

Family Life and Crime
Contemporary Research and Essays

Prace Naukowe



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nr 3600

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Referee
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Introduction

Bringing up the issue of the endangered family or the family life crisis exposes the author to the allegation of preying on the significance of the crisis, and of taking up the role of Cassandra. After all, there is a general consensus about the fact that human beings have a constant need for family life. That need is demonstrated by them at any latitude and in any historical period and in various forms. There is no doubt that, if we define the family as all forms of sex life occurring within a jointly run household, the crisis of family is far from becoming a reality. We are rather witnessing the flourishing of what might be called alternative forms of family life (LAT relationships, cohabitation, marriage intentionally childless, and same-sex couples). However, if we consider the family merely as a marital or cohabitational unit with children, following the tradition of the twentieth century sociology, the family thus conceived is obviously facing extinction. The vast majority of sociologists of the last century defined the family in accordance with the Judeo-Christian family model. This model (woman – man – children) has been copied by numerous primitive societies to organise their sexual relationships, where especially polygamy (also present among the first patriarchs of Judaism) was a frequent departure from the Judeo-Christian cultural model of the family.

Over the millennia, the biological existence of communities and their culture depended on the ritual of pairing of individuals of the opposite sex, more or less faithful to each other, providing lesser or greater care for their offspring. Whether a group was regarded as a family was dependent on the existence of blood ties in this unit. Therefore, a child was indispensable for a couple to be called a family. Currently, the terminology in this respect has fallen into a state of disorder. The ambiguity of the term “family,” which is nowadays increasingly used to define almost any sexual relationship between two people, calls for drawing an arbitrary and also historically sanctioned distinction between a married or cohabiting couple with a child (family) and a childless couple. While a cohabiting relationship with a child should be considered as a formula for family life due to

its reproductive function, regarding a childless relationship as a family results in the fact that terms such as marriage or cohabitation have become synonymous with the term family. The acceptance of such a terminological extension of this latter term leads to family losing its essence and individuality (*differentia specifica*). Natural reproduction of members is an exclusive property of a female-male unit, an attribute of a social group that is called the family, which is unusual somewhere else. Extending the meaning of this term to other groups and social structures deprives it of the methodological validity and reliability, and makes the unique nature of the human community vague. Therefore, in the framework of the presented study, only a unit with children (biological or legally assigned) is regarded as the family.

All functions performed by the family, such as emotional, sexual, recreational, economic, etc., may be identified also in other forms of relationships; however, the reproductive function is an attribute exclusive to the family. The authors consider the crisis of the family as a trend towards its disappearance in favour of increasingly emerging non-family households, or various (homo- and heterosexual) forms of partnership, single-person households (of singles or the divorced), and relationships that aspire to be called the family and appear as its attractive alternative (cohabiting relationships without children, gay marriages, and intentionally childless marriages). It may be frequently noted in this book that all the transformations of family life described above, perceived by adults as liberating and multiplying life satisfaction, actually impair the quality of life of the children who experience them. The indicated regularity of the results of the zero-sum game (adults gain; children lose) is also noted by researchers who explicitly criticise the neoconservative postulate of returning to a bygone era of the domination of the patriarchal nuclear family. Among others, Manuel Castells writes that the main victims of this cultural transition are children, because in the current conditions of the family crisis, they are becoming more and more neglected. The dramatic increase in child abuse in many societies, especially in the United States, may well be evidence of the people's confusion as to their family life.¹ The child's perspective is overrepresented in the present study because the authors are educationalists who professionally deal with the analysis of the educational environment wherein young members of the society grow up. Among others, Section 3.2 (Part 1) comprises a review of the research on a bad psychosocial situation of children brought up in families of an impaired structure or a disturbed/absent marital bond.² Terminological issues concerning the

¹ M. CASTELLS: *The Power of Identity: The Information Age – Economy, Society and Culture*. Vol. 2, Second Edition. Oxford 2004, chapter 4.

² This work deals primarily with one-parent families; however, also “children from informal relationships reach for drugs or suffer from depression twice more frequently. Informal relationships, in comparison with marriages, are associated by the child with lesser commitment, they provide it with lesser sense of security (children in such relationships three times

family, marriage, and gender roles as well as a description of the consequences of transformations in these areas – the most serious among which seems to be the demographic crisis in the countries of the North Atlantic culture, resulting in the West becoming endangered by the booming Islamic civilisation – are comprised in the first part of the work.

Another issue discussed in the book is the empirical study of the problems of the criminal family (together with the presentation of the authors' own research on a sample of juvenile offenders – Chapters 5, 8 and 9). The family is endangered not only by the processes of the desacralisation of the marital bond and pluralisation of the styles of family life, which bring about the disappearance of the traditional model of a married heterosexual couple with children. Regardless of whether it is the family defined by the twentieth-century sociology or by postmodern sociology, it is subject to various social pathologies (including crime and addiction), whose explosion has been facilitated by the processes of urbanisation, social atomisation, the disappearance of social control, transformations in the labour market, the spread of drugs, and the alienation of family members from the real and into the virtual world (the popularity of new technologies). Among a number of symptoms of the contemporary transformations of the family on a global, European, or Polish scale, we can see, among others, an increase in the intensity of the pathological or deviant phenomena in the life of the modern family.³ Violence, alcoholism, and crime in the family, which are considered to be social ills, generally victimise children, who, as a result of these negative phenomena, are driven to crime and addiction. The analysis of the social determinants of turning to crime (family pathologies, delinquent peer groups, absent fathers, and liberal and rejecting parenting styles of upbringing) as well as a discussion of social determinants of criminal desistance as a result of significant, positive life events in the biographies of criminals (both juvenile and adults) are dealt with in Part 2 of the work. Part 3 comprises issues related to: the placement of the research on crime and its prevention in the system of sciences, a review of the latest Polish criminological literature, defining new phenomena in the field of criminal policy (restorative justice), and the description of selected elements of the criminal policy towards juvenile delinquents implemented in selected countries of the North Atlantic culture.

more often suffer from physical, emotional or sexual abuse), and also they reduce their chances of establishing a harmonious relationship in the future. As a result, couples being in informal relationships twice more often split up, and four times more often commit adultery.” See P.G. ZIMBARDO, N.S. COULOMBE: *Gdzie ci mężczyźni?* Trans. M. GUZOWSKA. Warszawa 2015, p. 90.

