http://www.hasseln.de/autorenwerkstatt/buecher/>

wie rechtliche Ratgeber für Jugend (z.B. Hasseln 1993, Hasseln 1996a und weitere Ausgaben, Hasseln 2004, Hasseln 2008), und neulich beschäftigt sie sich auch mit der Problematik einer weit verstandenen Menschlichkeit (z.B. Hasseln, Grindel 2009 und 2011)⁷.

Sie ist eine auf dem Gebiet der Prävention und Resozialisierung aktive Person sowie ein Mitglied zahlreicher Vereine und Institutionen, die Rechtsanwälte, Pädagogen und andere mit Kindern, Jugendlichen sowie hilfebedürftigen Personen arbeitende Träger vereinigt⁸. Es sollen wenigstens zwei von diesen erwähnt werden, weil sie für die Rechtspädagogik eine Schlüsselbedeutung haben. Diese widerspiegeln ihre unterschiedlichen, obwohl miteinander unzertrennlich verbundenen und sich gegenseitig ergänzenden Ebenen: die praktische und theoretische (wissenschaftliche) Ebene.

Die erste Institution vertritt der Bundesverband der Jugendrechtshäuser Deutschland e.V. (abgekürzt: BVJRH), dem die sich für Jugendrechtshäuser einsetzende Personen und Institutionen gehören. Von Hasseln war 2002 seine Mitstifterin sowie seine langjährige Vorsitzende bis zum Jahr 2012, als diese Stelle der Rechtsanwalt Andreas Steffen angetreten war. Die Entwicklung einer wissenschaftlichen Auffassung der Rechtspädagogik bildet eine der wichtigsten Aufgaben der Akademie für Rechtskultur und Rechtspädagogik (*Trägerverein der Akademie für Rechtskultur und Rechtspädagogik e.V.*), die Sigrun von Hasseln zusammen mit vielen anderen Personen 2006 gründete und derer Vorsitzende sie bis heute ist. Die Akademie ist eine Bildungs- und Forschungseinrichtung, die gemäß den Prinzipien der Rechtspädagogik mit Jugendlichen, Erwachsenen sowie Institutionen arbeitet, die lokale Einigungsnetze für Erziehung, Prävention und Resozialisierung (Familienhäuser, Kindergärten, Schulen, Institutionen für Förderung, Berufsausbildung sowie Justiz) bilden. Ein der ersten starken Akzente in der Tätigkeit dieses Gremiums war die Herausgabe noch in demselben Jahr eines im Bereich der Rechtspädagogik führenden Werks (Hasseln 2006).

Die Rechtspädagogik (*Pedagogy of Human Law, und aktuell Human Law* ©) wird meist allgemein als ein den Anforderungen der heutigen Welt entsprechendes Bildungs- und Erziehungssystem der gegenwärtigen Bürgergesellschaft verstanden (Hasseln 2006, S. 133). Sie bildet ein vielseitiges und ganzheitliches pädagogisches Konzept zur friedlichen Koexistenz in interkultureller, demokratischer Gesellschaft einer hochentwickelten technischen Zivilisation. (Hasseln 2006, S. 151)

Die Rechtspädagogik entspringt der Strömung von Jugendrechtshäusern (nachfolgend abgekürzt JRH), die „praktische Schmiede für Rechtspädagogik“ genannt werden. Das erste Haus wurde aus der Initiative Sigrun von Hassel in Oldenburg 1998 gegründet, derzeit gibt es fast 50 JRHs, die meisten in Brandenburg (über 20). Vielleicht war eine so große Sättigung der JRHs in den „neuen Bundesländern“ mit dem Auftreten sehr ernster sozialer Probleme und

⁷ Die Literatur von Sigrun von Hasseln ist Ausdruck einer tiefen Sorge um die Zukunft des Einzelmenschen, der lokalen Gemeinschaft und der Gesellschaft und die widerspiegelt ihre tiefe Empfindlichkeit gegen soziale Probleme und Gefährdungen. Ein aussagekräftiges Beispiel dafür ist die Widmung einer der Kinderbücher dem Dominik F. Brunner, einem für den Schutz von Jugendrechten engagierten Unternehmer, der 2009 an einer S-Bahn-Station in München durch zwei Jungen als Rache für die Verteidigung einiger Schüler vor ihnen ermordet wurde (Hasseln 2011, Widmung).

⁸ Nähere Informationen über die reiche Zugehörigkeit von Sigrun von Hasseln der Vereine und Institutionen sind auf ihrer Internetseite zugänglich, z.B. hier: <http://www.hasseln.de/steckbrief/mitgliedschaften/>

Dysfunktionen verbunden, die nach einer langjährigen Realisierung in ehemaliger DDR „kommunistischer“ Erziehung entstanden (Hasseln 2006, S. 147-150)⁹. Die Versuche, JRHs zu gründen, wurden auch in Polen unternommen, aber bisher erfolglos¹⁰.

Die Jugendrechtshäuser sind regionale Zentren für Prävention, deren Tätigkeit auf den Leistungen der Rechtspädagogik baut. Die Einrichtungen leisten Hilfe, beschäftigen sich mit der Bildung und Beratung für Kinder und Jugendliche sowie auch für Eltern, Betreuer, Erzieher und Lehrer im Bereich der Rechtsfragen, des Rechtsbewusstseins, der Demokratie sowie der sozialen Kompetenz. Das Ziel von JHRs ist die Förderung der Fähigkeit einer sozialen Koexistenz sowie des Zurechtkommens von Kindern und Jugendlichen im erwachsenen Leben (Hasseln 2005, S. 6-18). Sie sind Partner im lokalen Präventionsnetz. Mit dem Charakter einer Nichtregierungsorganisation unterstützen die den Staat bei Realisierung von Aufgaben im Bereich der Bildung, Erziehung und Prävention. Dabei sind sie zeitgleich eine „Schule der Demokratie“ und ein „Ort, an dem eine Umwandlung von Ansichten/Haltungen erfolgt“. Die Tätigkeit von Jugendrechtshäusern wird auf vier Ebenen (*Säulen*) geführt. Das sind:

1. Individuelle Beratung und Vermittlung. Sie umfassen eine pädagogische Beratung in Krisensituationen (einschließlich Selbstmordversuche), kostenlose juristische Beratung, Kriseninterventionen, Beratung für Eltern sowie Hilfe bei Einweisung in die spezialisierten Anstalten.
2. Demokratieschule, Bildung (im Bereich der Menschenrechte) sowie die Bildung von Haltungen. Dies sind gruppenbezogene Formen von Bildungsmaßnahmen im Bereich interkulturellen europäischen Rechtsbewusstseins, darunter der Beibringung von Kenntnissen im Bereich des Rechts, der Bildung einer Rechtskultur sowie der Empathie und der sozialen Kompetenz.
3. Konkrete präventive Tätigkeit in Problemsituationen. Als Arbeit mit Personen, die gegen das Recht schon verstoßen haben, verstanden, umfasst sie intensive Einzel- und Gruppenformen, orientiert auf den Ausgleich von Erziehungs- und Bildungsdefiziten. Die Jugendrechtshäuser treten in den anhand des Gesetzes über Gerichtswesen für Minderjährige¹¹ anhängigen Verhandlungen auf.
4. Teilnahme an sozialen und wissenschaftlichen Debatten, also die wissenschaftliche Tätigkeit von Jugendrechtshäusern. Unter Anwendung von Kenntnissen und Engagement der Spezialisten, die dem BVJRH gehören, beruht diese auf Formulierung von Konzepten, Organisierung von wissenschaftlichen Konferenzen und Symposien, Herausgabe von Büchern, Broschüren und Dokumenten sowie Durchführung von wissenschaftlichen Projekten, Forschungen und auf Evaluierung der Rechtspädagogik. (Hasseln 2005, S. 6-18)

⁹ Durch die Autorin gesetztes Anführungszeichen.

¹⁰ Den einleitenden Vorbereitungen diente eine der Rechtspädagogik gewidmete Konferenz, die in Barlinek im November 2008 stattfand, sowie die Gespräche mit der Stadtbehörde unter Teilnahme von Sigrun von Hasseln.

¹¹ Jugendgerichtsgesetz in der Fassung der Bekanntmachung vom 11. Dezember 1974 (BGBl. I S. 3427), das durch Artikel 6 Absatz 28 des Gesetzes vom 13. April 2017 (BGBl. I S. 872) geändert worden ist.

Die Rechtspädagogik basiert auf Erkenntnissen vieler Fachgebiete, die eine Reihe von Theorien im Bereich der Pädagogik, Philosophie, des Rechts sowie anderer Gebiete umfasst. Ihre wichtigste Inspirationsquelle wurden jedoch die Leistungen von Arthur Kaufmann (1986, 1997), Dieter Rösner (2005), Karl Popper (1992), sowie auch die reformerische Pädagogik (Hassenclever 2006), die Rechtsethologie (Hof 1996) und die Verantwortungsethik (Jonas 1979). Sigrun von Hasseln hatte mit den meisten dieser Autoren einen persönlichen Kontakt und damit eine bessere Gelegenheit, ihre Meinungen in die Annahmen ihres Konzepts zu verwandeln. Nach Anknüpfung der Zusammenarbeit mit polnischem wissenschaftlichem Milieu hat sie daran auch die Elemente der Resozialisierungspädagogik (z.B. Czapów 1978, Czapów, Jedlewski 1971, Pytka 2005) und der Pädagogik des Herzens (Łopatkowa 1992 und 2006) angeschlossen. Als Rechtsanwältin fand sie an der Idee von Leon Petrażycki (1968 sowie Kwaśniewski 1975, Kojder 2001) Gefallen, und besonders die Theorie der Rechtspsychologie, die gerade die bereits vor fast 100 Jahren geforderten „Rechtspädagogik“ umfasst (Petrażycki 1968, S. 50). Hier haben wir mit einem gewissen „Ideenkreisel“¹² und mit der Verbreitung in Deutschland des Konzepts von Petrażycki, also von Vertretern der Warschauer Resozialisierungsschule zu tun.

Mit der Befürwortung der Idee der sog. offenen Gesellschaft knüpft von Hasseln an die Theorie von Karl Popper (1992), der mit der Aufteilung von Wissenschaftstheorien in richtig wissenschaftliche und historische anerkannt hat, dass das Optieren durch die Gesellschaften für eine von diesen ihre Aufteilung in offene und geschlossenen Gesellschaften definiert. Die Regierungen dieser zweiten lehnen die mit den angenommenen Voraussetzungen nicht übereinstimmenden Tatbestände ab sowie bemühen sich, sämtliche Diskussionen zu diesem Thema zu unterdrücken, was die Form einer Zensur oder Selbstzensur annimmt. Solche Gemeinschaften kann man – vereinfachend – für antidemokratisch und mit Neigung zur Bildung totalitärer Systeme halten. In einer offenen Gesellschaft haben wir hingegen mit einem ständigen Gleichgewicht von Anhängern unterschiedlicher Theorien, einer Diskussionsbereitschaft über alle wesentliche Themen des politisch-ökonomischen Lebens sowie mit der Annahme und Akzeptanz verschiedener Gesichtspunkte zu tun. Die nationalsozialistische Vergangenheit Deutschlands nicht vergessend, stellt sich Sigrun von Hasseln mit ihrem ganzen Herzen für eine offene Gesellschaft. (Hasseln 2001a) An das im Menschen steckende Gute glaubend behauptet sie nach Popper, dass auf der aktuellen Etappe der zivilisatorischen Entwicklung eine Abkehr von solch einem sozialen Modell unmöglich ist, und wenn dies irgendwo vorübergehend gelingen sollte, würde es für die ganze Menschheit unwiederbringliche Verluste bringen (Popper 1992, S. 238).

Die Rechtspädagogik bemüht sich auch, der Bildung und dem Konsolidieren von den sog. „parallelen Gesellschaften“ entgegenzuwirken¹³. Ihr Bestehen legt nahe, dass die Inte-

12 Diese Formulierung wurde in der Rezension meines ersten Textes über die Rechtspädagogik in polnischer Sprache benutzt. Sie wird durch mich oft angewandt, denn sie den Kern dieses Themas ausgezeichnet widerspiegelt. Die Anführung vieler anderer Beispiele für diese Erscheinung – unmöglich wegen des Textumfangs – kann ein Gegenstand einer getrennten Monographie bilden.

13 Dieser Begriff wurde zum ersten Mal Anfang der 90er Jahre durch Wilhelm Heitmeyer bei der Debatte über Migrationen und Integration benutzt. Anfangs hat er kein Interesse erweckt und erst 1996 begann man diesen – obwohl ziemlich ungenau – anzuwenden. Populär wurde dieser Begriff erst seit dem Jahr 2003.

grationsmaßnahmen nicht immer und nicht überall für gewünscht gehalten werden, und deren rege Entstehung in den letzten Jahren führt zum Schluss, dass die Bemühungen auf diesem Gebiet in Deutschland fehlgeschlagen sind.¹⁴ Einen aussagekräftigen Ausdruck dieser Ratlosigkeit bilden die vorher zitierten Aussagen politischer Führer, die vom Verfall des *Multi-Kulti*-Konzepts sprechen.

Einen besonderen Platz in der theoretischen Untermauerung der Rechtspädagogik nimmt die Literatur von Arthur Kaufmann, dem Schüler von Gustav Radbruch, ein, vor allem die Werke aus dem Bereich der Rechtsphilosophie (z.B. Kaufmann 1997, oder Kaufmann, Hassemer, Neumann (Hrsg.) 2004). Seine Ansichten zu einer großen Rolle der Toleranz, Einigung und Empathie zur Entwicklung einer friedlichen Koexistenz heutiger Gesellschaft werden durch Sigrun von Hasseln mehrmals erwähnt. Sie war mit ihm übrigens in der Entstehungsperiode von Jugendrechtshäusern, die Kaufmann bis zu seinem Tod im Jahre 2001 unter dem Patronat hatte, eng verbunden.

Kaufmann (1997 S. 306-310) betonte, dass in einer pluralistischen Gesellschaft unmöglich ist, die Richtigkeit seiner Handlungsweise durch ihre Gegenüberstellung mit geltenden Normen oder mit Normen des natürlichen Rechts. Dabei greift er auf die eine nachmoderne Gesellschaft definierenden Aspekte, zu denen z.B. das hergestellte Risiko, die Relativierung und die Ungewissheit der Normen gehören, oder auf die Theorie einer Risikogesellschaft von Ulrich Beck zurück (z.B. Beck 2007). Deswegen muss sich der gegenwärtige Mensch riskant verhalten. Dies erfahrende Jugend ist sich oft dessen nicht bewusst, dass sie auf „brüchiges Eis“ steigt, was wiederum seine unmittelbare Widerspiegelung in der durch die Rechtspädagogik beschriebenen Handlung findet. Auch die Toleranz – ein der wichtigsten Aspekte der Rechtspädagogik – leitet sich direkt aus Kaufmanns Arbeiten her. Das Nachdenken über dieses Phänomen brachte ihn zum Formulieren des Toleranzprinzips sowie des Begriffs des „kategorischen Imperativs der Toleranz“, den er folgend verstanden hat: „*Mach so, dass die Folgen deiner Handlungsweise zu akzeptieren sind sowie dass sie im höchsten Maße zur Vorbeugung der Entstehung bzw. zur Einschränkung des Ausmaßes menschlichen Unglücks beitragen*“ (Kaufmann 1997, S. 344).

Die reformerische Pädagogik in der Auffassung von Wolf Dieter Hasenclever wurde durch ihn in Richtung des „ökologischen Humanismus“ konstruktiv entwickelt, indem sie zur Grundlage einer Erziehung wurde, die den Anforderungen des 21. Jahrhunderts gewachsen sein kann. Die in ihrem Rahmen übermittelten Inhalte betreffen die Übernahme der Verantwortung für sich selbst und für andere, die ökologischen, künstlerischen und technischen Aspekte sowie der Aufgeschlossenheit und Toleranz, z.B. in Form von fremdsprachenlernen oder Knüpfung von internationalen Kontakten (Hasenclever 2006, S. 157-179).

Die auf dem deutschen Grund durch Hagen Hof aus der Universität Lünenburg eingeleitete Rechtsethologie befasst sich wiederum mit dem Recht im Kontext menschlichen Verhaltens sowie außerrechtlicher Regler seiner Handlungsweise und sie lässt die sich ständig

¹⁴ Sieh z.B. Parallelgesellschaften. Aus Politik Und Zeitgeschichte, Nr. 1-2/ 2006, Bundeszentrale für Politische Bildung, Bonn.

ändernden gegenseitigen Beziehungen systemhaft zu entdecken. Wenn das Recht als eine der Formen für Verhaltensregelung, wie Politik, Ethik und Erziehung, behandelt wird, wird die Erhöhung seiner Wirksamkeit unter Anwendung von gemeinsamen Schlüsselwerten wie Achtung und Vertrauen möglich sein. (Hof 1996)

Sigrun von Hasseln schließt an ihr Konzept auch die aus der Verantwortungsethik, also aus der Ethik einer technischen Zivilisation hervorgehenden Normen an. Die Reflexionen hinsichtlich der Verantwortungsethik (Jonas 1979) führen zu der Schlussfolgerung, dass die für andere Verantwortung tragenden Personen weniger darüber wissen, als die Personen, welche diese Verantwortung betrifft. Aus diesem Grund soll man die Bildung der Reife und Unabhängigkeit der Jugendlichen sowie das Verantwortungsbewusstsein für die Demokratie so früh wie möglich beginnen. (Hasseln 2006, S. 135-137)

Eine der Grundannahmen der Rechtspädagogik bildet die Überzeugung darüber, dass auf der aktuellen Etappe der sozialen Entwicklung eine friedliche Koexistenz in interkulturellen Gemeinschaften nur dann möglich wird, wenn alle sich von denselben, universellen Normen leiten lassen. In Deutschland funktioniert nämlich keine übergeordnete Grundorientierung mehr, die der jahrhundertlang durch die christliche Religion verbreiteten Orientierung ähnlich ist. Es besteht also die Notwendigkeit einer Eignung hinsichtlich der Grundprinzipien, die auch das System gemeinsamer Moralwerte umfasst. Erst wenn das Wertsystem, die soziale und rechtliche Ordnung sowie das Bildungs- und Erziehungssystem damit (z.B. der Ideologie einer demokratischen Gesellschaft) beeinflusst werden, wird es möglich, den Anforderungen der Welt der Zukunft wirksam gerecht zu sein. (Hasseln 2006, S. 129-130, Hasseln 2005, S. 12)

Das alle Barrieren (kulturelle, religiöse, rassische usw.) überwiegende Element, mit dem wir heute zu tun haben, ist das Recht, das allgemeine Regelungen mit globalem Umfang sowie allgemein geltende ethische Aspekte umfasst. Gerade die durch das Rechtssystem festgelegten Rahmen sollen nach Sigrun von Hasseln zu Standards unseres Wertsystems sowie des Bildungs- und Erziehungssystems werden. (Hasseln 2005, S. 18, 2006, S. 131). Denn nur „das Recht ein endgültiges Mittel darstellt, mit dem man dem gesellschaftlichen Verfall und dem Versinken im Schlund des Chaos vorbeugen kann“ (Rössner 2005). Wir sehen hier die deutlichen Parallelen zu der Ansicht von Petrażycki, der das Recht für eine psychische Erscheinung gehalten hat, die ohne Rücksicht darauf existiert, ob die normativen Akten ihre Grundlage bilden oder auch nicht. Es ist der Moral übergeordnet, denn es beeinflusst die menschliche Psyche und das menschliche Verhalten stärker als sie. Dank ihm werden die Menschen immer besser und mehr sozialisiert. (Kojder 2010, S. 65)

Das Recht nimmt also die Ausmaße eines Hauptprinzips der Koexistenz an, und die Rechtspädagogik kann man folgendermaßen präzise bezeichnen: „Die Rechtspädagogik bedeutet eine Rechtserziehungswissenschaft oder eine Wissenschaft, die sich damit befasst, wie man den Menschen die Regeln und daraus hervorgehenden Regler einer korrekten sozialen Verhaltensweise beibringen und diesen motivieren soll, damit diese durch ihn freiwillig beachtet werden“ (Hasseln 2006, S. 151). Nach vielen Jahren ab ihrem Definieren ist ihr Verstehen im Zusammenhang mit der Weiterentwicklung Richtung *Human Law* © (HL = Globale Rechtspädagogik) viel

breiter: „*Human Law ist eine an den Bedürfnissen des Einzelmenschen und an den Erfordernissen der Gesellschaft(en) orientierte empirische, interdisziplinäre Wissenschaft zur gemeinsamen Bewältigung komplexer Herausforderungen des 21. Jahrhunderts*“ (<http://afrr.hasseln.de/wp-content/uploads/2013/03/HumanLaw-Keywords1.pdf>, S. 1-2, Zugang am 12.05.2017, 13.28 Uhr)

Im weiteren Teil werde ich die Annahmen der Rechtspädagogik im Bereich der Erziehung, Prävention und Resozialisierung darstellen, denn ihre letzte – globale – Auffassung über das Spektrum meiner wissenschaftlichen Interessen hinausgeht. Jedoch ist auch in diesen Bereichen ist es unvermeidlich, den geopolitischen Kontext zu berücksichtigen. Doch die erzieherische Tätigkeit wird von uns „hier und jetzt“ geführt. Dies widerspiegelt sich in gewisser Weise im axiologischen Bereich und zieht methodologische Empfehlungen nach sich, die mit der Bestrebung eines anhand aktuell bevorzugten Werten kreierten Ideals (z.B. Erziehungsideals) zusammenhängen.