³ S. KAWULA: “Pedagogika społeczna w początkach XXI wieku: perspektywa integracji i społeczeństwa ryzyka.” In: *Pedagogika społeczna w Polsce po 1989 roku. Przemiany w nauce, obecność międzynarodowa, kręgi tematyczne prac badawczych*. Eds. B. KROMOLICKA, A. RADZIEWICZ-WINNICKI, M. NOSZCZYK-BERNASIEWICZ. Katowice 2007, p. 74.

Last but not least, the authors would like to express their deep sense of gratitude to the Directorate of Polish juvenile detention centres (in Pszczyna, Zawiercie, Racibórz, Warszawa–Falenica, and Koronowo), thanks to which they were able to carry out the study among juvenile offenders in the years 2010–2012. The authors are grateful for the devoted time and favourable attitude towards their research project, conducive to gathering empirical data supporting the theoretical work on the issue of the criminal family and predictors of crime. Thanks also go to Professor Ewa Syrek, Head of the Department of Social Pedagogy at the Faculty of Pedagogy and Psychology at the University of Silesia in Katowice, where the authors are employed, for financial help in translating this work into English, so that the analyses may be presented not only to the Polish reader.

Życie rodzinne i przestępczość

Bieżące badania i rozważania

Streszczenie

Pierwsza część pracy zawiera terminologiczne ustalenia dotyczące rodziny, małżeństwa, ról płciowych oraz opis konsekwencji współczesnych przemian w tym zakresie. Najpoważniejszą zmianą, jak się wydaje, jest kryzys demograficzny w państwach kultury północnoatlantyckiej, na skutek którego Zachód stanął przed zagrożeniem ze strony dynamicznie rozwijającej się cywilizacji islamskiej. Drugi podjęty w książce obszar tematyczny to studium problematyki rodziny przestępczej (z prezentacją badań własnych na próbie nieletnich przestępców). W trzeciej części publikacji autorzy omawiają zagadnienia związane z: umiejscowieniem badań nad przestępczością oraz jej leczeniem w systematyce nauk, przeglądem najnowszej polskiej literatury kryminologicznej, definicją nowych zjawisk w zakresie polityki karnej (*restorative justice*) oraz opisem wybranych elementów polityki karnej nieletnich realizowanych w wybranych państwach kultury północnoatlantyckiej. Wychowawcy, kuratorzy sądowi, pracownicy socjalni, terapeuci oraz przedstawiciele nauki (reprezentanci wielu dyscyplin wiedzy, takich jak: socjologia, psychologia, kryminologia, nauki o prawie oraz systemach sprawiedliwości) mogą korzystać z prezentowanych w książce idei i wniosków.

Familienleben und Kriminalität Aktuelle Forschungen und Erwägungen

Zusammenfassung

Im ersten Teil der vorliegenden Monografie werden die Familie, Ehe und Geschlechtsrollen angehenden Termini und die Folgen des heutzutage stattfindenden Wandels in dem Bereich geschildert. Die schwerwiegendste von ihnen scheint die demografische Krise in den Ländern der nordatlantischen Kultur zu sein, infolge deren der Westen von der sich dynamisch entwickelnden islamischen Zivilisation gefährdet ist. Ein anderer Themenbereich bildet die Studie über Probleme einer kriminellen Familie (mit der Präsentation von eigenen Forschungen über minderjährige Verbrecher). Im dritten Teil der Monografie werden von den Verfassern folgende Themen erörtert: Platzierung der Forschungen über Kriminalität und über deren Behandlung in der Systematik von Wissenschaften; Überblick über neueste polnische kriminologische Literatur; Definieren von neuen Erscheinungen im Bereich der Strafpolitik (*restorative justice*) und Schilderung von einigen in ausgewählten Ländern der nordatlantischen Kultur realisierten Elementen der Strafpolitik den minderjährigen Verbrechern gegenüber. Erzieher, Bewährungshelfer, Sozialbeamte, Therapeuten und Vertreter von solchen Wissenschaftszweigen, wie: Soziologie, Psychologie, Kriminologie und Rechtswissenschaften sind diejenigen, die aus den in der Monografie enthaltenen Ideen und Folgerungen Nutzen ziehen können.

Copy editor
KRYSTYNA WARCHAŁ

Cover designer
MAGDALENA STARZYK

Technical editor
MAŁGORZATA PLEŚNIAR

Proofreader
KRYSTIAN WOJCIESZUK

Typesetting
MAREK ZAGNIŃSKI

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ISSN 0208-6336
ISBN 978-83-226-3099-0
(print edition)
ISBN 978-83-226-3100-3
(digital edition)

Publisher
Wydawnictwo Uniwersytetu Śląskiego
ul. Bankowa 12B, 40-007 Katowice
www.wydawnictwo.us.edu.pl
e-mail: wydawus@us.edu.pl

First impression. Printed sheets 13,0. Publishing sheets 15,5.
Offset paper grade III, 90 g Price 22 zł (+ VAT)

Printing and binding: „TOTEM.COM.PL Sp z o.o.” Sp.K.
ul. Jacewska 89, 88-100 Inowrocław