Die Inhalte des Rechts oder seine Hauptelemente sollen in der Idealsituation nicht nur das soziale System und seine Institutionen beeinflussen, sondern müssen den Menschen auf eine verständliche Art und Weise übermittelt und durch sie interiorisiert werden. Deswegen fordert von Hasseln die Einführung eines ganzheitlichen pädagogischen Konzepts, das sowohl die sozialverträgliche Verhaltensweisen, die Achtung vor anderen, empathische Haltungen, die Fähigkeit der Toleranz bilden, als auch das Rechtsbewusstsein entwickeln und die Mitwirkungslust bei Bildung einer aufgeschlossenen demokratischen Gesellschaft erwecken soll. (Hasseln 2006, S. 152). Sie sollen auch der Vorbereitung der jungen Generation zu einer zukunftsorientierten Aktivität sowie zu einem „Abenteuer friedlicher Koexistenz“ in interkultureller Gesellschaft und wirtschaftlicher Gemeinschaft.

Wir kommen an die Schlüsselfrage für das Verstehen des Konzeptes. Die Rechtspädagogik ist keine einfache Rechtsbildung (was ich im Programm der Lehrveranstaltungen eines so genannten Fachs an einer der Universität in Südpolen gefunden habe) und keine Schule für Menschenrechte (kein Human Right, sondern Human Law!), sondern eine innovative Integration von Recht, welches das Nachdenken auf die Themen „warum?“ und „was?“ beibringt, und von Pädagogik, welche die Fragen „wem?“, „wann?“, „in welchen Bedingungen?“ und „auf welche Art und Weise?“ beantworten lässt, unterstützt durch Festlegungen der Wissenschaften über den Menschen und die Gesellschaft. Die seltene, gelungene Ehe des Rechts mit der Pädagogik (oder vielleicht der Pädagogik mit dem Recht?) wurde dank Sigrun von Hasseln zu einer Tatsache, was ihr über zwanzigjähriges Werk sowohl praktisch (z.B. *Jugendrechtshäuser*, *Crashkurs*, *Summerschool of Human Law* usw.), als auch theoretisch (entwickelt in der *Akademie für Rechtskultur und Rechtspädagogik* und an einigen Universitäten) beweist.

Das Verstehen der Rechtspädagogik als einer Wissenschaft über Erziehung auf Rechtsgrund findet seine unmittelbare Widerspiegelung im Bildungsziel der Rechtspädagogik. Dieses bildet die Entwicklung der Funktionsfähigkeit des Menschen in der Welt der Zukunft (*Zukunftsfähigkeit*), also das Lernen, wie man in einer offenen, interkulturellen und sich ständig in Eile befindenden Gesellschaft des High - Techs leben soll, indem man sich nur des Rechtes

und der dadurch gesetzten ethischen Regeln bedient, die den Alltagsbedürfnissen möglichst entsprechen (Hasseln 2006, S. 151).

Zur Erreichung dieses Ziels muss die Tätigkeit im Rahmen der Rechtspädagogik auf drei Prinzipien stützen, die durch Sigrun von Hasseln für das wesentlichste Ausmaß der Rechtsordnung, des Wertensystems, des sozialen Systems sowie des Bildungs- und Erziehungssystems gehalten werden:

1. Empathie oder anders: Gefühlswärme, Liebe und „Unvernunft“,
2. Rationalität oder Vernunft,
3. Dynamik oder anders Fortschritt (Hasseln 2006, S. 129 und folgende).

Die Ebenen ergänzen sich gegenseitig und bleiben in einem ständigen Gleichgewicht. Da diese auf dem Axiom menschlicher Würde basieren, umfassen sie auch andere Prinzipien: der Freiheit, Gleichheit, Gerechtigkeit, des Humanitarismus, der Toleranz und des Verantwortungsbewusstseins. Sie müssen untereinander richtige Verhältnisse annehmen und in einer Konfliktsituation soll ihre Funktion optimal geregelt werden, was eine deutliche Konnotationen mit der Kohärenz- und Kongruenzproblematik bildet. (vgl. z.B. Sheldon, Kasser 1995)

Zwar ist das Vernunftprinzip am breitesten vertreten, aber die zwei übrigen sind genauso wichtig: *„Da kein Mensch im Stande ist, eine längere Zeit über ausschließlich rational zu handeln, müssen die sog. „irrationalen Ventile“ vorhanden sein, die dazu dienen, dass das menschliche Individuum der Anforderungen heutiger Allgegenwärtigkeit der Rationalität sozialen Funktionierens gewachsen sein kann. Aus diesem Grund sind neben dem Prinzip der Rationalität auch die Regeln für Liebe, Empathie und Dynamik erforderlich....Also darf die Gesellschaft das Liebesprinzip nicht mehr marginalisieren. Solche Phänomene wie „soziale Kompetenz“, „Gefühlswärme statt Coolness-Haltung, „das Recht und die gerichtliche Rechtsprechung auch für den Bedarf des Herzens“ werden zum Rang messbarer Bewertungskriterien für Erscheinungen des sozialen Lebens im 21. Jahrhundert erhoben werden“* (Hasseln 2006, S. 152).

Von Hasseln knüpft an das Liebeideal, das auch ein Grundziel des Rechts für Leon Petrażycki war (Petrażycki 1968, S. 25 und folgende). Es lohnt sich, die Annahmen der Pädagogik des Herzens auch aus polnischer Literatur zurückzurufen (Łopatkowa 1992), die ähnlich wie die Rechtspädagogik in globale Richtung evolviert hat (Łopatkowa 2006). Ihre tief humanistische Botschaft und ihr kritischer Blick auf das institutionelle (Bildungs)System setzt vor der Erziehung ernsthafte Herausforderungen im Bereich der Erforschung und Vorbeugung von allem, was Aggression und ihre Entwicklung in der Bildung von Haltungen, vor allem der unersättlichen Bedürfnissen nach Liebe, Zugehörigkeit und Sicherheit begünstigt.

Die Aufstellung von methodischen Empfehlungen (Subregeln, Regeln) der Rechtspädagogik wurde in Form einer ausführlichen Tabelle erfasst (Hasseln 2006, S. 131-132, polnische Version Schmidt 2011, S. 452-454). Im Verlauf von über 10 Jahren seit ihrer Konzep-

tualisierung wurde sie stark modifiziert, und die Regeln aus dem Gesichtspunkt methodologischer Korrektheit in der Pädagogik geordnet. Aktuell enthält der Katalog 21 Empfehlungen, welche die rechtlichen Bestimmungen einführen und sich in der Arbeit mit Jugendlichen von den daraus hervorgehenden erzieherischen Hinweisen leiten lassen. Ihre detaillierte Darstellung geht über den Rahmen dieser Arbeit weit hinaus, deswegen verweise ich alle interessierten Leser an die Quelle (Hasseln 2006, S. 183-225). Wegen der Tatsache, dass eine der Grundmethoden der Rechtspädagogik die Einfachheit bildet, die mit den Inhalten sogar kleine Kinder sowie wissenschaftlich wenig erfahrene Personen binden lässt, wurden diese vor kurzem in einer angenehmen grafischen Form dargestellt¹⁵.

Die Regeln wurden in 3 Hauptkategorien gefasst: Empathie, Rationalität und Dynamik. In die erste gelangen die Regeln des menschlichen Wohlwollens (Liebe/Mitfühlen) und der Sensibilisierung (die Regeln Nr. 1-3). Im Bereich der Rationalität – dem breitesten Bereich – funktionieren einige Gruppen: Erziehung zur Beachtung der anderen (4-9), Erziehung zur Reife, Entwicklung der Fähigkeit eines kritischen Denkens und der Dursetzungsfähigkeit als eines Schutzschildes vor Manipulationsversuchen (10-12), Erziehung zur Verantwortung (13-14) sowie Erziehung zur Toleranz (15-20). Und schließlich die letzte Ebene – die Dynamik – die durch eine Regel vertreten wird (Der Mensch braucht Fortschritt, Entwicklungsmöglichkeit und Dynamik, Nr. 21).

Die Ausmaße einer methodischen Grundempfehlung für erziehende Personen nimmt jedoch die Devise an, die schon vor 200 Jahren von Friedrich Fröbel formuliert wurde, und die besagt, dass „*die Erziehung Beispiel und Liebe, und nicht mehr bedeutet*“. Diese wird als die wichtigste an der ersten Stelle unter 21 Regeln platziert. In diesem kurzen Satz steckt so große Weisheit, dass wir manchmal beschämt sind, diese vergessen zu haben. Nach den Maßnahmen der Optimierung des Erziehungsprozesses und/oder der Kompensierung ihres Mangels (Prävention, Resozialisierung) immer mehr nervös suchend, greifen wir zu überaus komplizierten Modellen das, was am einfachsten ist – gerade Beispiel und Liebe – entfällt uns völlig. Möglicherweise bilden sie auch heute den Schlüssel zum Erfolg unserer, oft ungewandten pädagogischen Bemühungen, auch (oder vor allem) institutionell gesehen.

Die Inhalte, welche die Rechtspädagogik beibringen will, sind häufig ziemlich schwierig, besonders für Kinder in der Frühetape ihrer Entwicklung (z.B. in der Vorschulperiode, welche für die späteste Periode für Einleitung einer optimalen Realisierung von Zielen der Rechtspädagogik gehalten wird) oder für bildungsbezogen nicht besonders gut erfahrene oder aus anderen Kulturkreisen stammende Eltern (z.B. verfassungsgemäße Regeln oder Bestimmungen internationaler Übereinkommen). Die Rechtspädagogik gibt diese also möglichst unkompliziert, verständlich und so, dass diese tief nachgehen. Sie setzt auf Einfachheit, Verständigkeit und Spaß sowie wendet die sokratische Methode an. (Hasseln 2006, S. 154-155).

In der Bemühung, eine praktische Wissenschaft genannt zu werden, ist sie eine „Pädagogik des gesunden Menschenverstands“. Daher benutzt sie so einfache und verständliche

¹⁵ <http://rechtspaedagogik.eu/rechtspaedagogik/21-regeln/>

Kommunikationsformen, dass sowohl die Erwachsenen, als auch die Kinder diese Themen selbständig entdecken können, sogar nur durch Nachdenken. Sigrun von Hasseln vertritt die Meinung, dass die Grundregeln der Koexistenz nur dann freiwillig eingehalten werden, wenn sie unkompliziert und für offensichtlich gehalten werden, die natürlichen Veranlagungen des Menschen wenig einschränken sowie wenn ihre Einhaltung mit kleinen Freuden verbunden wird.

Die sokratische Methode ist ein Beweisverfahren für Behauptungen durch Aufzeigen von Widersprüchen zwischen der Verneinung der bewiesenen These und den angenommenen Voraussetzungen. Sie ist eine Lehrmethode durch Diskussion und Zusammenarbeit und sie umfasst die Beseitigung von falschen sowie die Gewinnung von richtigen Überzeugungen (Tatarkiewicz 1983, S. 75-77). Die im Bereich der Rechtspädagogik unternommenen Maßnahmen bezwecken das Motivieren junger Menschen, damit sie sich von ihrer eigenen Vernunft leiten lassen. (Hasseln 2006, S. 155-156) Auf diese Art und Weise werden ihr Verantwortungsbewusstsein sowie die Fähigkeit, kritisch zu denken, gefördert. Dabei wird auch die Fähigkeit gebildet, die Grundregeln für Koexistenz in einer demokratischen Gesellschaft zu formulieren und diese zu beachten. Die Erreichung dieser Qualifikationen ist möglich, nicht unbedingt durch Zwang, Verbote oder ein kritikloses Auswendiglernen von Vorschriften, die später blind beachtet werden. Unter anfänglicher Leitung von dafür geschulten Spezialisten sollen die Kinder dazu selbständig kommen.

Die mehrjährigen Erfahrungen der Autorin in der Arbeit mit Jugendlichen beweisen, dass die an den auf einer imaginären Insel abgespielten didaktischen Spielen beteiligten Schüler, deren Aufgabe in der Erstellung von Vorschriften zur Regelung von Rechten und Pflichten ihrer Einwohner besteht, immer ähnliche Lösungen finden, wie die Kinder aus dem „Megaland“, welche selbständig die Verfassung der Insel bearbeitet haben (Hasseln 1998 und 2011). Wenn wir ihnen die Vorstellung eines Staates schildern, wo materielle Güter allgemein zugänglich sind und niemand Pflichten hat, werden sie sich schnell orientieren, dass diese uneingeschränkte Freiheit eher schadet als hilft. Sie werden, genauso wie die Bürger des Megalands bemerken, dass es nur zwei Möglichkeiten gibt: Krieg oder Versöhnung.¹⁶ Mit der sokratischen Methode werden sie zu dem Schluss kommen, dass Konsens, Unterzeichnung eines Abkommens, Gesetzgebung sowie Sanktionen für die Nichtbeachtung erarbeiteter Vereinbarungen erforderlich sind. Die Kinder sind sehr stolz, wenn sie erfahren, dass das, was sie sich ausgedacht haben, durch internationale Konventionen/inländische Gesetzgebung umfasst wird und allgemein geltend ist. Sie erhöhen ihre Selbsteinschätzung, fassen Zutrauen zu Rechtsvorschriften und (in der Regel) wollen mehr darüber erfahren.

Die Zusammenfassung methodischer Fragen der Rechtspädagogik bildet ein *Modell der Stufen der Rechtspädagogik im Alltag* und die Form einer ganzheitliche Prävention annimmt (Hasseln 2005, S. 24-24 und Hasseln 2006, S. 230-233). Diese wird wiederum verstanden als ein System für Beibringung dem Kind durch die Erziehenden Personen von Kennt-

¹⁶ Eine identische Botschaft finden wir in *Lord of the Flies* von William Golding, was ein weiteres Beispiel für das „Ideenkreisels“ ist.

nissen über die Grundregeln gesellschaftlichen Zusammenlebens, die auf Empathie, Vernunft und Dynamik bauen, und dies sogar von der frühesten Kindheit an, darunter auch im Fötuszeitraum, und sogar noch vor der Empfängnis. Das Modell verbindet mehrere Ebenen in sich. Es berücksichtigt verschiedene Perzeptionsfähigkeiten des Kindes in unterschiedlichem Alter (vor der Zeit vor Empfängnis bis zum vollendeten 21. Lebensjahr). Das Modell spricht das Thema der Verantwortlichkeit der Gesellschaft für den Erziehungsprozess (darunter der Verantwortlichkeit einzelner Personen, die für die Erziehung in dem betroffenen Entwicklungsstadium des Kindes zuständig sind) an. Schließlich stellt es dies nebeneinander der im normativen System sowie in der sozialen und rechtlichen Ordnung, sowie auch im Bildungs- und Erziehungssystem enthaltenen Elemente, die auf Regeln der Empathie, Rationalität und Dynamik zurückgreifen. Dieses recht komplizierte Konstrukt stellt eine Ergänzung des praktischen Ausmaßes der Rechtspädagogik dar.

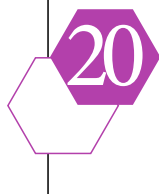
Die deutsche Rechtspädagogik ist eine bemerkenswerte Idee aus einigen Gründen. Sie ist zukunftsorientiert, wovon deuten sowohl die Bestimmung ihrer Ziele als *„Förderung von Funktionsfähigkeiten der Kinder und Jugendlichen in der Menschengemeinschaft und in der Welt der Zukunft„*, (Hasseln 2005, S. 18), als auch das Verhalten nach der Devise, dass *„die jungen Menschen davon überzeugt sein müssen, dass die Zukunft sich lohnt„*, (Hasseln 2006, S. 186).

Sie stellt den Versuch dar, ein alternatives Bildungsmodell auszuarbeiten, das die Überwindung des Effizienz mangels beim gegenwertigen Bildungs-, Erziehungs- und Präventionssystem anstrebt. In der Suche nach einer Verständigungsebene in der interkulturellen Welt, die über kulturelle, religiöse und moralische Gegensätze hinausgeht, wird diese Rolle dem Recht zugeschrieben, das nach Sigrun von Hasseln die Ausmaße eines übergeordneten Reglers friedlicher Koexistenz der Gesellschaft des 21. Jahrhunderts annimmt.

Die Rechtspädagogik strebt an, eine praktische Wissenschaft genannt zu werden, deswegen enthält sie eine Reihe von methodischen Empfehlungen, die zu einem möglichst breiten Empfängerkreis (sowohl der Schutzbefohlenen, als auch der Erziehenden) gelangen lassen. Besonders zu betonen ist die Tatsache, dass die theoretischen Annahmen der Rechtspädagogik einer unaufhörlichen Verifizierung im pädagogischen Alltag, besonders in den Jugendrechtshäuser, unterzogen werden.

Natürlich kann man sie gewisse Ungenauigkeiten, Vereinfachungen oder eine nicht zu rigorose Einhaltung von Wissenschaftlichkeitskriterien vorwerfen. Dies kann z.B. auf die Vermeidungsabsicht wissenschaftlichen „Hermetismus“, und dadurch ihrer größeren Zugänglichkeit für bildungsbezogen nicht besonders erfahrene Personen zurückzuführen sein. Es ist auch zu berücksichtigen, dass dieses Fachgebiet wesentlich jung ist. Es evolviert zusammen mit der Änderung sozialer Lage und erfordert eine Weiterentwicklung.

Die theologische Ebene der Rechtspädagogik geht nämlich weit über ihren ursprünglichen Horizont hinaus in Richtung Globaler Rechtspädagogik. Die „Globalisierung“ der Rechtspädagogik verstärkt das Übermaß an den vor ihr gestellten Herausforderungen und – meiner Ansicht nach – verschmiert ein bisschen das einheitliche, frühere Konzept. Die fortschreitende Komplexität sozialer Probleme und ihre nicht immer voraussehende Dynamik verursachen jedoch, dass dies scheint, ein Weg in korrekter Richtung zu sein.



Literaturverzeichnis (Auswahl)

- Andrews, Don A., Bonta, James, Wormith, Stephen J. (2006) The recent Past and Near Future of Risk and/ or Need Assessment. in: Crime and Delinquency (52) 1, s. 7-27.
- Beck, Ulrich (2007) Weltrisikogesellschaft. Auf der Suche nach der verlorenen Sicherheit. Suhrkamp, Frankfurt am Main.
- Czapów, Czesław (1978) Wychowanie resocjalizujące. Elementy metodyki i diagnostyki, PWN, Warszawa.
- Czapów, Czesław, Jedlewski, Stanisław (1971) Pedagogika resocjalizacyjna, PWN, Warszawa.
- DVJJ Landesgruppe Brandenburg (Hrsg.) (2007) Erfolgreiches Arbeiten mit Intensivtätern. (Wie) kann es gelingen, den Rückfall von ca. 70 % auf unter 8% zu senken, DVJJ - Extra 7, Staatskanzlei, Potsdam.
- Hasenclever, Wolf-Dieter (2006) Erziehung zur Verantwortung- Grundbausteine der Zivilgesellschaft des 21. Jahrhundert, in: Hasseln, Sigrun v. (Hrsg.), (2006) Rechtspädagogik. Von der Spaß- in die Rechts- und Verantwortungsgesellschaft, Auf. – Berlin: Recht und Gesellschaft, Berlin, s. 157-179.
- Hasseln, Sigrun v. (2011) Tilly Timber auf Megaland. Geschichten rund um das Jugendrechtshaus. Rechtspädagogisches Kinder- und Jugendbuch, 2. aktualisierte Auflage, Norderstedt
- Hasseln, Sigrun v. (2008a) Verkehrsrechtsberater. Unfall Bußgeld Strafverfahren, Auflage 2008. Nomos, Reihe n-tv Service Recht, München.
- Hasseln, Sigrun v. (2008b) Jugendrechtshäuser als Module für die innere Sicherheit des freiheitlichen Rechtsstaates im 21. Jahrhundert. Neue Wege in der Prävention auf rechtspädagogischer Basis oder: Das Human-Law-Prinzip, in: Theorie und Praxis gesellschaftlichen Zusammenhalts. Aktuelle Aspekte der Präventionsdiskussion um Gewalt und Extremismus“, Bundesministerium des Innern.
- Hasseln, Sigrun v. (Hrsg.) (2006) Rechtspädagogik. Von der Spaß- in die Rechts- und Verantwortungsgesellschaft, Auf. – Berlin: Recht und Gesellschaft, Berlin.
- Hasseln, Sigrun v. (2005) Wegweiser Jugendrechtshaus 2005, Bundesverband der Jugendrechtshäuser Deutschland, e. V. Berlin (weitere Ausgaben 2002, 2003, 2004, 2006, 2007).
- Hasseln, Sigrun v. (2004) Rollenspiele statt Gerichtsshow. Jugendrechtshäuser und Rechtspädagogik. Einführende Beispiele, Berliner Forum Gewaltprävention Nr. 16.
- Hasseln, Sigrun v. (2001a) Votum für eine offene Rechtsgesellschaft, in: Neue Justiz 8, s. 393-399.

Hasseln, Sigrun v. (2001b) Rechtspädagogische Bausteine im Jugendrechtshaus, Wenn Richter, Staatsanwälte und Rechtsanwälte in die Schulen gehen.

Hasseln, Sigrun v. (Hrsg.) (2000) Das Jugendrechtshaus 2000. Orientierungsstätte für junge Menschen in der sozialen Stadt des 21. Jahrhunderts, Berlin.

Hasseln, Sigrun v. (1998) Tilly Timber auf Megaland. Geschichten rund um das Jugendrechtshaus.

Rechtspädagogisches Kinder- und Jugendbuch, Leipzig.

Hasseln, Sigrun v. (1996a) Jugendrechtsberater. ARD - Ratgeber Recht, Nomos (weitere Ausgaben 2002, 2006, 2012, 2016).

Hasseln, Sigrun v. (1996b) Jugend hat Recht. Einladungsheft zum gleichnamigen Aktionstag am 8. Juni 1996 in Oldenburg, w: Deutsche Richterzeitung, 1996, s. 142 ff.

Hasseln, Sigrun v. (Hrsg) (1993) Falken – Rechtsberater. Fallbeispiele – Musterbriefe – Gerichtsurteile, Niedernhausen.

Hasseln, Sigrun v., Bandisch, Günter, Dehn, Jürgen, Gropp, Walter (2011) Konzertierte Aktion gegen Kriminalität: Vorbehalte, Verständigungsschwierigkeiten und gegenseitige Behinderungen in der Strafrechtspflege, Books on Demand.

Hasseln, Sigrun v., Grindel, Bernhard (Hrsg.) (2011) Brücken des Herzens bauen II. Für mehr Mitmenschlichkeit im Alltag, Norderstedt.

Hasseln, Sigrun v., Grindel, Bernhard (Hrsg.) (2009) Brücken des Herzens bauen. Für mehr Mitmenschlichkeit im Alltag, Norderstedt.

Hof, Hagen (1996) Rechtsethologie – Recht im Kontext vom Verhalten und außerrechtlicher Verhaltensregelung, Decker, Heidelberg.

Jonas, Hans (1979) Das Prinzip Verantwortung: Versuch einer Ethik für die technologische Zivilisation Insel-Verlag, Frankfurt am Main.

Jugendgerichtsgesetz in der Fassung der Bekanntmachung vom 11. Dezember 1974 (BGBl. I S. 3427), das durch Artikel 6 Absatz 28 des Gesetzes vom 13. April 2017 (BGBl. I S. 872) geändert worden ist.

Kaufmann, Arthur (1986) Gerechtigkeit – Der vergessene Weg zum Frieden, München.

Kaufmann, Arthur (1997) Rechtsphilosophie, C. H. Beck, München.

Kaufmann, Arthur, Hassemer, Winfried, Neumann, Ulfried (Hrsg.) (2004) Einführung in Rechtsphilosophie und Rechtstheorie der Gegenwart, C. F. Müller Verlag, Heidelberg.

Kojder, Andrzej (2001) Obrachunki petrażyńskie, in: Kojder, Andrzej, Godność i siła prawa. Oficyna Naukowa, Warszawa, s. 57- 190.

Kwaśniewski, Jerzy (1975) Polityka prawa jako nauka praktyczna. in: Kurczewski, Jacek (Hrsg.), Prawo w społeczeństwie. PWN, Warszawa, s. 193-222.

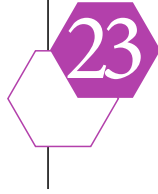


- Łopatkowa, Maria (2006) *Pedagogika serca w dobie globalizacji*, Wyd. APS, Warszawa
- Łopatkowa, Maria (1992) *Pedagogika serca*, WSiP, Warszawa.
- Petrażycki, Leon (1968) *Wstęp do nauki polityki prawa* PWN, Warszawa.
- Polizeiliche Kriminalstatistik 2015, Stand Mai 2016, Ministerium des Innern, Berlin 2016.
- Popper, Karl (1992) *Die offene Gesellschaft und ihre Feinde*, Band II, Tübingen.
- Pytko, Lesław (2005) *Pedagogika resocjalizacyjna. Wybrane zagadnienia teoretyczne, diagnostyczne i metodyczne*, Wyd. Akademii Pedagogiki Specjalnej, Warszawa.
- Roßnagel, Alexander (1993) *Rechtswissenschaftliche Technikfolgenforschung*, Baden-Baden
- Rössner, Dieter (2005) *Grundlagen des Normenlernens*, Bundesverband der Jugendrechtshäuser.
- Rohr, Alexander, v. (2001) *Evolutionsbiologische Grundlagen des Rechts. Zum Einfluss neurogenetischer Information auf das Recht. Ein Beitrag zur Rechtsethologie unter besonderer Berücksichtigung des Vertrauens im Recht*, Duncker & Humblot, Berlin.
- Schmidt, Dariusz (2011) *Koncepcja niemieckiej pedagogiki prawa w ujęciu Sigrun von Hasseln*. [in:] Utrat – Milecki J. (Hrsg.) *Prawo i ład społeczny. Integralnokulturowa analiza zagadnienia racjonalności. Artykuły i szkice*. Wyd. Uniwersytetu Warszawskiego, Warszawa, S. 434-470.
- Sheldon, Kennon M., Kasser Tim (1995) *Coherence and congruence. Two aspect of personality integration*. in: *Journal of Personality and Social Psychology*, Nr. 68, s. 531-543
- Sieber, Ulrich (2010) *Rechtliche Ordnung in einer globalen Welt*. Leiden, Martinus Nijhof Publishers.
- Steinvorth, Ulrich (2002) *Was ist Vernunft? Eine philosophische Einführung*, München
- Strategie der Bundesregierung zur Extremismusprävention und Demokratieförderung*, Bundesministerium für Familie, Senioren, Frauen und Jugend, Bundesministerium des Innern, Stand Juli 2016, Berlin 2016.
- Urban, Bronisław, Stanik, Jan M. (2007) *Resozialisierung. Theorie und pädagogische Praxis*, PWN, Warszawa, tom 1.
- Tatarkiewicz, Władysław (1983) *Geschichte der Philosophie*, B. 1, PWN, Warschau.
- Ward, Tony, Yates, Pamela M., Willis, Gwenda M. (2012) *The Good Lives Model and the Risk Need Responsivity Model: A Critical Response to Andrews, Bonta, and Wormith (2011)*, in: *Criminal Justice and Behavior*, Vol. 39, No 1, January 2012, S. 94-110.

Internetquellen (Auswahl):

Akademie für Rechtskultur und Rechtspädagogik

<http://rechtspaedagogik.eu/>



Bundesverband der Jugendrechtshäuser

<http://www.jugendrechtshaus.de/>

Homepage Sigrun von Hasseln

<http://www.hasseln.de/>

Publikationen rund um Rechtspädagogik/ Human Law

<http://afrr.hasseln.de/wp-content/uploads/2013/03/Publikationen-2013.pdf>



*Preventive
interventions in
socio-pedagogical
social work*

IRENA DYCHAWY ROSNER

Malmö University
e-mail:
irena.dychawy.rosner@mah.se

EN

Global economic, cultural and ideological processes in society affect social work and the welfare regimes in developed countries. In their day-to-day work, social work professionals are confronted with the impact of unemployment, the widening income gap, social vulnerability and disadvantageous living conditions. In contemporary social work practice, there is a call for effective models of practice that promote practitioners' autonomy and their abilities to give support that is more preventive, to their clients. This article reports on some developments in social pedagogy within the context of social work issues and offers insights on practical preventive social interventions. It identifies four bases for operating schemes in social pedagogy within social work practice: empowering strategies, an appreciation of clients' cultural and ethnic preferences, responsive communication and promoting collaboration, along with cultivating alliances with significant actors around the client. The potential of these operating schemes as tools might be applied to varied preventive interventions. The article concludes that these bases within socio-pedagogical social work can extend the capacities of welfare services by changing the dominant discourses shaping many contemporary welfare service contexts, as well as by the workers themselves supporting their clients' lifeworlds.

Keywords: social pedagogy, social work, welfare service.

Its high quality services, its committed and well-qualified staff and its responsiveness to client need (Bytheway, et al., 2002) measure the welfare state's success. A major challenge facing contemporary social pedagogy within social work is to develop its relevance to, and connection with, the issues of social vulnerability and problems occurring in local communities (Fawcett, 2009; Ranci, 2010). In tackling existing issues with inequality, social vulnerability and marginalisation, there is a lack of a holistic approach to both the societal and the individual lifeworld context (Dychawy Rosner, 2016; Manuel, 2006; Oliver, 1990; Ranci, 2010). To remedy this, social practices can intervene to prevent reductions in the scope and quality of service for sustainable welfare services. Various factors affecting an individual's life offer challenges to professionals conceptually, methodologically and practically, when it comes to considerations of the social divisions such as age, gender, ethnicity, socio-economic status, disability etc., as well as the responses of different authorities in relation to policy, practice and research (Blom and Morén, 2010; Grunwald and Thiersch, 2009; Manuel, 2006; Midgley, 1997).

The concepts and assumptions of this article are based on a social work and social pedagogy theoretical discourse (Blom and Morén, 2010; Göppner and Hämäläinen, 2007; Mullaly, 1997). Many professionally held values bring social pedagogy and social work together with commitments to act in the best interests of the individual, safeguarding, promoting social and economic well-being, and with supporting vulnerable and oppressed people's independence and social connections. In Sweden, social pedagogy in social work practice has an opportunity to increase the clarity regarding these professional approaches through an infusion of the subject of social pedagogy in graduate social work education (Righard and Montesino, 2012). Both social work and social pedagogy are formalised as coherent vocational activity approaches for dealing with social problems (Midgley, 1997). In this context, the concept of social work is understood as emphasising the importance of the social and political structures that shape human societies and stress that social exclusion must be considered when examining the effects of oppression and powerlessness in contemporary society (Lavalette, 2011). Accordingly, the concept of social pedagogy originates from that central to social pedagogy belief that social power relations shape the personal status of individual and that people oppressed and dominated have to be encouraged to build self-confidence and self-efficacy (Dychawy Rosner, 2015, Eriksson, 2014; Grunwald and Thiersch, 2009). Correspondingly, the terms social pedagogy and social work, according to this portrayal, will be used interchangeably as socio-pedagogical social work. The theoretical frame in this paper touches on the concept of the individual's lifeworld and the welfare system embedded in this world. It is based on social constructivism and the salutogenic progress-oriented approach within social care work, its resources and its organisational scope. According to contemporary research, social pedagogy is a meaningful construction and a creative approach to inclusion, participation, collaboration and dialogue in the professional communities of practice within social care and welfare services (Dychawy Rosner, 2016; Eriksson, 2014; Grunwald and Thiersch, 2009). As such, socio-pedagogical social work not only represents the accepted norms of welfare, but creates new ideas and forms of practice as well.

This presentation addresses the issue of how social pedagogy inputs may manifest themselves in work with socially vulnerable groups. The aim is to cultivate knowledge around the theoretical, methodological and practical premises as a base for a professional socio-ped-

agogical approach in social work. However, to date there has been no extensive analysis of the actual content and implementation of preventive socio-pedagogical structures. In this article, I have considered the ways in which various factors in the social environment construct clients' needs and how professional service missions related to preventive intervention can work. Given the complexities of social pedagogy within the terrain of social work practice, the question is: how may socio-pedagogical approach contribute to the preventive helping process when dealing with clients' needs?

Complexities of the social work practice terrain

Many developed countries experienced serious economic difficulties in the 1970s and increased their social expenditures at higher rates than economic growth. In Sweden, the extension of social rights in the modern welfare state was supposed to place the country in the avant-garde of social inclusion. However, many social policy experts have claimed that state social welfare has not reduced class inequality in society to any significant extent (Malmö Commission, 2013; Morel, Palier and Palme, 2012). This view seems to be vindicated by the emergence of citizens' rights movements within various health and welfare fields, which link service users' experiences to the civil rights movement (Swain et al., 1993). Such concepts as, for example, independence or being normal, were problematised as a form of oppression that individualises disability or social vulnerability rather than viewing it in social terms (Oliver, 1990; Swain et al., 1993). Confronting the prevailing labels of disabling or enabling social structures, actions were promoted to achieve improved access to public spaces and to challenge cultural stereotypes by encouraging people with disabilities to be active agents for change (Fawcett, 2009; Swain et al., 1993). Today, in contrast to the dominant models of health and welfare delivery, these services seek to engage service users in dialogue (Dychawy Rosner, 2015).

The political context and the emergence of new social service programmes, including community development, poverty alleviation initiatives and community health services, created a reorientation of the knowledge base from an individualistic frame to perspectives that recognise the social contexts of service users' lives (Lavalette, 2011; Morel, Palier and Palme, 2012). More recent research has extended this understanding to integrate various theoretical traditions into the thinking, to guide and support clients. For example, Dychawy Rosner and Eklund (2003) conducted research that was partially based on the biomedical discourse, with a focus on an individual's functional status as the object of inquiry. This perspective fails to recognise the ways in which developmental disability and wellbeing are intimately linked to the social norms and social environment in which they occur (Dychawy Rosner, 2015).

Social work has become highly routinized and bureaucratised, as it has increasingly moved away from professional into managerial control (Lavalette, 2011). A Swedish municipal social care may be an example of how managerialism has introduced forms of management by documentation that force professionals to perform certain work in certain way. This development has been subjected to critique and debate (Höjer and Forkby, 2011; Guidi,

Meeuwisse and Scaramuzzino, 2015). Correspondingly, social science research has repeatedly demonstrated the influence of socioeconomic disadvantages on personal life experiences and a range of social determinants of health and wellbeing. Social welfare investigators are still concerned about the impact of social programmes on equality and on people's life conditions (Malmö Commission, 2013). These narrower discourses can enable professional expertise to adopt a more self-critical stance over their caring functions and about the purpose and effects of their practice. Social pedagogy within social work was found to have an important role in delivery of social programmes and to reinforce anti-discriminatory practices and social protection, and promote social inclusion, by addressing the challenges posed by poverty and social exclusion and helping clients to respond to hazards in social structures, in the sense that it promotes resocialisation and helps clients to avoid certain social and economic risks (Dychawy Rosner, 2016; Eriksson, 2014; Grunwald and Thiersch, 2009).

How may preventive interventions in socio-pedagogical social work contribute to the process in dealing with clients' needs?

Social practices and institutions are the products of a historically situated exchange of ideas and embedded authorities (Foucault, 1977). Various disciplines outside of the social sciences, such as biomedicine, psychology, psychiatry, sociology, and neoclassical economic and legal discourse, have a historic and contemporary influence on the development of a formal knowledge base in socio-pedagogical social work. Going beyond a concern with effectiveness, discomfort over the limited capacities and an acknowledgment of the social dimension of the services, social work theorists sought to integrate a radical and social action perspective in models of anti-oppressive casework approaches (Lavalette, 2011). This movement enabled practitioners to integrate the analysis of structural and cultural injustice into their interventions (Healy, 2014, Mullaly, 1997).

A global process within contemporary society mirrors a shift from a more stable framework of solidarity to a more fluid one centred in self-realisation, self-confidence, access to personal choices, possibilities and flexibility (Giddens, 1991). This raises questions of how disadvantaged groups are treated in relation to the underlying normative notions and images connected with general expectations or social treatment. Consequently, the call for preventive welfare services work urges professionals such as social pedagogues and social workers to become active agents for change in the existing social order when supporting their clients. The role of social pedagogy assigned to social interventions differs depending on clients' needs and their social conditions, and it is influenced by various personal, institutional and societal factors (Dominelli, 2004; Manuel, 2006; Grunwald and Thiersch, 2009). The content and rationality of preventive interventions is expected to provide people with both the necessary capabilities and reasons for change. Thus, it can be a restructuring process going from a passive, institutional

and administration-based protection strategy, to an active response based on an individual approach in the intervention architecture. The varied topography of practice provides professional approaches situation-by-situation, through the application of social pedagogy theory, technique and strategic solutions designed to meet the present need. This requires a long-term perspective as well as an integrated view of the clients' living situation and access to the institutional and personal resources that exist in the surrounding social environment. According to Blom and Morén (2010), social work interventions are seen as open systems, and their content is influenced by external factors. In view of that, interventions can be described as outputs, e.g., shaping diverse conditions, or as outcomes, when they demonstrate an influence on the clients' life situations.

As client groups are generally regarded as having low status and being politically powerless, the professionals have to direct their attention to the ways in which service and social support is conceptualised and delivered. In recent years, a growing interest in socio-pedagogical prevention research is noticeable. A study of prevention context noted that much of early social work prevention practice tried to decline the impact of illness and social problems on both individuals and communities (Ruth, et al 2015). Call for prevention have been part of every national health and social care reform discussion for population based approaches. National Association of Social Workers (NASW) (2005) has integrated prevention into practice standards. Preventive interventions are to be provided as universal to an entire population, selective to those at risk for problems or indicated to those who have shown or experienced a problem.

The support aimed at particular skills and competences is generally called training, as an active response to an individual's need, and emphasises the person-in environment approach. This is a formal intervention that is aimed at the production of guidance and activities that regulate a person's development and forms the content of their successful process of overcoming their experienced lived borders and adapting to their social lifeworld within the existing social surroundings. The support of clients' transition from a position of social vulnerability and dependence on help to a state of independence and wellbeing may undergo what social researchers call a change, and adaptation opportunities as well as problem-focused actions are necessary in order to improve future individual capabilities and powerful support. Fawcett (2009) draws attention to a risk and vulnerability paradox. Prescribing interventions to those perceived as vulnerable accentuates their perceived weakness rather than their strengths, and the need of assistance rather than autonomy. Looking at this dimension, preventive intervention must recognise value-laden assumptions and concentrate on a more sustainable state of functioning and focusing more on client in environment perspectives.

Socio-pedagogical prevention is in this paper understood as a social intervention designed to facilitate behaviour and environmental adaptations that minimise impact of ill health and social ill, improve or protect health and social wealth (NASW, 2005; Ruth et al, 2015). The issues of empowerment and the mobilisation of various resources are here a crucial subject, as in every society the relocation of resources from the economically active population to dependants is a basic function that has created pressures within which human spaces and societies have developed (Morel, Palier and Palme, 2012).

Accordingly, to perspectives presented above, I would like to suggest that there are four pragmatic bases for the development of what may be called preventive interventions. Looking at the essentials of the operation of social pedagogy within social work practice's preventive profiles (see examples in Table 1), we can take into account four imperative strategies aiming at generating support. They are: the development of empowerment and mobilisation, an appreciation of the clients' cultural and ethnic preferences and practices, responsive communication strategies and managing appropriate collaboration.

Empowerment and mobilisation

Empowerment has become an essential part of socio-pedagogical theory, and as such, it seeks to increase the personal, interpersonal and political potential of marginalised populations. Within social work, there has been some debate as to whether to consider empowerment a theory or a process (Carroll, 2004). As theoretic framework viewed as helping people to take more control over their lives and as a professional model of practice, it may include a variety of conceptually coherent social work approaches and frameworks for practice (Lee, 2001).

Empowering types of strategies to preventive socio-pedagogical social work need to acknowledge that the societal discourse of vulnerable populations may still be quite rudimentary, and too often based on attitudes that, e.g., people with disabilities, older people, immigrants, etc., form a group of individuals competing for economic resources with other social groups. Professional actions have to rework and reposition these kinds of attitude by adopting activities, in terms of diversity, communities, cohesion and inclusion, which can tackle these silo structures of existing realities. It is a matter of moving the socio-ecological determinants of disadvantage from the pathologising and limited potential of casework methodology to being prepared to support the greater empowerment of service users by influencing the strategies related to the clients' co-option of a wider social environment (Dychawy Rosner, 2015; Malmö Commission, 2013).



Table 1. Example of operational strategic solutions in preventive social pedagogy in social work practice

Strategies	Content	Example of common elements
Empowering strategies and mobilisation	Identifying the nature and power of strengths	Listening to the clients' voices and encouraging participatory engagement in the development of safety plans and resource mobilisation
Appreciation of clients' cultural and ethnic preferences and practices	Acknowledging and identifying the conceptualisations of cultural values and beliefs that are incorporated into daily life	Communication
Responsive communication strategies	Development of relations and relational process between worker and service user	Promoting in-depth conversation for engagement in the concerns and experiences of the service user
Managing appropriate collaboration	Promoting sharing the clients' perspectives with their significant others, community stakeholders and support systems	Cross sector membership and the cultivating of alliances and working relationships

Investigators studying lifelong learning have highlighted the crucial importance of empowering strategies. Ideas of lifelong learning have strong linkages to the social pedagogy concept of *bildung* (Hellesnes, 1976). According to this hypothesis, social pedagogy practice aims to help an individual develop critical capacities and build self-knowledge, plus social, cultural, and political understanding (Grace, 2007). Freire (2005) emphasised such inclusive and liberating pedagogy as a core tool to analyse the exposition of any injustice as well as an individual's struggles and possibilities for change. Freire's radical educational approaches have applications far beyond education, and social workers recognise them in practice with marginalised and disempowered people (Hegar, 2012). For example, the principle of starting where the client is, endorses one of the most supportive applications in strength and empowerment-based approaches. The preventive capacity to generate very substantial empowerment can also help people determine their own priorities and makes it possible, as a socio-political notion and a moral duty, to take care of other individuals who, due to their disabilities, weak position, accidents or old age, are incapable of taking care of themselves.

Appreciation of clients' cultural and ethnic preferences and practices

The importance of clients' cultural and ethnic preferences is supported by Cooper (2001). The reallocation of priorities and supporting of clients' cultural and ethnic preferences can be understood as a de facto exchange of resources across diverse social groups, classes, generations and cultural values (Lavalette, 2011). With increasing globalisation, travel and migration, some individuals or groups are becoming exposed and dependent on transfers and the redistribution of social support within the host country's national context or – as some prefer to see it – an investment in human resource with future returns to society (Morel, Palier and Palme, 2012). Thus, the patterns of social pedagogy support and are in fact strongly connected to the institutional context in each public social service, and to the available resources, but there are also powerful relations mediated by personal communication and professional skills that may directly affect the scope of the helping encounters, and accumulate social support during the various processes of integration (Eriksson, 2014; Grunwald and Thiersch, 2009).

Responsive communication strategies

Communication chains of supporting networks include client participation, and they are often good occasions to develop mutual understanding and to test new ideas and explanatory models, alongside an advancing awareness of the inherent dynamics of the conditions of the individual client's own experiences. Intensive support models for families and individuals identifying having multiple and complex needs are described in the literature (Howe, 1998). In some cases, the communicative relationship itself is a therapeutic vehicle (Mason, 2012; Parr, 2016). A deepened dialogue with involved parts is needed, through which a systematically planned, evaluated and recorded exchange of experiences can develop (Quinney, 2006). The growth of shared constructs for intervention outcomes shapes the development of specific solutions and an evaluation that presupposes pedagogical knowledge of the theory of instruction considering the broader conditions that contribute to situations of social expectation (Dychawy Rosner, 2016; Engestöm, 1994; Morel, et al., 2012).

Managing appropriate collaboration

The important recognition in this field is that social pedagogy approaches do not operate in a vacuum. This may be particularly clear when it comes to addressing the issues of creating support networks connected to the client's daily life (Quinney, 2006). This calls for social pedagogy within social work practice to include strong alliances with the existing social networks around the person. Practitioners need to establish working relationships with their clients and within their own and external institutions, by having dialogues with representatives and stakeholders belonging to other authorities who are also aiming to build up usable intervention outcomes. Consequently, social prevention approaches are strongly dependent on the cultural and institutional context of the social welfare services in which they are practised.

Social intervention usually involves many planners and executors, which may cause problems (Quinney, 2006). On the other hand, the joint planning and realisation of interventions makes use of more diversified expertise around the client. The tapestry of a "chain" of supporting networks is created, where the metaphor illuminates the interconnections among the institutional logics of service delivery and an individual's lifeworld (Grunwald and Thiersch, 2009). While the client may experience the helping situations individually, it is a fundamentally social, socio-pedagogical and environmental treatment act. The tendency of acting in this way towards the supply of professional networks may be very powerful. Kyriacou (2009) made an important point that social pedagogy has overlapping dimensions of care and welfare, focusing on inclusion, socialisation and support, to achieve knowledge. Hence, collaborative preventive practices are synonymous with regenerative capacity building and human capital development. This is shown, for example, in early childhood education and care; education and lifelong learning; specific forms of labour market training and social institutional protections; and across social policy for vulnerable populations and social investment; to better address the new social risks. The multidimensional collaborative approaches are, in spite of this, at the core of developing, supporting and protecting the clients' kinship networks and skills to keep them secure.

The hypothesised four basis of preventive social interventions must be understood as a social process that is embedded in institutional arrangements, in social actions and as the active dynamics of social life (Ruth, et al., 2015). Hitherto, most professionals have considered operating strategic solutions in preventive social pedagogy in social work as a possible step towards avoiding social exclusion and the reconstruction of deprivation, and to prevent loneliness through generating access to services and facilitating the empowerment of their clients. This demands practitioners to focus on the individual's global role, which provides their clients with valuable qualities but also on the necessity of developing advantages and reducing the existing societal disadvantages in the systemic structures (Dominelli, 2004; Dychawy Rosner, 2016; Lavalette, 2009) and client's social location (Blom and Morén 2010). These preventive strategies bear a relationship to Giddens' (1991) structural theory and concept of the self as a co-constructor of existing reality. Preventive interventions imply social groups and communities meet, relate to each other and express their identities. It is not a static entity, but a changing system.

Concluding perspective

This article highlights some opportunities and challenges in advancing the use of preventive socio-pedagogical social work interventions in communities. It proposes the four basic operating preventive strategies to be included in professional actions – which are empowerment and mobilisation, an appreciation of the clients' cultural and ethnic preferences and practices, responsive communication strategies and managing appropriate collaboration.

Thinking of social work practice from this perspective may be understood as something opposite to merely a broad bureaucratic, legislative and formalised approach to the needs of service users (Blom and Morén, 2010; Fawcett, 2009; Guidi, Meuwisse and Scaramuzzino, 2015). The socio-pedagogical preventive interventions offers a holistic approach to client lifeworld and macro-wellbeing perspective, which calls for client empowerment in their process of development by focusing on the strengths and resources in the client's life that could be mobilised. Additionally, it proposes specific contributions to the way practitioners think of the dyadic communication between social worker and client, and the collaborative interactions in setting up supportive contexts.

There is no single understanding of preventive social pedagogy in social work practice as it does not remain static but develops and progresses over time. However, both professional subject areas of action to some extent overlap each other (Eriksson, 2014; Kyriacou, 2009; Richard and Montesino, 2012) and can enrich support of clients. Yet, prevention is still a minority interest area within socio-pedagogical work, with its historic commitment to social justice and service to vulnerable populations (Ruth et al., 2015). Social pedagogy practice occurs as an approach nested in social work in the micro, mezzo and macro systems, and in the inter-sectorial issues of the gender, ethnicity, disability and vulnerability of older people (Dychawy Rosner, 2016; Grace, 2007; Healy, 2014). Application of the identified bases for operating schemes may bridge the role of officialism to develop a closer function of supporting social justice, participation and therapeutic assistance offers a closer familiarity with and understanding of clients' lifeworlds, and places personal resources, strengths and achievements at the centre of the approach. The multidimensional preventive aspects are, however, associated with neoliberal policies (Fawcett, 2009) and concern an emphasis on both top-down and bottom-up mechanisms for participation.

In sum, the growing number of vulnerable populations add urgency to the need for socio-pedagogical specialist provision. There are many different attempts to develop new social interventions. Dominelli (2004) points out that pathology-based intervention in people's lives are not predominated. They are outcome of particular ways of defining and processing people. Preventive interventions should direct practitioners to think at multiple levels to apply four bases for their operation schemes such as empowering strategies, an appreciation of clients' cultural and ethnic preferences, responsive communication and promoting collaboration, along with cultivating alliances with significant actors around the client. It supports a post-modern paradigm acknowledging that there are many ways of knowing (Kyriacou, 2009; Sam-

son, 2015). This constructivist approach corresponds with participatory and dialogical processes in helping relationships (Dychawy Rosner, 2015; Cooper, 2001). Yet, the critical force of all these individual-centred activities can be systematically constrained by professional heritage, institutional orientations and high degree of standardisation. A central concern remains with respect to concrete changes in professional relational work. In order for social professionals really to involve sustainable preventive interventions, they must become reflective, recognise the conditions underpinning the situational questions that they imply, and examine. Another dimension to development of sustainable social interventions is risk to liberating experience if its process and contents are managed and controlled by the same people who have the power to label the problem. It does, however, point us toward a need for further clarification of social workers' ways of acting and positioning in relation to use of preventive interventions. Finally, in order to explore the hypothesis regarding operating bases of what may be called preventive interventions, it would be appropriate to examine social practitioners' subjective experiences of different practices they assume to be appropriate in their local contexts.

References

- Blom, B., & Morén, S (2010). Explaining social work practice. *Journal of Social Work*, 10 (1): 98-119.
- Bytheway, B et al., (2002). *Understanding care, welfare and community. A reader.* London: The Open University Press.
- Carroll, M. A (2004). Empowerment theory: philosophical and practical difficulties. *Canadian Psychology*, 35 (4): 376-381.
- Cooper, B. (2001). Constructivism in social work: towards a participative practice Viability. *British Journal of Social Work*, 31: 721-738.
- Dominelli, L. (2004). *Social work. Theory and practice for a changing profession.* Cambridge: Polity Press.
- Dychawy Rosner, I., & Eklund, M (2003). Content validity and clinical applicability of the Irena Daily Activity Assessment measuring occupational performance in adults with developmental disability. *Occupational Therapy International*, 10 (2): 127-149.
- Dychawy Rosner, I. (2015). From exclusion to inclusion: Involving people with intellectual disabilities in research. *Tiltai*, 3 (72): 119-128.
- Dychawy Rosner I. (2016). Family matters are not just domestic affairs: a perspective on social pedagogy in social work. *Papers of Social Pedagogy*, 02 (5): 6-16.
- Engeström, Y. (1994). *Training for change: A new approach to instruction and learning in working life.* Geneva: International Labour Office.

- Eriksson, E. (2014). The understandings of social pedagogy from a northern European perspective. *Journal of Social Work*, 14 (2): 165-182.
- Fawcett, B (2009). Vulnerability. Questioning the certainties in social work and health. *International Social Work*. 52(4):473-484.
- Freire, P. (2005). *Pedagogy of the oppressed*. NY: The Continuum International Publishing group Inc.
- Foucault, M. (1977). *Discipline and punish*. NY: Pantheon
- Giddens, A. (1991). *Modernity and self identity. Self and society in the late modern age*. Cambridge: Polity Press.
- Grace, A.P. (2007). Envisioning a critical social pedagogy of learning and work in a contemporary culture of lifelong learning. *Studies in Continuing Education*, 29 (1): 85-103.
- Grunwald, K., & Thiersch H (2009). The concept of the “lifeworld orientation” for social world and social care. *Journal of Social Work Practice*, 23 (2): 131-146.
- Guidi, P., Meuwisse, A., & Scaramuzzino, R (2015). Italian and Nordic social workers’ assessment of families with children at risk. *Nordic Social Work Research*, 61 (1): 9-21.
- Göppner, H J., & Hämäläinen, J (2007). Developing a science of social work. *Journal of Social Work*, 7 (3): 269-287.
- Hawkins, J.D., Valerie, B., Shapiro, A A ., & Fagan (2010). Disseminating effective community prevention practices: Opportunities for social work education. *Research in Social Work Practice*, 20 (5): 518-527.
- Healy, K. (2014). *Social work theories in context. Creating frameworks for practice*. London: Palgrave McMillian Publishers Limited.
- Hegar, R.L. (2012). Paulo Freire: Neglected mentor for social work. *Journal of Progressive Human Services*, 23: 159-177.
- Hellesnes, J (1976). *Socialisering og teknokrati. [Socialisation and technocracy]*. Copenhagen: Gyldendal.
- Howe, D. (1998). Relationship-based thinking and practice in social work. *Journal of Social Work Practice*, 1 (1): 45–56.
- Höjer, S., & Forkby, T. (2011). Care for sale: the influence of New Public management in child protection in Sweden, *British Journal of Social Work*, 41: 93-110.
- Kyriacou, Ch. (2009). The five dimensions of social pedagogy within schools. *Pastoral care in Education*, 27 (2): 101-108.
- Lavalette, M. (eds.) (2011). *Radical social work today: Social work at the crossroads*. Bristol: Policy Press.

Lee, J.A.B. (2001). *The empowerment approach to social work practice*. Columbia University Press, New York.

Malmö Commission (2013). *Commission for a socially sustainable Malmö*. Malmö: Malmö City Council. Retrieved from: <http://malmo.se/Kommun--politik/Socialt-hallbart-Malmo/Kommission-for-ett-socialt-hallbart-Malmo/Commission-for-a-Socially-Sustainable-Malmo-in-English.html>

Manuel, T. (2006) *Envisioning the possibilities for a good life. Exploring the public policy implications of intersectionality theory*. *Journal of Women, Politics and Policy*, 28(3-4): 173-203.

Mason, C. (2012). *Social work and the “art of the relationship: Parents perspectives on an intensive family support projects*. *Child and Family Social Work*, 17 (3): 368–377.

Midgley, J. (1997). *Social welfare in global context*. London: SAGE Publications Ltd.

Morel, N., Palier, B., & Palme, J (ed) (2012). *Towards a social investment welfare state? Ideas policies and Challenges*. Bristol: The Policy Press.

Mullaly, B. (1997). *Structural social work. Ideology, theory, and practice*. Oxford: Oxford University Press.

National Association of Social Workers. (2005). *NASW standards for social work practice in health care settings*. Retrieved from <http://www.socialworkers.org/>

Oliver, M (1990). *The politics of disablement*. Basingstoke: Macmillan.

Parr, S. (2016). *Conceptualising the relationship in intensive key worker support as a therapeutic medium*. *Journal of Social work Practice*, 30 (1): 25-42.

Ranci, C. (ed.) (2010). *Social vulnerability in Europe: The new configuration of social risks*. Basingstoke: Palgrave Macmillan,

Righard, E., & Montesino, N (2012). *Conceptions of knowledge in Swedish social work education*. *Social Work Education*, 31 (5): 651-662.

Ruth, B.J., Velásquez, E., Marshall, J W., & Zipperstein, D (2015). *Shaping the future of prevention in social work: An analysis of the professional literature from 2000 through 2010*. *Social Work*, 60 (2): 126-134.

Samson; P.L. (2015). *Practice wisdom: the art and science in social work*. *Journal of Social Work Practice*, 29 (2): 119-131.

Swain, J., Finkelstein, V., French, S., & Oliver, M (1993). *Disabling barriers – enabling environments*. London: SAGE Publications.

Quinney, A. (2006). *Collaborative social work*. Glasgow: Bell and Bain Ltd.



Formation Of Juveniles Social Competence In The Process Of Resocialization

PETRO HUSAK

The Eastern European
National University
e-mail: phusak@ukr.net

LIUDMYLA GUSAK

The Eastern European
National University
e-mail: lgusak04@ukr.net

ANDREJ SKITS

The State Penitentiary
Service of Ukraine
in the Volyn region

EN

The article highlights important issues of the resocialization of juvenile offenders under correctional colony. Formation of social competence is considered as the appropriate instrument to bring about successful resocialization. The emphasis is laid on the scientific interpretation of the results of the experimental work aimed at revealing the influence of the developed by the author model of social and educational work with juvenile convicts on the levels of formation of social competence. These influences include specific techniques and application of psychological and pedagogical study of personality peculiarities of the convicted, utilization of correctional, educational, informational and psychological-educational programs, means of social, educational and the psychosocial support to the juvenile prisoners.

Key words: resocialization, juvenile offenders, social competence, correctional, educational, informational and psychological-educational programs, juvenile prisoners.

RU

В статье представлены результаты экспериментальной работы по формированию социальной компетентности несовершеннолетних осужденных путем применения системы ресоциализационных воздействий. К таким воздействиям относятся конкретные методики и программы психолого-педагогического изучения личности осужденного, коррекционные, образовательно-информационные и психолого-педагогические программы социально-воспитательной работы, средства социально-педагогической поддержки и социально-психологического сопровождения осужденных. Представлены результаты сформированности социальной компетентности несовершеннолетних осужденных. Дано объяснение полученных результатов и представлена их научная интерпретация.

Ключевые слова: ресоциализация, несовершеннолетний преступник, социальная компетентность, исправительная, образовательная, информационная и психолого-образовательная программа, несовершеннолетний заключённый.

The State Penitentiary Service reforming is one of the most urgent and hotly debated issues in the domain of legal legislature in Ukraine. These problems have been highlighted in a number of the President's decrees: "On the State Policy Conception of Reforming the Penitentiary Service of Ukraine" of 08.11.2012 №631/2012, "On the Concept of Juvenile Criminal Justice in Ukraine" of 24.05.2011 №597/2011 and other important governmental documents. The most auspicious measures to realize the concepts outlined in the above mentioned documents comprise: development of a modern model of social, educational and psychological work with the convicts, aimed at increasing the effectiveness of such work through the development and implementation of scientifically substantiated methods and programs of psychological and pedagogical study of the convict's personality; development of corrective educational, informational, psychological-educational programs; organization of mandatory social and educational-psychosocial support to the prisoners and the persons taken into custody; development and implementing a system of criteria for assessing degrees of corrective measures effectiveness, etc. [2012: 2011].

In Ukraine the need for radical revision of the methodology of social and educational work with the juvenile convicts is regarded as a burning issue of the state legal policy. The emphasis on the resultant component of education, as well as formation and development of life competences of younger generation are the principal peculiarities of the European educational standards, which are actively being implemented in Ukraine. The most significant feature of competence approach in education is shifting the „focus from accumulation of regulatory defined knowledge and skills to the formation and development of students' abilities to act creatively, applying individual approaches and experience of successful solutions to the situations of professional and social practices" [O.Ovcharuk 2004].

In 2012-2013 an experiment has been carried out in the Kovel juvenile correctional colony subordinated to the DPTS of Ukraine in the Volyn region and Berezhany juvenile correctional colony in the Ternopil region. The goal of the experiment was to identify the most effective ways of practical implementation of the resocialization measures. The juvenile convicts of the Kovel correctional colony constituted the experimental group, juvenile convicts from Berezhany juvenile correctional colony represented control group. At the end of the experiment the number of the participants in the experimental group comprised 90 persons, the number of the control group - 83 persons (total: 173 people).

The experiment implied the introduction of the pilot program into the educational process of the Kovel juvenile correctional colony, while the social and educational work with juvenile delinquents in Berezhany colony was carried out according to the relevant standards of DPTS of Ukraine.

The duration of the pilot program implementation in juvenile correctional colony was 1 year with the tentative number of hours per one juvenile convict – 840 hours (excluding participation in the preparatory activities). The problem of finding highly-qualified specialists in the field of social and educational activities and involvement them into the work with juvenile convicts was regarded by us as the issue of the prior importance for the successful implementation of the designed pilot model.

In our case, such experts were senior students of the specialty „Social pedagogy” of the Pedagogical Institute at Lesia Ukrainka Eastern European National University, who during their teaching practice, workshops, while writing their master degree diploma papers have provided effective social and pedagogical support for juvenile offenders. They actually performed the duties of social pedagogues at the correctional colonies. Thus the colony administration received an additional extra human resource, purposely trained for social and educational activities, and on the other hand, the students received relevant experience and the possibility of practical testing of the knowledge and skills necessary for the future profession. In order to increase the number of the staff responsible for social and educational work, and improving the quality of such work we have organized purposeful involvement of the representatives of the Volyn youth public organization „Association of Volyn Youth Rights Protection” (hereinafter - the Association) into educational work with the juvenile delinquents. Representatives of the Association during the experimental study have developed and implemented the project „Formation of civil legal consciousness of juvenile offenders”, under the support of the Canadian Fund for Local Initiatives and Canadian Embassy in Ukraine. The project „Improving access to legal knowledge of people who are in detention” (funded by the International Fund „Vidrodzhennia”/ Revival”) has been prolonged for a period of the experimental research.

Representatives of the Volyn regional charitable foundation „Transformation”, public organization „The Happiest”, Ukrainian Orthodox Church, Ukrainian Evangelist Mission have been involved into the work with juvenile convicts in the course of the pilot program implementation. Representatives of the internal affairs bodies, prosecutors, court officials, employment centers staff and employees of the social service centers for families, children and youth helped significantly and have facilitated the realization of the program.

During the implementation of the Program, in order to enhance juvenile delinquents’ knowledge about social, legal, ethical, gender and religious norms that determine the cognitive aspect of social competence, we have organized and carried out some interesting and beneficial projects. Within the framework of the project „Improving access to legal knowledge of people who are in prison” the Association organized in Kovel juvenile correctional colony regular legal consultations for the juvenile offenders.

The experts in the field of law provided free consultations on a wide range of topical issues that define the legal status of a man and a citizen. Therefore juvenile prisoners had the opportunity of wide access to qualified legal aid and possibility to improve their awareness of their rights and responsibilities. In addition, representatives of the Association in the course of the project „Formation of civil legal consciousness of juvenile prisoners” implementation, conducted the lecture course on the problematic issues in order to familiarize juvenile offenders with the current legislation of Ukraine: „Civil and Human Rights”, „The Responsibilities of a Man and a Citizen”, „Peculiarities of Legal Liability of Juveniles”, „The Concept of Crime and Criminal Liability”, „Peculiarities of the Administrative Responsibility in Ukraine”, „Disciplinary Liability in Terms of the Labor Law.” In order to equip the juvenile offenders with integral system of knowledge about the legal norms of a society there were organized meetings of the convicted with the representatives of advocacy, public employees of traffic police, officials of

the department fighting against drug trafficking and the criminal police for children affairs at MIA (Ministry of the Internal Affairs) of Ukraine. Within the framework of the project juvenile convicts acquired knowledge and insights about the religious norms at the „School of Christian Ethics” working on a regular basis, where the juveniles were taught by the representatives of the Ukrainian Orthodox Church.

The curriculum of the pre-service training of students-social pedagogues has been developed by us and it is aimed at preparing professionals ready to address the social and academic needs of children in Ukraine. Themes and concepts from the social work fields have been woven together in this unique program to provide the foundation for its graduates to address the numerous challenges faced by children and families in contemporary Ukraine. Selection of the topics for master’s degree research provided further opportunities for students to acquire necessary skills and knowledge. By encouraging volunteerism among students we were able to motivate students to conduct a cycle of ethical discussions with juvenile convicts on the themes: „Without good deeds there’s no good name”, „Human life - the highest value”, „The Sun adorns the Earth , and Labour – the Man „. The students during their practice at the Kovel juvenile correctional colony lectured the convicts on the following issues: „Man and a Woman: two eternal mysteries”; „Male and Female Physiology and Psychology Peculiarities”; „Marriage and Family”; „Etiquette Norms of Interpersonal Communication between men and women”; „Features and principles of constructive communication”; „Techniques of Constructive Communication”; „How to say decisively „No, I will not!”; „Ways to resolve conflicts” and so on. Since most of the students were girls, actually peers of the juvenile offenders, the important issues of gender education have been resolved in direct friendly communication, removing barriers between Colony and the life outside. According to the project program the juvenile convicts watched and discussed the film „Car Washers” and the documentary „Etiquette for Pupils”. There were some other exciting events worth mentioning: drawing competition „My duty”, the intellectual game „Legal Ring” and other events. Debates and discussions (the themes: „What is more important: personal possessions and wealth or social justice?”, „What is more important: the power over others or good reputation?”, „What is more important: respect from people or the pleasures of life (food, clothing, fun, leisure)?”, „What is more important: to be healthy or to be rich? „) provided fertile soil for cultivating social values, justice, personal maturity, the foundations of a healthy lifestyle, negative attitude to the criminal subculture, thus developing motivational-value criterion of social competence of juvenile convicts.

To form the basic social values of juvenile prisoners there have been organized their meetings with members of a large family, followed by the discussion on „Family and family values”; with a veteran of Labor and discussion „ Human Labor as a Social Value”; with the representatives of amateur arts and discussion „Creativity as the Value of Life”; with former prisoners who have achieved some success in life, and a discussion on „Problem of Choice in Life: everyone has a chance”; with a priest when discussing „The Commandments of God as the Basic Values of Life.” During such meetings the convicted juveniles were able to communicate with guests freely in the relaxing atmosphere, to express their opinions, ask questions, etc.

Within the framework of the program we have organized a charity event „From Heart to Heart” in the juvenile correctional colony. During this event juvenile convicts prepared letters to the disabled children, to parents who are serving sentences in prisons, provided assistance to orphans, children with disabilities, veterans, pensioners by sending them products made with their own hands (embroidery, souvenirs, pictures) and others. Such an event provided juvenile convicts with an opportunity to reconsider the values of life, human needs and many other important things.

We have organized writing of letters by juvenile convicts and then sent them to their parents („I’ll be better and I know how to avoid fatal errors in the future”) and to their comrades at liberty („Do not repeat my mistakes”), a contest of works written by juvenile convicts on the theme „If I were a good angel of the world”.

Students-social pedagogues conducted trainings on the advantages of the healthy lifestyle: „Bad habits and their impact on health”, „Say “No” to drugs”, „The impact of alcohol on the organism of a teenager”, „Cigarettes – invisible enemy.” Juvenile prisoners were engaged in role play activities concerning social situations on moral problems and their subsequent analysis (on the materials of folklore: „Charity begins at home” „It’s never too late to learn”, „If you want good for yourself, never do any harm to others”, „Gold is not needed when there is peace and harmony in the family).” Students suggested juvenile convicts to watch together a documentary film „Men’s Talk” and discuss the causes of high mortality among the male population of Ukraine. To develop juvenile offenders’ skills and abilities of self-control, empathetic and assertive communication, communicative tolerance we have initiated a socio-psychological training „Skills of Assertive Behavior”, which consisted of 8 sessions, 2 hours per each. In the course of training main attention was paid to the emotional state of juvenile offenders and their abilities to control their emotions. The emphasis was laid on the forming, consolidating and working out practical techniques and skills of self-regulation, self-empathetic communication, communicative tolerance; developing sense of humor, creative thinking, prevention of verbal aggression, rudeness, use of words-parasites; forming adequate self-esteem and skills to assess adequately different situations of life and find a constructive way out of the conflict.

In order to prepare the juvenile convicts for intersexual relationships we have organized in the correctional colony a permanent club of gender education „Harmony”. On certain days under the supervision of staff teenage girls from the Kovel School of Arts visited the Colony, discussed topical issues of relations between boys and girls, conducted dance classes, organized competitions, shared their problems and so on. The cycle of role-playing games has gained great popularity among juvenile offenders, especially, discussing situations: how to behave in the situation when fellow peers suggest committing a petty theft; how to behave when friends offer easy drug (marijuana); how to behave in the situation when you witnessed the group of bullies beating your peers; how to tell younger brother about traffic rules; how to explain to a friend the issues of liability for drug possession; how to say politely „No” and convince a group of peers of the inadmissibility of hooliganism and the like. During the practical implementation of the program in the correctional colony there functioned teenage communication debate club „Dialogue”, where juveniles were able to communicate with their peers from outside

the colony, to attend classes at „School of useful skills and habits”, to participate in contests, tournaments, art therapy activities, including the involvement of juvenile prisoners to the circle of embroidery. A tentative list of techniques and forms that we have used for the formation of relevant components of social competence of juvenile prisoners are presented in Table 1.

Table 1. Methods and forms of social and educational work to form social competence of juvenile offenders

<i>Nº</i>	<i>Components of social competence</i>	<i>Methods and forms of social and educational work</i>
1.	knowledge of a man as a social subject and of social norms	Radio lectures and problem lectures on relevant topics, holding thematic parties, competitions and the like.
2.	knowledge of ethical and religious norms	Ethical problems conversations and lectures on relevant topics; „School of Christian Ethics”; watching and discussing films and documentaries and the like.
3.	knowledge of the rules of constructive communication	Problem lectures on relevant topics, socio-psychological training „Skills of assertive behavior”, „School of useful skills and habits”, attending communication debate club „Dialogue” and others.
4.	knowledge of the rights and duties of a man and a citizen and the peculiarities of legal liability	Lectures, meetings with representatives of the police, prosecutors and court officials; methods of legal advice, intellectual-legal games and so on.
5.	knowledge of the intersexual relationships and behavior norms	Lectures on the topical issues, club “Harmony” activity aimed at gender education, participation in the choreographic group

6.	acquired legal awareness	Lectures on the topical issues, organizing legal counseling center, social clips and commercials contest „The best citizen of the state,” drawing competition on the theme „My duty” and so on.
7.	acquired social values	Lectures on the ethic topical issues; organizing meetings with war and labor veterans, members of large families, representatives of amateur arts, peers, etc. for discussion of social values; carrying out charitable action „From Heart to Heart” and the contest of works created by juvenile offenders under the motto „If I were a good angel of the world”
8.	personality maturity	Writing letters to friends outside the colony: „Do not repeat my mistakes” and letters of revelation to parents “I’ll become better: I know how to avoid fatal mistakes”; psychosocial counseling; socio-psychological training „Skills and habits of assertive behavior” and so on.
9.	developed habits of healthy lifestyle	Lectures on the topical issues, trainings aimed at formation of the skills and habits of healthy lifestyle
10.	distancing from the criminal subculture	Disputes, debates, meetings with former convicts; contest of clips and commercials with counter-advertising of criminal subculture and the like.
11.	communicative tolerance	Disputes and debates on the relevant topics; psychosocial counseling; role-playing games; contests and competitions; socio-psychological training: “Skills and habits of assertive behavior”.

12.	self-possession and self-regulation	Exercises and role plays for practicing certain skills; psycho gymnastics; behavioral therapy; socio-psychological training: "Skills and habits of assertive behavior".
13.	lack of aggressiveness	Utilization of the project „Treasure Box of Advice: how to control your negative emotions and aggressive behavior"; psycho gymnastics; art therapy and participation in the embroidery circle; socio-psychological training: "Skills and habits of assertive behavior".
14.	empathy	Discussions on relevant ethical topics; psychosocial counseling; psycho gymnastics; socio-psychological training: "Skills and habits of assertive behavior".
15.	discipline and responsibility	Teaching the behavior norms; giving errands; occupational therapy; contests and competitions in various spheres; gaming psychotherapy and the like.

The results and effectiveness of the experimental work during the forming experiment have been analyzed using the following techniques:

- description, synthesis and analysis of the empirical data, revealing frequency and percentage distributions for each of the selected component of social competence of juvenile convicts and then their graphical representation;

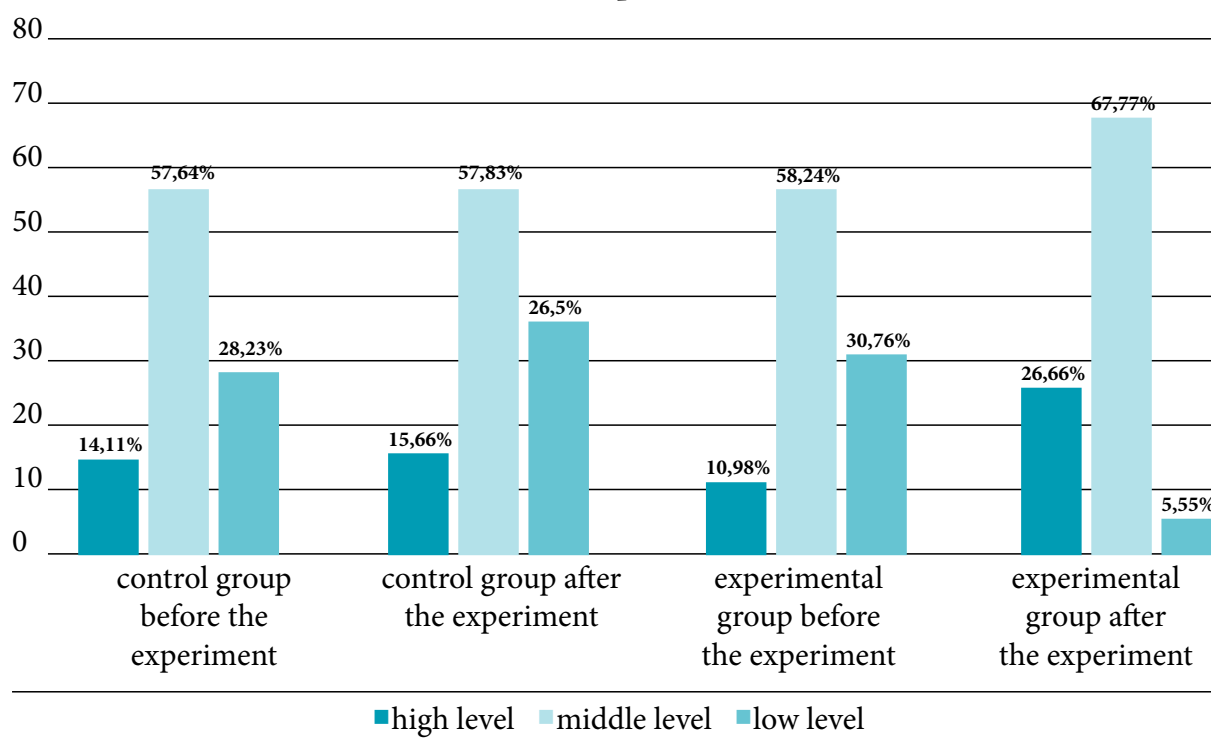
- assessment of the reliability of changes in the levels of juvenile prisoners' social competence development in the control and experimental groups using λ criterion of Kolmogorov-Smirnov [2003]. Having chosen this statistical method of research, we proceeded from the fact that the reliability or unreliability of shifts in the formation of social competence in the experimental and control groups might testify the effectiveness of the designed and implemented by us model of social and educational work with juvenile delinquents.

Upon completion of the program we made the re-assessment of the formation of social competence level of the juvenile prisoners. We used the approaches and diagnostic techniques already adapted by us in the course of ascertaining experiment. These approaches and diagnostic techniques provided the opportunity to identify the juvenile offenders' social compe-

tence elements according to the cognitive, motivational and behavioral values criteria: author's tests, methodology „Diagnostics of the adolescent attitude to the legal reality” by A.Overchenko, Must-test by P.Ivanov, test „Ascertainment of social values of the individual” by Ye.Kolobova, test-questionnaire on personal maturity by Iu. Hilbuh, questionnaire “The propensity to use psychoactive substances „methodology of diagnosing general communicative tolerance by V. Boiko, questionnaire on volitional self-control by A. Zvierkov and E.Eydman, diagnosing questionnaire by Buss-Durkee “Hostility Inventory” (testing aggressive and hostile reactions in man), methodology for the diagnosis of empathy abilities by V. Boiko, questioning experts.

As a result, we have obtained the following indices of distribution of the formation of social competence levels among the juvenile prisoners. These data are represented in Figure 1.

Fig.1. Distribution of the respondents by the level of each social competence criterion development



Analysis of the obtained results allows to conclude that during the experimental work there have been changes in the levels of formation of social competence of juvenile prisoners. In the control group these changes can be regarded as insignificant (within 1-2%). However, the results in the experimental group differ considerably. The considerable increase in indices of formation of social competence of juvenile offenders can be explained by increasing number of juveniles with high and intermediate levels of social competence and a decrease in the number

of those who demonstrated low level. Thus the analysis of the results indicates to the more than doubled growth in the number of juvenile convicts with high level of social competence formation (from 10 to 24 persons or from 10.98% to 26.66% of respondents), an increase of 9.53% in the number of juvenile delinquents with intermediate level (from 53 to 61 persons or from 58.24% to 67.77%) and a significant decrease in the number of juvenile convicts with a low level (from 28 persons up to 5 or from 30.76% to 5.55%). A significant redistribution of the number of juvenile offenders with high and intermediate level in the experimental group after forming experiment was, primarily, the result of reducing the number of juvenile convicts with a low level.

The results give grounds to conclude that during the pilot implementation of the model of social and educational work with juvenile delinquents in the experimental group there has been a significant increase in the levels of the formation of social competence. It is noteworthy that the most positive dynamics in the experimental group before and after the experiment showed such a component of social competence as knowledge about the norms of intersexual interaction.

Thus, the utilization of the author's model of developing social competence caused a sixfold decrease in the total number of juvenile offenders with a low level rate of formation of social competence (from 30 to 5 persons or from 32.96% to 5.55% of the total number of respondents), a slight increase in the number of juveniles convicts with intermediate level of knowledge about the rules of intersexual relationships (from 54 to 56 persons or from 59.34% to 62.22%) and increased more than fourfold the number of juvenile offenders with a high level (from 7 persons to 29 persons or from 7.69% to 32.22%).

The least significant are the changes characterizing such a criterion of juvenile offenders social competence formation as knowledge of ethical and religious norms. Thus, Program implementation results show the growth 9.03% in the number of juveniles convicts with a high level of this component formation (from 11 to 19 persons or from 12.08% to 21.11% of respondents), increase by 3.98% in the number of juvenile delinquents with intermediate level (from 53 to 56 persons or from 58.24% to 62.22%) and 13.07% reduction in the number of juvenile offenders with a low level of knowledge about ethical and religious norms (from 27 to 15 persons or from 29.67% to 16.66%). This state of affairs, in our opinion, can be explained by a great personal interest of juvenile convicts to the issues of intersexual relations and, due to age characteristics, lack of such interest to the knowledge about the ethical and religious norms.

Summary results of the experimental work on the formation of the social competence components of juvenile convicts made it possible to conclude that developed and implemented into the work of the correctional colonies Experimental Program, based on the competence-oriented model of social and educational work with juvenile convicts, facilitates successful formation of both the overall level of social competence of juvenile convicts and the indices of their competence in the terms of cognitive, motivational and behavioral criteria.

Bibliographie

Colvin M. Penitentiaries, Reformatories, and Chain Gangs. Social Theory and the History of Punishment in Nineteenth-Century America. - Macmillan Press, 1997.



Crow Iain. *The Treatment and Rehabilitation of Offenders*. SAGE Publications, 2003.

Decree of the President of Ukraine № 597/2011 of 24 May 2011 On the Concept of developing criminal justice system for the minors in Ukraine <http://www.president.gov.ua/documents/13600.html?PrintVersion>.

Huges G. 'The Competing Logic of Community Sanctions Welfare, Rehabilitation and Restorative Justice', in E. McLaughlin and J. Muncie (eds.), *Controlling Crime*. SAGE Publications, 2002. P. 258-299.

Martinson, R. 'What Works? – Questions and Answers about Prison Reforms', in F.Cullen and B.Applegate (eds.), *Offender Rehabilitation: Effective Correctional Intervention*. – Ashgate Publishing Company, 1997.

Ovcharuk, O.V., ed. *Kompetentnisnyi pidkhid u suchasni osviti:svitovyi dosvid ta ukrainski perspektyvy*: Biblioteka z osvitnoi polityky. Kyiv: K.I.S. 2004.

Sidorenko, Ye. V. *Metody matematicheskoi obrabotki v psikhologii*. SPb.: OOO Rech. 2003.

Voorhis V. 'Correctional Effectiveness: The High Cost of Ignoring Success', in F. Cullen and B. Applegate (eds.), *Offender Rehabilitation: Effective Correctional Intervention*. Ashgate Publishing Company, 1997.



*Views
of Secondary
School Teachers
on Civic
Competencies
According to
Framework
Education
Curricula*

HELENA SKARUPSKA

Tomas Bata University in Zlín
e-mail: skarupska@fhs.utb.cz

EN

This academic study maps the views of secondary school teachers on civic competencies in Czech Republic based on research surveys. Civic competencies are important key competencies that influence secondary school students and form them into free and responsible personalities living in a democratic society. These competencies take part in creating a student's identity, particularly social and cultural. This study aims to find out what the views are of secondary school teachers on civic competencies. It also aims to propose solutions to take part in systematic preparations for teaching jobs and teacher education. Our main research tool was the internet survey downloadable from the internet. Teachers were informed about the survey via e-mail sent to every secondary school listed in the Czech Ministry of Education register. It has been processed on the first level of sorting and we interpreted the data based on the descriptive method.

Keywords: civic competencies, secondary school teacher, pupil, identity, survey.

The present study focuses on the results of the questionnaire survey whose main objective was to ascertain the views that secondary school teachers hold on civic competencies in Czech Republic. According to Hämäläinen (2015), the issue of citizenship education is one of the central themes of social pedagogy. Citizenship education is based on civic competences that include core competencies and thus are not bound not just to objects that show the content of the curriculum (civics, social sciences) but to all subjects. In the poll survey, we focused on secondary school teachers, because we wanted to discover their views on how they perceive the subject of civic competence and how they use it in their teaching jobs. This is particularly important, as they work with pupils in adolescence, a time when pupils in their developing psychology experience a crisis of identity (Erikson, 1999). When setting goals, we came out of the post-modern paradigm of education, which was elaborated by the authors Pourtois and Desmet (2012) who highlight pupils' identity as the center of educational events. In the authors' view, education should serve to help pupils in shaping their identity. The role of secondary school teachers here is not to be seen as purely educational, but rather in the whole spectrum of educational actions (including the upbringing) which is required by this paradigm.

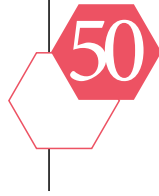
Study has been processed on the first level of sorting and we interpreted the data based on the descriptive method. There were no hypotheses made as the original purpose was to find out the differences in views based on teacher specialty. It was due to the scattered and heterogeneous combination of specialties available.

Definition of Civic Responsibilities in Educational Documents for Secondary Schools

Because the literature defines the terms of our continuing work with variety, we have to define them first. In defining the concepts, we start from the fundamental educational documents for secondary education, namely the Framework Educational Programs. Framework educational programs (FEP, in Czech abbreviated RVP) were set with the educational reform at the beginning of the 21st century (cf. White paper, 2002). It contains important concepts about core and civic competencies. Competence is a term now applied in pedagogy.

We begin by defining the first term „competence”. The term seeks to define the goal of education as not just the acquisition of knowledge and skills, but also as something which creates capabilities for one's life or a chosen profession. This term pedagogy understands bounded structures of abilities and knowledge and related skills, attitudes and value orientations, which are all prerequisites for the exercise of people not only in school, occupation, but the whole of life (cf. FEP for grammar schools).

The „Key Competencies” comes as a second term. This term entails the compendium of educational requirements, including knowledge, skills, attitudes and values that are important for the personal development of the individual so that s/he can actively engage into society and employment. Key competencies are generally applicable in different situations. In the educational process, the Key Competencies are not tied to specific subjects. It is



developed through general and vocational education, through both theoretical and practical teaching, but also through various other processes including supplementary teaching (cf. FEP for grammar schools).

In Czech Republic, key competencies in framework educational programs are based on the European Reference Framework of Key Competencies for Lifelong Learning. This European framework includes some of domains of key competencies. Primary are communication in mother tongue, communication in foreign languages, mathematical competence and basic competencies in science and technology. Following these are expertise in digital technologies, learning social and civic competencies and developing a sense of initiative and entrepreneurial thinking. Last but not least are the dual competencies of cultural awareness and expression. In the Czech environment of education, these eight areas for the purpose of secondary education were narrowed down into six areas: learning competencies, problem solving, communication, social and personal competencies, civic competencies and ultimately work (cf. www.nuv.cz).

The National Institute for Vocational Education (which prepared the Framework Educational Programs for the whole wide area of vocational education) together with the Research Institute of Education (which prepared the framework curricula for general secondary education) had established civic competence and cultural awareness as one of their key competencies. They thus merged the civic competence and awareness into one. The area of competence was then defined in several sub-parts. The aim of education within this competence is the recognition and respect for the values and attitudes essential for life in a democratic society, which is in line with sustainable development and support of all types of cultures. The first part consists of civic competence, an active involvement in public life: the knowledge of standards not only social but also legal, and respect and tolerance for the others, for the other. The second part entails the plurality of cultures, ideas, thinking and multicultural education. The third part encompasses the education in relation to environment, namely the theory of sustainable living and promotion of health. The last part is focused on understanding and recognition of the traditions and values of one's own nation, but also of values of European and world culture (cf. www.nuov.cz; www.vup.cz).

Civic Competencies as a Tool for Humanity of Man

Civic competencies are becoming a part of the cultivation line of education. What is meant here is the education line that arose during the historical development of pedagogical thinking and that relates to the social role of education (Průcha, 2009). The cultivation line has to cultivate the individual and guide him or her to humanity. It fulfilled the ancient archetype of education, which is the ideal of a good man in Platonic sense of the word (Platon, 1993). It alters the archetype of the modern school in the understanding of Palouš (1991). This understanding favours the line of operational and practical competencies, emphasizing the education component of the practice which prevails in the educational and training process even until today. Civic competence not only teaches the student to become a member of a democratic society, but also teaches him or her to be a human, which is the goal of social pedagogy. He teaches him

to be human free, being responsible and knowledgeable of his or her rights and duties, but also knowledgeable of the rights and duties of other members of society. A being that understands differences between cultures and perceives differences is more enriching rather than the one who pathologically strives to preserve the environment humankind inhabits.

Methodology of the Research and the Research Sample

To ascertain views on civic competencies, we chose the method of questionnaire survey. The choice of method was necessary in order for the efforts to reach the widest possible audience of educators. Therefore, the selected questions relate to the topics contained in the Framework Education Programs and the answer field in questionnaires is multiple-choice. In total, there were nine questions concerning views on civic competencies. After pilot testing, in the survey there were two questions added with the option "Explain More" since a significant number of teachers wanted to go more into detail.

The research sample consisted of all secondary school teachers in the Czech Republic. To ensure the return of such a broad public survey, the web was chosen as the form of data distribution collection. The questionnaire was uploaded on piloting server Survie; the proper survey then took part at the server Vyplňto.cz. All secondary schools listed in the register of schools and educational institutions of the Ministry of Education, Youth and Sports were informed via e-mail with the request to answer the questionnaire. The total number of addressed schools that answered the survey was 1, 332. The survey was conducted in the first half of 2016.

Eighteen teachers attended the pilot testing. Public survey was then attended by 966 teachers of various specialities. According to analysis of the server Vyplňto.cz, the revenue rate was 51.8%. The rate of return was given by the ratio of completed and displayed questionnaires. This is only a rough figure which does not take into account those addressed respondents who did not even view the introductory text.

As secondary school teachers not only teach general subjects but also vocational, it was not possible to chart the representation of specialities due to their great diversity. In the percentual typology, the grammar schools and lycea (comprehensive education schools) composed 33.7% of the sample, while 66.3% were vocational schools. All regions of the Czech Republic were taken into representation. In terms of gender, the survey involved 67% women and 33% men.

Evaluation and Interpretation of the Survey

In this part of the paper, we present the reader with the results of the inquiry. The results are summarized by examining particular areas of civic competence.

The first part of the survey was devoted to general levels of civic competencies in which we examined how teachers apply these competencies in lessons and if the teacher can shape students' views on civics.

On the recommendation of the pilot group, the spectrum of answers was enriched by adding the option „other,” which was then used by a significant number of teachers. This leads us to interesting results, even though 8.4% of respondents said that they did not work with civic competencies at all. Fully 2.5% of respondents did not answer the question at all. The offered option “I am marginally working with students on analysing some current social problems” was chosen by 63.9% of respondents, and the variant “I am working intensely on civic topics” was chosen by 27.7% of respondents. The most common method reported in „Other” was a discussion or any of its forms, including comparisons, analyses and examples.

Because the representation of teachers in terms of subjects taught was very broad, it is a very positive finding that not only teachers of civics or social sciences but also of vocational subjects paid attention to this topic. For illustration, we highlight some sample answers: “In the practical teaching aimed to strengthen students’ accountability and views on social issues. Trying to act on the students so that they become responsible citizens with keen interest in what is happening around them. I provide answers to students’ questions on current events... Together with the students, we seek to find an answer... When teaching, I set the rules that I follow, and I expect the same from students... Within the mathematics, I set the verbal tasks, within the ICT I set practical tasks and open discussions... Civics topic go throughout teaching, they are included in each appropriate topic... They are included in teaching of technology, engineering and engineering technology depending on the topic related to practice... Development by teaching of economic subjects and in solving word problems“. Teachers confirmed that they conduct discussions with pupils, but carefully, so that the pupils were not manipulated or persuaded to follow certain views. “Everyone is entitled to his or her own opinion, to his or her own set of beliefs that is purely his or her own business. Social issues are to be discussed, not imposed.“

The main topics mostly reported by teachers are education about public responsibility, respect and tolerance, and the respect of given rules: “Respect and tolerance towards others, tolerance to other people’s opinion, collaboration, etc... I try to act to the students so that they become responsible citizens interested in what is happening around them... Discussion of current problems but also achievements in society... During the course of lessons, the civic issue is included in appropriate topics... I instill students with the fundamental values and principles of democracy, human rights, advocacy of human rights, civic participation and cultural values (social culture, social education, protection and utilization of cultural values, gender issue).“

Unfortunately, some teachers hold a negative attitude towards civic competencies: “It’s the seven fundamentals of communist upbringing – rubbish, I told that to school inspectors (smile emoticon)... I do not think that English classes allow for work with civil competencies of the pupil. Different things need to be learned there, citizen competencies should be left for another lesson ... Not to be stolen from your back thanks to European politicians.“

Some have also argued that they lack space: “I do civic competencies randomly, do not have space enough... I cannot tell precisely... When working on CNC machine, there is not much space for with civic competencies.” Others see them as part of the total educational process: They do not exclude them, the civic competencies are part of the curriculum without need of specific focus... It involves a whole education, starting for example with behaviour at

school and going through deliberate placement of topics during discussion: for example, the vocabulary that the class teachers choose to build educative climate in the classroom, to maintain relationships between pupils, students and teachers, to prevent bullying, to raise interested in school events, events in village, town etc.“

Some teachers even complained with a sigh of complaint: “Very difficult – for some it is just building views, but these kids do not realize what opinions mean, so much so it hurts a teacher at heart.“ Most teachers have recognized the importance of civic competencies. However, the fact that most respondents work with them just marginally is not positive. Only 12% of respondents think that the views should be primarily shaped by family, and roughly 12% are inclined to believe that this is a private matter of the pupil. Again, the respondents strongly state that the student must not be manipulated: “The teachers, in certain situations, show their mind so that pupils can see their opinion. They can argue with them, raise discussion, the pupil may be affected... Yes, but one should leave the final opinion on pupils... It should be, but the pupils are not much into it... To be impartial is not possible... This is a controversial question. Yes, it is, but only to a certain extent. It should be done within the frame in which the teacher shows/suggests students the way... Yes, teachers should lead by example, they should move, but not manipulate, not to impose a single truth and the only solution... A teacher can express his/her own opinion, but pupil should not be forced to agree with them... adequately explain, not impose... about influencing, I am not sure. Rather be a guide on the way to students forming an opinion... to a certain extent – I can communicate my position and discuss, yet I cannot want to make pupils think what I think. We can only talk about it and clarify our views. Whether the teacher wants it or not, he or she act as role models...The teachers demonstrate their civic point of view, however they must not brainwash the student and enforce their opinion as the only correct one.“

The answers showed that some respondents had difficulty with the word „influence.“ For some of them, the word meant „manipulation.“ That may be why they preferred to substitute the terms with „accompany, guide, seek.“

The positive side is that teachers are aware of their status as educators that; they are aware they influence pupils whether they intend it or not, and that they always feel they are a model, which was nicely summed up by one respondent: “A teacher always affects his pupils and their opinions and attitudes whether he wants it or not – if the teacher acts as model / authority for the pupil, this cannot even be avoided. And since the educational process is not only educational, but also upbringing, teachers have the possibility to bring pupils up. But this should be used only for the development of moral and ethical behaviour, of critical thinking and the like, not to abuse and to form „obedient sheep.“

Almost all respondents gave emphasis to the fact that a teacher should not force the student to take up some of their vision of the world, and must be able to respect different views on the pupil’s side. Lots of respondents mentioned the need for critical thinking: “Teaching critical thinking is clearly influencing and critical thinking itself is specified in terms of the content of educational needs, so there is no doubt the teacher will influence his pupils. But not in the sense to „pour“ his subjective political views into pupils’ heads. In this area, the teacher may

be merely an example of how they roughly formed their own political opinions, and only can ensure students that the teacher will not require the same political beliefs from the pupils. It also depends on in what areas and to what extent. Critical thinking can open a different perspective in the pupil and can appease the pupil, if he or she shows too radical an attitude. It also greatly depends on pupils' age. However, to impose political or religious persuasion is manipulation; in addition, it may not be absolutely in line with the previous education of the pupil, which can cause increased radicalization or result in confusion of ideas in the pupil. There is an analogy to the quote of K. R. Popper that governments should focus more on reducing suffering than on the attempts to exercise the greatest possible good. I also see effects on student opinions, namely the need to cultivate the somewhat harsh ideology of pupils, and it is certainly not a good idea to replace the pupils' world view with generally accepted ideological dogmas.“

Some have also pointed out that the family fails in providing education for civic competencies: “To some extent it is a matter of pupils' privacy and teachers should not replace the family in its educative function. The family, however, is often dysfunctional and pupils are more interested in the teacher's opinion. I do not think I have the right to impose my point of view. Usually, we make a list of views to specific issues (both standard and extreme) and discuss their causes and also their impacts. Trying to define the zone for pupils to safely move in not to stand in others' way... Civil opinions are what pupils bring from home (the views of parents and their peers...) and from the nearest vicinity. If a debate about the issue unfolds in the classroom, whatever the reasons, any teacher should moderate pupils' attitudes, put their views right. Opinions should conform to social norms... we often work with students from dysfunctional families who had no background and no understanding of basic things. Being not financially literate, these pupils need someone to give them advice, who will direct them, who will help them develop life goals.“

One of the responses was the idea that a teacher should neither educate, nor bring up, that those matters belong to the family: “Some would agree, some will not: the family raises the children and teacher leads the pupils by example... apparently, we educate, but how to separate the upbringing from teaching? Probably I somewhat influence my students, although I respect their different opinions... Pupils must be brought up by parents, teachers may try to influence the pupil in their civil views – often in vain... yes, but priority is put on parents doing the upbringing. The teacher is required to „explain” how to analyse, to understand, to create one's own views: to acquaint the pupil with the general boundaries of normal and impermissible, freedom and violence. In particular, parents will not pay enough attention... Yes, although most education should depend on the family, but with the teacher, pupils spend a lot of time, and teacher's opinions can influence the pupil, if they respect them as role models... Raising is a family thing; the teacher may influence the pupil anyway...“

Another area of research is related to the identity, to the ethnicity of coexistence of different cultures and traditions. More than half of respondents (53%) talk with pupils about their identity only in cases where students are unsure about what of their belonging to particular groups in society is, and a third of respondents help pupils to find out to which group they belong. But almost 17% of respondents answered that they could not care less about the identity

of their pupil. While this is less than a fifth of respondents, it is still a high number when we consider that a secondary school student experiences developmental crisis of identity in all its components, i.e. both personal (the „who am I”) as well as social and cultural („where do I belong, where are my roots, where do I come from”).

The multicultural education is not only part of competencies but also one of the cross-over topics in FPE curricula (RVP). Given the current situation, which has the character of world migration, we were wondering whether teachers discuss the problems of coexistence of different cultures in classrooms as one of the topics in multicultural education. It was a positive surprise that 77.7% of respondents considered this issue important, and that the teachers should, according to most of them, dedicate some time to this issue. Only 15.5% believe that this topic is only adequate for the teachers of civics and social sciences. Unfortunately, nearly 7% of respondents said they did not have enough information on this issue, and therefore they could not engage.

Another essential part of civic responsibility is to maintain one’s traditions and customs. It is also important in terms of shaping the social and cultural identity of the pupil. Therefore, the question was posed to respondents, and 78.5% of them incorporate the traditions and customs of the region in their pedagogical practice. Less than 17% think that the question of traditions and customs belongs solely to Czech language, history or civics, and only 5% of the respondents say that they do not pay any attention to customs or traditions.

The third area of investigation was opinions on the issue of sustainable living. The survey shows that the topic of life environment is a topical issue for teachers. As many as 85.6% believe that in the classroom every teacher has space to devote to the sustainable development of life. Only 10% are inclined to claim that it is a matter of teachers of science. Less than 4% are in favour of the statement that it is more a matter of family and media.

An integral part of civic responsibilities is education of values and ethics, which was another area of our study. Recommended methods for ethical education include dialogue and analysis of statements. In our study, we focused on the analysis of statements of public officials, as their statements are known and available on one hand; on the other, it is the public officials involved who have a great impact on the shaping of the value system. The survey showed that 58.6% of respondents paid attention to analysis of the statements and opinions of public officials, 15.6% think that it is not the work of a teacher and 25% of respondents said they lack enough information to allow the views of public officials to play a part in their educational activities.

The acquisition of skills associated with civic competencies directly relates to the support and involvement of students in democratic society. The last field of public inquiry was devoted to the topic. In this section, we investigated the how much support is given to the students to get involved in school councils and public activities which the school develops. A poll survey showed that 70% of respondents were trying to establish a functioning student government in the school environment. Conversely, 30% of respondents leave the initiative of involvement to pupils themselves. When asked whether the teachers encourage the students to participate in public activities in the municipality where students live, the positive answer

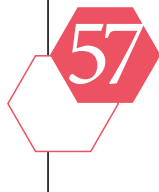
came only from less than half of the respondents. The second half of the respondents opted for statement that it is a „private affair of the pupil.” The last question dealt with their participation in the elections. In a democratic society, the elections to the various representative bodies are an integral part. However, in recent years, the citizen participation in elections is falling. Senior students at secondary schools have reached the threshold of 18 years of age, which entitles them with the right to vote in elections. Participation in elections is one of the most important civic responsibilities. It is also seen by the respondents of our public inquiry. Full 84.2% of respondents believe that guiding the pupil to participate in elections is how the teachers contribute to the education of the young citizens in civic competence. Only 15.7% of respondents are inclined to the view that it is the matter of the pupil.

Conclusion

The questionnaire survey on opinions of secondary school teachers on civic competencies in Czech Republic has shown us that only a quarter of the respondents work with civic competencies on a regular basis. Most of the respondents work with civic competencies only occasionally, but realize their importance. A substantial portion of respondents have a problem with the word „influence.” Education is seen as guiding, shaping, informing and explaining, but influencing as such is understood as a form of manipulation. Also, respondents agreed that the school should remain apolitical in the sense that the teacher should not take sides with any political party or movement so as to avoid political propaganda in classroom. To hold the line of illumination, informing and keeping a detachment or objectivity is very difficult for some teachers; therefore, they prefer to avoid discussions about the acts of public officials. Where the teachers feel to be sure and well-informed, is the area of life environment and the theory of sustainable living.

It is therefore necessary to improve the training of teachers already at university, in terms of how the university education prepares future teachers for teaching about civic competence. This also includes programs where graduates acquire educational skills of different specializations to teach at vocational schools. We reaffirm that civic competencies are an integral part of key competencies, which are not tied to particular subject, but which should be part of daily teaching activities of the teacher and therefore involving both education and upbringing. It is not sufficient for the teaching profession to have the knowledge and skills of didactics, methodology and educational psychology: the teacher needs to have a much broader view, because every teacher not only educates, but also brings up pupils. Therefore, it is of high necessity to include knowledge of sociology, anthropology, political science and environmental science in teacher training, and teachers should continue to broaden their general knowledge and enrich it with elements of geographical and historical points of view. Here is a space for social pedagogy that covers all these sciences and, unfortunately, in the Czech Republic is not normally part of the undergraduate teacher training.

Besides gaining knowledge, it is also necessary to dedicate time to methods, where the critical thinking plays a major role. This should be an automatic part of teacher train-



ing. It is also necessary to enrich the context of further teacher education and to offer courses with topics of civic responsibilities that are focused primarily on teachers of other subjects than the civics or social sciences, and thus generally enhance teacher professionalism. It is necessary to focus not only on knowledge transfer, but as the teachers lack the methodology skills (the ability to lead a discussion, the art of argumentation, etc.). So selection of appropriate methods that will shape the pupils and will not lead only to memorization or moralizing will be of key importance. You can use the findings of education science of the oppressed, the ground source for *Pedagogy of Freedom of Freire*, or *the Critical Pedagogy* of Giroux. A source of inspiration to find appropriate methods could be found in the theory of global education by Pike and Selby as well as in methods of Experiential Education. Teachers will prefer more practice-based courses to classical courses. Teachers will prefer more practice-based courses to classical courses.

This way, we can fulfil the need for civic competencies. Let us quote I. Kant: „A person can become human only through education.”

Bibliography

Erikson, E. (1999). *Životní cyklus rozšířený a dokončený*. Praha: NLN.

Hämäläinen, J. (2015). Defining Social Pedagogy: Historical, Theoretical and Practical Considerations. In *British Journal of Social Work* 45/2015, pp. 1022–1038 doi:10.1093/bjsw/bct174.

Pourtois, J-P., Desmet, H. (2012). *L'education postmoderne*. Presses: Universitaires de France

Průcha J. a kol. (2009). *Moderní pedagogika*. Praha: Portál.

Platon (1993). *Ústava*. Praha: NLN.

Palouš R. (1991). *K filozofii výchovy*. Praha, Karolinum.

White paper – National Programme for the Development of Education. (2002). Praha: MŠMT

FEP for grammar schools - RVP pro gymnázia (2006) Retrieved from <http://www.msmt.cz/vzdelavani/skolstvi-v-cr/skolskareforma/ramcove-vzdelavaci-programy>

FEP for grammar schools, (2016). Retrieved from <http://www.nuv.cz/file/684/>

<http://www.nuv.cz/cinnosti/kurikulum-vseobecne-a-odborne-vzdelavani-a-evaluace/ramcove-vzdelavaci-programy?lang=1>

EN

The following article is about how and when ethnicity is of significance in elderly care. Below I analyze examples of how staff perceive each other and each other's work. These analyses describe how ethnicity is important in their work and in what ways the concept is given meaning. The importance of a phenomenon is primarily related to the linguistic expression of meaning. In this case the focus is on the meaning of ethnicity, which also includes the importance of actions, activities, behaviors and non-linguistic symbols, etc.

Keywords: ethnicity, elderly care, immigrant, social pedagogy, social work.



*Doing ethnicity
in elderly care*

LINDA LILL

Malmö University
e-mail: linda.lill@mah.se

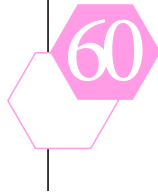
Social pedagogy is all about encounters between people and how these interactions can be understood. All encounters, in this sense, are about “*doing*” performances between actors (West & Zimmerman 1997). This means that through beliefs, ideas, norms and values we create each other and ourselves. Everyday life is made easier by using different kinds of categorizations to understand and act in relation to each other (Mark & Moya 2010). Notions of gender and ethnicity, for example, offer the female „immigrant” other associations than the male „immigrant”. Our conceptions of gender also mean that female and male physicians are seen and treated in different ways (Davies 2001; 2003). The way that the different categories relate to each other is consequently colored by gender, which in turn creates a situation where, for example, male nurses are regarded as abnormal in relation to the notions of profession and gender (Robertson 2003). It can therefore be said that the social positions regulate who we will encounter and how we are perceived as women, men, young, old, „immigrants” and „Swedes”.

The following article is about how and when ethnicity is of significance in elderly care. Below I analyze examples of how staff perceive each other and each other’s work. These analyses describe how ethnicity is important in their work and in what ways the concept is given meaning. The importance of a phenomenon is primarily related to the linguistic expression of meaning. In this case the focus is on the meaning of ethnicity, which also includes the importance of actions, activities, behaviors and non-linguistic symbols, etc. The topic of significance and meaning is difficult to distinguish from language as an abstract system to the concrete actions that maintain the linguistic regime. Meaning includes diverse kinds of human actions, which includes the outcomes of such activities, whether they are linguistic, value oriented or distinctive varieties of social practices (Foucault 1971; 1972).

How actions are performed is of great significance for preventive social work. This means, for example, that the understanding of the „immigrant” depends on how the “immigrant” is produced and represented for example in the elderly care context. If a whole society speaks of the „problematic immigrant”, then the perceived „immigrant” in a variety of situations will be comprehended as a problem. Potter (1996) argues that there are representations that become significant in the understanding of the statements, which also Hall (1997), Fairclough (1992; 1989), van Dijk (1997a, b) and Spencer (2006) see as essential to our identity and to our perception of the world around us. When it comes to health care, this practice is codified by different standard behaviors that convey required ideals that make them quasi-universal. These particular ways to behave and act are articulated in prescriptions concerning which actions should and should not be performed (Eliasson, 1987; Wearness, 1996; Lill, 2010). It is therefore important to find out how elderly care staff reasons about ethnicity. Because how they talk about problems influences how the concept of ethnicity becomes significant in the work.

Doing ethnicity

According to Norman Fairclough (2003), the communication between individuals are actions and interactions. He describes it as the discursive structure that is reinterpreted and reshaped after what a given situation demands. In the analysis of such actions and inter-



actions in elderly care work, I will argue that the concept of doing allows for an understanding of the social interactions that are fundamental in the elderly care context. Judith Butler (1990; 1993) argues that gender relations are performative, that they are a combination of representations and actions that are best understood as doing. She argues that we become our gender through this doing and that gender relations are to be regarded as a performative activities, processes in which gender is something we create in interaction with other people (Butler 1990). My argument also builds on the work of Karen Davies (2001) about how gender is done in the relationship between doctors and nurses .

Ethnic relations are described in similar terms as gender relations: they are constituted by a combination of representations, actions and interactions that condition subjects in relation to power and social privilege. The subordinate position of women can be compared to the status of ethnic groups in relation to the majority. These overlapping dimensions of gender and ethnicity challenge gender or ethnic only theories. The current challenge is to continue and advance multidisciplinary discussions of racial, ethnic and gender theory, that emphasize such comparisons (see the concept of intersectionality de los Reyes, Molina & Mulinari 2002). From a gender theoretical perspective, criticism has often been strong when it comes to the equation of vulnerability of those categories. The criticism has mainly been about how women and men's life conditions should be studied separately. This is regardless of the shared experiences of migration and/or ethnicity-based experiences, mainly because women and men's practices, abilities and knowledge, from a perspective of power relation, create different living conditions for men and women (Pettman 1996). However, within gender research there has been a lot of focus on women's different conditions and experiences depending on where, who and how a woman acts in a specific context (see hooks 1989; Frankenberg 1993; Skeggs, 1997; Sudbury, 1998; Hill Collins 2000; hooks 2000). It is therefore important that women's experiences of victimization describe and are based on the specific context in which they are inhabit. These accounts, I claim, must be done with consideration of the intersections of class, sexuality and ethnicity.

The meaning of ethnicity in elderly care in Sweden

Sweden is a multicultural society that in the recent decades has seen much immigration. This migration has predominately been by people of migration background. The migrants' experiences and how the established society deals with the encounter between different ethnic groups are central to the argument about how ethnicity is to be analyzed and how we become ethnic subjects. Since many migrants and people with Muslim backgrounds are working in elderly care, the exploration of ethnicity in the context of meetings in elderly care are essential to the study of care relationships. This article is concerned with the ways in which caregivers within elderly care reason and respond to questions concerning race and ethnicity.

- a. When do the persons' ethnicity carry meaning in elderly care work?
- b. When does the ethnicity of the caregiver or client begin to matter for the care giving relationship?

The empirical materials presented in the article are statements that emerged from two different group interviews (conducted in 2004 and 2012) with the staff that are working in elderly care in Sweden. Overall, 14 women participated in focus group interviews where I was the interviewer. The majority (10 persons) of the women were born abroad, four identified themselves as Muslims, but without headscarf (Lill 2005; 2007; 2015). The women (hereafter elderly care staff) are working in home help care (Swedish *hemtjänst*) or elderly care homes (Swedish *äldreboende*). They participated in the focus groups during their working hours.

Ethnicity is from the established society recognized as a difference from the „norm”. That is to say „immigrants” are ethnic because they are different than „Swedes”. The differences may consist of language, religion, cultural differences, but also a person’s appearance. The great dilemma of the concept of ethnicity is that it largely serves as a categorical variable. Categorizations further have a tendency to act stereotyping. A stereotypical categorization variable is furthermore often the basis for a kind of knowledge about „the other” (Torres 2015). Ethnicity is considered as interactions, which preferably are underpinned by notions of each other. Based on such a relationship, ethnicity is much more than individual expressions and expectations (Hylland Eriksen 1993).

Ethnicity is a cultural construction that is embodied in performances, for example in the novel *Ivanhoe* by Sir Walter Scott, where the characters Isaac and Rebecca will represent what the Jews are considered to be at a given time (the novel was published in 1819). Ethnicity may be viewed as a common social metaphor as age or sexuality (Soller 1989). Since ambiguous processes affect the approach to the concept, I argue that *ethnicity is our imagination of each other’s identities*.

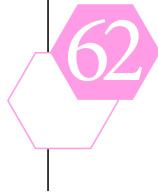
Since the concept of ethnicity is dynamic and not really definable, it can be expected to bear a great deal of uncertainty. This uncertainty means that we have to rely on what we have read, heard and learned about in relation to “them” and that this becomes a basis of “our” knowledge of “them”. The problem arises when the knowledge of them is not consistent. All „immigrants” cannot be subsumed into the same category. Representations of the “ethnic” person therefore produces uncertain knowledge about ethnicity. This means that we depend on the representation of “them”. Ethnicity is therefore to be understood as representations and how these effect elderly care encounters.

It is not the fact of signification and representation that leads to a particular affirmation of ethnicity, but rather it is the representation of reality that governs these affirmations. The concept of ethnicity is thus an aspect of our beliefs. These beliefs are anchored in historical and social processes in different contexts and influenced notions of each other.

Imaginations becomes doing activities

“Men dominate in their (Muslim) culture. They (colleagues with headscarf) have to go home and ask.”

The quotation symbolizes a stereotypical perception of women who are wearing headscarves. It was in correlation with discussions involving dilemmas about ethnic relations



in the work place, when one of the participants in the focus group said that the teamwork with veiled women sometimes could be problematic. It was articulated, as colleagues with headscarf weren't considered to have the opportunities to make their own decisions about themselves and their lives. A staff member assumed for example that the women with headscarf at her work-place did not come to the Christmas party because they were not allowed to go there by their husbands. The elderly care staff assigned the veiled colleagues as a group distinct from themselves. The staff's attitude to the colleagues using headscarf can be understood as a simple and stereotypical notion of culture as something the individual carries with them and which is unchanging. When the staff related to each other through such categorizations they created space for a negotiating activity, which in turn is related to the discourse of the „oppressed Muslim women.” In this way, they construct each other's cultures through the observed and imagined differences between them.

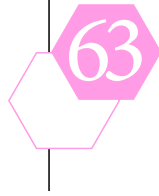
These imaginations of one another begin in the simple distinctions of our looks and how our bodies receive and assert symbolic value as women, men, old, young, black, and white. The bodily identification and categorization will be central in all interpersonal encounters. When we imagine each other's identities our bodies are always present as signifiers. This means that our bodies give signals that in turn relate to discursive understandings of what we should be or where we expect to find ourselves in relation to specific contexts (Joppke 2009). If a Muslim woman is not going to the Christmas party her absence is understood in relation to prevalent notions of veiled women's behavior. The symbolic assessment of bodies thus create meaning and can also be understood as a limit. The physical boundaries are perceived as „natural” and seem to the elderly care staff who do not wear the veil to exist at a basic structure of experience, as a physical condition of reality (Solheim 2001: 20). The symbolism of the body is thus crucial to how we read in each other's areas of action and which activities that are appropriate depending on who we are perceived to be as individuals.

Since the physical limits of the body are part of the perception of reality, notions about ethnicity are also perceived as a bodily dimension framing reality. The representations of bodily limitations came in particular to entangle the elderly care staff's reasoning about the colleagues who were wearing headscarves. The limitations were also presented by how their men were imagined as surveiling the women. An example of how the veiled women's bodies were produced as a limit experience was a discussion about whether colleagues with headscarves could ride bikes or not. Here are two staff members in a conversation:

- „They have never learned to ride a bike. They have never been taught because of their men. We've talked about it openly at work because we wanted to know if the husbands allowed it. So they had to go home to their men and ask. Some men accept it and said it's ok, so some we have taught to ride a bike. Those who do not get the bikes have to go by foot.

- Do you have time to walk?

- Yes, we have to, but it would have been much easier to have a bike especially if you have shopping bags and so. It is such small things that make the difference. It's not always the big things that's becomes the biggest deals and there are great differences, but it's the little everyday things that do.



- But what's wrong with bike riding?
- What will you have between your legs? You should have a saddle between the legs. For what I understand it is that one can feel sexual, or the men think that it could be a sexual feeling to sit on this saddle.
- Allow them to have that pleasure, by all means ...
- Yes, it could, we think, but for them it is a fact and the men are in control and it is they who are saying that the women can't go by bike, so it's those small things."

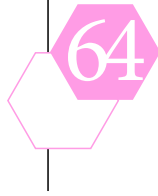
The conversation shows how some of the staff members define some of the colleagues, as "them". When she is saying „they” no one in the focus group oppose. It can be explained as the participants in the focus group are attentive to who „they” are. The individuals who become „the other” in this context are „real” because the language has the ability to give words the social and cultural meanings (Fairclough 2003).

The elderly care staff's experience enables values to be expressed that can be related to the staff's perceptions of „the other”. The imaginations of “them” is made clear in the statement that „we wanted to know if men allowed it.” It shows that there is a kind of knowing of that their husbands determine whether they have the opportunity to learn to ride or not. The conversation illustrates therefore the structural effects of the representation of the veiled woman as trapped and sexually controlled by the man when it is believed that the man considers that the saddle allows sexual stimulation and that this is the basis for the ban on cycling. The consequence of the expressions is that the Muslim man's authority is enhanced and the „truth” about the man as the governor. These kinds of imaginations are strengthened when the staff members ask the colleagues with veil to ask their husbands for permission to do specific things, as in this case, to ride a bike. These conversations show how social identities are articulated on the basis of the staff's experiences.

Summary and concluding remarks

In the Swedish elderly care has the focus on ethnicity predestined that the „ethnic” is a problem that must be solved and both the practice and the research has been absorbed on finding explanations for the so-called „immigrant problem”. In the following article I have exemplified and made reflections on dimensions that are strongly linked to social pedagogy and a theoretical framework on social work with the elderly. The examples have been about how we are to each other, the importance of ethnicity and an argumentation about how ethnicity is doing activities.

To do ethnicity in the context of care giving is to be assigned and to take discursively created subject positions through the constant interactions of the workplace. Through such an analysis it becomes possible to understand ethnicity and race relations as a continuous process revolving around the conceptions of each other's identities. By employing doing ethnicity as an analytical tool, it becomes possible to understand how caregivers, sometimes unwittingly, use ethnicity as a marker for their constructions of care.



The main ambition with this article was to present an alternative model for understanding how ethnicity becomes important in relation to care. A primary purpose has been to place elderly care within a new theoretical perspective, particularly by shifting the focus from ethnicity *per se* to the relational aspect of constructions of ethnicity. I have done that by showing how the ethnic dimension often is located in language use, in the relations created by various discourses and their institutional conditions. These conditions also create spaces of power in working life, pockets of mastery and subordination and the social hierarchies that go with them.

The results show how ethnicity becomes meaningful within elderly care through a detailed engagement with the concept of doing. Using gender theory as a starting point, I present an alternative perspective on ethnicity by analyzing ethnic relations as a doing array of interactions.

References

Butler, Judith (1990). *Gender Trouble. Feminism and the Subversion of Identity*. New York, NY & London: Routledge.

Butler, Judith (1993). *Bodies that matter. On the discursive limits of „sex“*. New York, London: Routledge.

Davies, Karen (2001). *Disturbing gender. On the doctor – nurse relationship*. Lund: Sociologiska institutionen Lunds universitet.

Davies, Karen (2003). *The body and doing gender: Between doctors and nurses in hospital work*. *Sociology of Health & Illness*, vol. 25, no. 7, 720-742.

de los Reyes, Paulina, Molina, Irene, & Mulinari Diana (red.) (2002). *Maktens (o)lika förklådnader. Kön, klass & etnicitet i det postkoloniala Sverige*. Stockholm: Bokförlaget Atlas.

Eliasson, Rosmari (1987). *Forskningsetik och perspektivval*. Lund: Studentlitteratur.

Fairclough, Norman (1989). *Language and power*. Essex: Pearson Education.

Fairclough, Norman (1992). *Discourse and social change*. Cambridge: Polity Press.

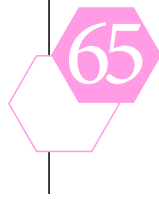
Fairclough, Norman (2003). *Analysing discourse. Textual analysis for social research*. New York: Routledge.

Foucault, Michel (1971). (femte upplagan 2001) *Vansinnets historia under den klassiska epoken*. Lund: Arkiv förlag.

Foucault, Michel (1972). *Vetandets Arkeologi*. DDR: VEB Druckhuas Köthen.

Hall, Stuart (1997). *Representations: cultural representations and signifying practices*. London: SAGE Publications.

Hill Collins, Patricia (2000). *Black feminist thought: Knowledge, Consciousness and the Politics of Empowerment*. New York: Routledge.



- hooks, bell (1989). *Talking back Thinking feminist Thinking black*. Boston: South Press.
- hooks, bell (2000). *Feminist theory from margin to center*. Cambridge, MA: South End Press.
- Hylland Eriksen, Thomas (1993). *Etnicitet och nationalism*. Nora: Bokförlagen Nya Doxa.
- Markus, Hazel Rose & Moya, Paula (2010). *Doing race. 21 essays for the 21st century*. New York: W.W. Norton & Company Inc.
- Joppke, Chistian (2009). *Viel. Mirror of Identity*. Cambridge: Polity Press.
- Lill, Linda (2005). *Så görs etnicitet: äldreomsorgspersonal resonerar om etniska relationer*. Malmö: IMER, Malmö högskola Serie: Malmö studies in international migration and ethnic relations.
- Lill, Linda (2007). *Att göra etnicitet: inom äldreomsorgen*. Malmö: IMER, Malmö högskola, Serie: Malmö studies in international migration and ethnic relations.
- Lill, Linda (2010). *Äldreomsorg - om makt, genus, klass och känslor i ett yrke*. Malmö: Liber AB.
- Lill, Linda (2015). *Etniska relationer och lärande i äldreomsorgen*. I Montesino, Norma & Righard, Erika (red.), *Socialt arbete och migration*. Malmö: Gleerups utbildning AB.
- Pettman, Jindy (1996). *Worlding women*. London: Routledge.
- Potter, Jonathan (1996). *Representing Reality. Discourse, Rhetoric and Social Construction*. London: SAGE Publications
- Robertsson, Hans (2003). *Maskulinitetskonstruktion, yrkesidentitet, könssegregering och jämställdhet*. *Arbetsliv i omvandling*: 2003:13.
- Skeggs, Beverly (1997). *Formations of class and gender*. London: SAGE publications.
- Solheim, Jorun (2001). *Den öppna kroppen. Om könssymbolik i modern kultur*. Göteborg: Daidalos.
- Sollors, Werner (1989). *The invention of ethnicity*. New York, Oxford: Oxford University Press.
- Spencer, Stephen (2006). *Race and ethnicity. Culture, identity and representation*. London. New York: Routledge.
- Sudbury, Julia (1998). *Other kind of dreams: black woman's organization and the politics of transformation*. London: Routledge.
- Torres, Sandra (2015). *Expanding the gerontological imagination on ethnicity: conceptual and theoretical perspectives*. *Ageing & Society*, vol. 35, no. 5, 935-960.
- van Dijk, Teun (1997a). *Discourse as structure and process*. *Discourse studies: A multidisciplinary introduction volume 1*. London: SAGE Publications.
- van Dijk, Teun (1997b). *Discourse as social interaction*. *Discourse studies: A multidisciplinary introduction volume 2*. London: SAGE Publications.



Wearness, Kari (1996). Omsorgsrationalitet. I Eliasson, Rosmari. (red.), Omsorgens skiftningar – Begreppet, vardagen, politiken, forskningen. Lund: Studentlitteratur.

West, Candace. & Zimmerman, Don. (1997). „Doing gender” Gender and Society vol. 1, no.2.



JUSTYNA PILARSKA

University of Wrocław
e-mail:
justyna.pilarska@uwr.edu.pl

A REVIEW OF

„Symbolic violence in socio-educational contexts A post-colonial critique” Edited by Anna Odrowąż-Coates & Sribas Goswami, Warsaw: Wydawnictwo Akademii Pedagogiki Specjalnej, 2017.

The book ‘Symbolic violence in socio-educational contexts A post-colonial critique’ (2017) is packed with theory of Foucauldian ‘governmentality’, the power - knowledge discourses, the Derridian deconstruction and critical political sociology of education embedded in Freire and Giroux concepts. Authors of individual chapters represent scholars involved with both cultural and academic contexts. Authors of individual chapters come from diverse backgrounds across the globe, reflecting vast diversity of thoughts and experiences.

The interdisciplinary nature of this volume relies on bringing together the works of scholars from different disciplines including political sociology, political science, educational studies and anthropology, who discuss how global social and educational institutions are entrapped by colonisation, globalization, entangled in power relations and conflicting ideologies.

The book consists of both theoretical and empirical findings, that tend to produce an exhaustive monograph of perceived/hidden symbolic violence in educational context, considered as a space of social inclusion/exclusion and an ongoing power struggle. The authors of the book use the critical lens of post-colonial theories and analyse endo-exo symbolic exchanges between cultures and other entities, heavily focused on the western influences.

The Preface by Lilia Monzo ties the chapters together and opens readers’ minds towards critical approach of critical pedagogy emphasizing her own personal Marxist humanist lens of enquiry, which does not mean that other interpretative perspectives are excluded. In contrary the book can be read and inter-

preted through multiple analytical looms, making it a very interesting material to work with in promoting critical thought and creative thinking outside of routine patterns, tainted with bias of symbolic violence and preconceptions.

The content of the book was crafted into four thematic sections: 'EDUCATION AND THE FORMS OF 'POST' COLONIZATION', 'SOCIAL ASPECTS OF POST-COLONIAL POWER STRUGGLE', 'CRITICAL REFLEXION ON CRITICAL THOUGHT - THINKING 'OUTSIDE THE BOX'' and the final part: 'SUBLIMINAL STRUGGLE: ART, ARCHITECTURE AND MEDICINE'.

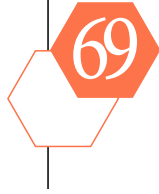
The first part starts with a chapter dedicated to globalization perceived as a form of colonization by Anna Odrowaz-Coates. This opening chapter works as a good introduction to the intentions of the book and is followed by Darrick Smith's, Phillipp Altman's and Luca Salmieri's contributions that consider educational matters such as: trauma and school discipline in the US education, the creation of indigenous subject through education in Ecuador and finally recommendations against neoliberal policy in Italian education system. This part finishes with paper entitled: 'EDUCATION IN TIMES OF UNCERTAINTY. UNCERTAINTY IN EDUCATION. A CRITICAL APPROACH'.

The second part starts with Sribas Goswami's comprehensive chapter on violence against women in India. Attention should be drawn to the next chapter by Kamalini Mukharjee, who researched third gender in Kalkuta and embedded it in a post-colonial discourse of Indian scholars. Her chapter is followed by the following contributions: 'CALABAR LESBIAN CRYPTIC LANGUAGES' by Waliya Yohanna Joseph, 'THE WRITTEN AND UNWRITTEN RIGHTS OF INDIGENOUS CHILDREN IN CENTRAL AFRICA - BETWEEN THE FREEDOM OF "TRADITION" AND ENSLAVEMENT FOR "DEVELOPMENT"' by Urszula Markowska-Manista and 'THE MECHANISMS AND FUNCTIONING OF LINGUISTIC RIGHTS IN POLAND: AN EXAMPLE OF THE KASHUBIANS AND THE GERMAN MINORITY' by Magdalena Lemańczyk and Paweł Popieliński.

The third part of the book starts with conceptualization of Janusz Korczak's pedagogy in the post-colonial context and goes onto an exhaustive review and extended criticism of post-colonial literature by an Algerian scholar Kamel Lahmar. This chapter caught my attention as it contains a very intense literature review (hundreds of publications) of what colonial and post colonial discourses are in the world's literature.

The final part of the book contains a chapter about neo-gothic architecture in Indonesia as a form of cultural oppression of the Indigenous people by the Dutch. The last but not least chapter reflect on India's alternative medicine and refers to medical beliefs parallel to western medical industry and western medical sociology of healing and it can be read as a critical reflection on the dominance of western medicine and western driven medical industry.

This fabulous collection of papers is unique in many ways. Primarily by cherishing the world's diversity of 'Englishes' and by inclusion of both the papers clearly framed by western standards and the ones that escape this narrow and exclusionary framing. The „non-standard” approaches reflect the diversity that the Editors decided to honor to create a truly open space for expression of individuality of the contributors.



I believe that the book makes an important contribution to sociology of culture, the educational studies and political thought. Moreover, this comprehensive volume may become an invaluable resource for all scholars of localization and globalization studies, as well as those in the field of international relations.



ADRIANA MICA

University of Warsaw
e-mail: a.mica@uw.edu.pl

A REVIEW OF

The Return of History: Conflict, Migration, and Geopolitics in the TwentyFirst Century. (Jennifer Welsh 2016 Anansi) and Refuge: Transforming a Broken Refuge System (Alexander Betts and Paul Collier 2017 Allen Lane)

The European refugee crisis made such an impact on the humanitarian, development, political and economic scheme because it indicated that the vulnerability of the European asylum system as well as the fragility of the integration level of the member states in the European Union reached a tipping, if not a breaking point. The crisis that emerged in April 2015 indicated the failure of the United Nations refugee regime and the Common Asylum Policy in Europe, as well as the difficulty to reach a consensus between the European Union member states on how the participation and coping with this problem should be distributed, managed, and even imposed among these. In terms of problematization and engagement in negotiations and debates, the refugee crisis is comparable to the 2008 economic downturn. And as in 2008, the impact of the crisis on the sociological discipline was also felt in the sense that certain topics were brought to the front, while some that were pending reformulation were put in a new perspective.

As can be expected, among the sociological interests and frameworks that were boosted by the humanitarian and development crisis that erupted in 2015, the sociological inquiry into the phenomena of failure and history figures highly. The present review looks at two recently published books, *The Return of History* (Welsh 2016) and *Refuge* (Betts and Collier 2017), in order to establish the manner in which the analysis of failure and history is formulated and in what direction is this heading.

The Return of History (Welsh 2016) shows that the European refugee crisis has its historical predecessor in mass flight

and analyses this episode by looking at the vulnerabilities this crisis revealed in the European Asylum system, with the UNHCR as its main body. Upon evidence of this modern return of mass flight, as well as of the contemporary reincarnations of barbarism, Cold War and inequality, the book reevaluates Fukuyama's seminal thesis about the *end of history*, i.e., about the irremediable victory of the liberal democracy. It shows that the principles of international humanitarian law and the value of fairness are currently challenged on various fronts, by both state and non-state actors, and from within and abroad the democratic regimes. The book builds on this tension between the thesis of the *end of history* and the practice and experience of *return of history*. It discusses topics such as the resilience of liberal democracy, the potential to cope with and recover from crises, the possibility to predict problems and downturns etc.

Refuge (Betts and Collier 2017) takes a very close look at the vulnerabilities of the asylum system governed by the UNHCR body and the manner in which the crisis that erupted required action in terms of ethics, havens, assistance, post-conflict and governance. In a similar vein to *The Return of History* (Welsh 2016), it looks at the refugee crisis in a more global context and shows that the European Union part of it came ulterior in a series of phases that started in 2011 when the Syrian Civil War broke out. In contrast with Welsh's contribution, however, *Refuge* (2017) is one hundred percent focused on the refugee system, to the extent that in its second part this even outlines a new possible approach that would do away with the policy of camps and court decisions, and would not fuel panic. Yet, as in the case of the *Return of the History* (Welsh 2016) the connection with history remains. Just that this occurs less in the manner of a theoretical speculation and more in terms of a counter-factual analysis. Wherein, it is envisaged and rethought a refugee policy that is based on international support for a system that gives opportunities and employment of refugees in the regional havens, i.e. the developing countries which border the zone of conflicts (such as Turkey, Jordan and Lebanon). He takes a special look and discusses chances of implementation and possible benefits in Kenya. Thus, instead of an evaluation of the "return of history", Betts and Collier propose a "remake of history" and "back to the future".

The distinction in terms of internal structure notwithstanding, both these books converge in the fact that they explore the European refugee crisis in relation to failure and history. The following conclusions emerge. First, the refugee crisis should be more accurately depicted as a Syrian refugee crisis, and not a European one. The European dimension is just part of a broader crisis that emerged in 2011 already when the conflict in Syria led progressively to the dislocation of millions of people. In its first phase, this was a crisis of the regional havens countries which could not cope with the flow of refugees anymore. But it spilled over the European system eventually.

Second, the failure and crisis of the refugee policy is not an episodic occurrence, but a problem that evolved incrementally in relation with various vulnerabilities, which to a certain extent could have been avoided. The crisis of the refugee system is not a new problem, but a problem that cannot be ignored anymore. Its hitherto ignorance that allowed the tipping point to be reached was due to a complex of factors, among which the characteristic of the refugee problem as such – the fact that this could be rendered somehow invisible by being delegated to international institutions and subjected to spatial confinement and segregation in camps. But



the ignorance of the problem was also possible due to inherent characteristics of the liberal democracy which is destined to a perpetual state of alert and coping with challenges and failure of all sorts and which simply keep it too busy or distort its attention until it is too late.

Third, the European refugee crises erupted in a liberal democracy that thus far has proved quite resilient to all forms of shocks and displayed the characteristic that although is quite helpless if it comes to predict tipping or breaking points, by ignoring or hiding these, it nevertheless has quite a good record if it comes to dealing with downturns.

Fourth, in spite of the resilience of liberal democracy, the European refugee crisis is also indicative that the modus operandi regarding crises and failures, at least at the level of the European Union, is now put into question. In other words, the European refugee crisis is not only the failure of the refugee policy in European Union but also the failure of the collective coping with challenges of the liberal democracy at European, if not global, level.

To understand all this, a historical account of the domains in which liberal democracy is shown to be vulnerable is essential. History can thus indicate to what extent the contemporary challenges recall events from the past, but also in what way the current crisis defer from these. This would be the more factual account preferred by Welsh (2016). But history can also activate alternative thinking and search for other possible paths to be taken. And this would be the (counter)factual account demonstrated by Betts and Collier (2017). Both modalities of tackling history is possible and this for the reason that both books let actually be understood that the failure of the refugee policy and its vulnerabilities are not linear and irremediable, but contingent on processes related to our society that can be understood, rethought and approached from nonconventional angles.

* The research for and publication of this review was undertaken as part of the project „Zarządzanie europejskim kryzysem uchodźców w sytuacji braku konsensusu. Pojawienie się strategii w Polsce, na Węgrzech i w Rumunii” [Managing the European Refugee Crisis When There Is Lack of Consensus: Emergence of Strategies in Poland, Hungary and Romania] (DEC-2015/19/B/HS6/00080), supported by the National Science Center, Poland.

PAPERS OF SOCIAL PEDAGOGY
*welcomes all submissions that engage
topics related to*



Call for papers

CRISIS PHENOMENA IN THE PERSPECTIVE OF SOCIAL PEDAGOGY

Topics might include (but are not limited) to the following:

- The causes of the crisis: socio-pedagogical diagnosis of crisis situations
- Crisis phenomena research methods: the methodological reflections
- Experiences of crisis in biographies
- Crisis phenomena on a macro and micro scale: empirical exemplifications
- Solving the crisis in practice
- others

Deadline for the submission of proposals for topics and abstracts:
15 OCTOBER 2017.

Deadline for the submission of papers (after acceptance of abstract), along with abstracts and keywords in English / German / Russian: 15 NOVEMBER 2017.

All papers should be original and written in English or Russian, or German. The total page count should not exceed 15 pages (12 font, 1.5 spacing), including spaces and footnotes (Harvard Referencing System).

Each paper will be a subject to editorial and technical review. Papers which pass this stage of the evaluation will be then reviewed by the independent reviewer (blind review). After this stage the paper will be published.

Please include a short abstract of 300 words describing the content and argument of the piece and one paragraph bio (it should include your name, institution, program/department, and an email address at which you can be contacted) to: ***a.ostaszewska@uw.edu.pl***

More information about “Papers of Social Pedagogy” you will find at: ***pedagogikaspoleczna.uw.edu.pl***