Thematic Article

Education of the Convicts Serving their Prison Terms in the Slovak Republic

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Abstract

The article deals with issues of educated prisoners. The basic features describe the penitentiary system in Slovakia, convicted as an excluded group of society and the need for their inclusion in society. It focuses in detail on educating convicts, their educational needs and how to implement education.

Keywords: education, society, social inclusion, convicted people, educational needs, post-penitentiary care.

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Introduction

Serious changes have taken place in the prison service in the Slovak Republic in the last couple of years. These changes are reflected in the amendment to the Criminal Code of 2005 as well as in the philosophy of imprisonment and humanisation of the prison service.

The punishment of imprisonment is one of the strictest and most universal punishments in the Slovak Republic; it belongs among the eleven types of penal sanctions. This punishment also represents the most serious form of intervention in one's freedom and citizen's rights. It has three basic functions:

- **Repressive function** – the main aim of this function is to punish the person for the crime committed and to prevent further actions of this kind. At the same time, it also has a deterrent effect on other people in the society,
- **Preventive function** – the punishment can prevent further crimes in the society,
- **Re-educational function** – it emphasizes the transformation and helps develop desirable attitudes in the convicts.

The philosophy of imprisonment incorporates more than just the repressive function, since every prison term (except for the life imprisonment) will end. Effective punishments eliminate the recurrence of criminal activity. This result can be achieved through a positive development of the convict’s personality. For this reason, social rehabilitation as a function is considered significant. Depriving the convict of their freedom by placing them into an isolated environment provides an opportunity to influence their personality in a way that could help them to live a proper life after their release and refrain from recidivous actions.

The fundamental instrument of the penal care deals with the treatment of convicts. Its main aim is to support and develop the sense of responsibility in them. It is also concerned with the observance of law and social standards, positive personal qualities, respect for other people, self-respect, positive relationship towards one’s family and at the same time, trying to mitigate the negative influence of the prison environment. A treatment program is tailored for every convict. The program introduces a purposeful, complex and structured effect on the convict taking into account their personal qualities, specialized knowledge and level of education. Treatment instruments include various methods and forms of pedagogical and psychological activities as well as social work methods, institutional discipline, disciplinary authority, work classification, education, cultural and public awareness raising activities (Act No. 475/2005 on Prison Sentence Execution, § 11, § 15–16).

The punishment of imprisonment in the Slovak Republic is practiced in eight prisons, four detention facilities and a specialized prison hospital. Imprisonment is the punishment for convicts who have received a non-suspended sentence; during their
imprisonment they are deprived of their personal freedom for violating the valid legal standards of the given society by committing illegal acts.

**Convicts as a socially excluded social group**

The number of convicts in Slovakia keeps reducing which can be seen in Table G1. However convicts represent 0.16% of Slovak citizens on average. In the last five years, the average number of convicts serving their prison sentences in the Slovak Republic was 8,691.

*Table 1: Development of the number of convicts in the Slovak Republic to the 31.12.*

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![Graph showing the development of the number of convicts in the Slovak Republic to the 31.12.](source)

Source: Compiled according to the Yearbook of the Social Welfare Department Corps of Prison and Court Guard in 2016 (2017) and the Number of Accused and Convicted Persons document (2018)

Convicts represent a highly heterogeneous group whose heterogeneity lies in its fundamental attributes such as gender, age, education and work qualification. According to the overall statistics (Yearbook of the Social Welfare Department Corps of Prison and Court Guard of 2016), the typical adult convict in the Slovak Republic can be characterized as a 30 to 45 years old male who serves one to five years in the minimum guarding level prison. He graduated from an elementary or high school without the leaving exam and lacks any professional qualifications. As an example, we can list the results of our research that we conducted at the middle and maximum levels of security. Up to 40% of those convicted in our research sample had the highest level of basic education. 42.5% reported their highest level education secondary education without a school-leaving examination, only 16.25% secondary education with a school-leaving examination and only 1.25% university education.

In the last two decades, the issue of the socially excluded, marginalized and disadvantaged social groups has been largely discussed in the professional community. Convicts serving non-suspended sentences in prison belong among groups endangered by social exclusion. Social exclusion is defined as inequality of different individuals or whole groups of citizens in terms of their access to the life opportunities in the society that leads to their social isolation (J. Matulčík, 2012). Convicts are socially excluded mainly in the following ways:
– environment – being placed into prisons,
– socially – social contact limited to other convicts,
– symbolically – mainly by the prejudice of society,
– culturally – this form of social exclusion incorporates the partial restriction in convicts’ access to education.

Ex-convicts released from the prison also represent a disadvantaged group. Their disadvantage “lies in the fact that after their release the ex-convicts are in an unfavourable position in relation to other members of the society since they have been stigmatized with their status. Other disadvantages include the lack of education, qualification, social and communicative skills” (A. Kovač – L. Širova, 2008, pp. 3 – 4).

Inmates represent the highest risk social group; the society does not offer them compassion or understanding and remains unwilling to help them. The more they are threatened by this rejection, the bigger the threat they represent (M. Justová, 2005). One of the fundamental ways to integrate them into the professional and social life after they are released from the prison is undoubtedly education.

**Convicts’ education**

Educational systems may be able to bring consciousnesses closer to one another, therefore, education can lay the foundation for the normalisation of relationships, the evolution of dialogues and human integration over the long term (Harai, 2015, p. 77). Education is a part of the treatment program. It is also characterized as “a set of activities with pedagogical and psychological effect on the convict aimed at social rehabilitation and elimination of subjective reasons for which the individual committed criminal acts….” (Decree No. 368/2008 of the Ministry of Justice of the Slovak Republic publishing the Order for serving of prison sentence, § 24). Convict education is defined as a educational process based on andragogical aspects which influences the convict’s personality. This process contributes to the convicts’ social rehabilitation and helps form and cultivate their adult personalities. Education facilitates their return to the normal life and society after their release.

The aim of education is to develop adequate behaviour and value orientation in line with the generally binding legal regulations in the convict, with the aim to prevent them from returning to criminal activity after their release (Decree No. 368/2008 of the Ministry of Justice of the Slovak Republic publishing the Order for serving of prison sentence, § 24).

Upbringing and education are interconnected in terms of their aims. Their common goal is to develop the convict’s personality and help them adapt to the normal life after being released from the prison. It relates to their abilities to follow the valid legal standards of the given society and live a fulfilling life in professional, social and cultural areas.

The achieved qualification level is one of the conditions of successful adaptation after the release. Giovanni Delaere, Sophie De Caluwe and Geraldine Clarebout (2013, p. 3)
claim that low qualification constitutes one of the differences between the target group of convicts and other members of the society along with the high unemployment and low activity rates among the ex-convicts. Gaining a higher qualification can be of a great help for convicts in the labour market. Unemployment also represents one of the reasons for recidivous behaviour. Although not all criminal offenders and convicts lack education, it characterizes a large portion of this group. An example characterizing the level of education of convicts in Slovakia is mentioned above. In our research the subjects with relatively low education constituted a large group.

Education of convicts in the treatment programme fulfils mainly the following functions:

- social rehabilitation or reintegration – a return into the society,
- re-education – correction of behaviour to an acceptable or required manner,
- prevention of recidivous behaviour,
- facilitation – facilitates and navigates the convict’s life after their release,
- adaptation – helps the convict deal with changes, adapt to conditions in the society, particularly after long-term imprisonment. This function helps to prevent or to reduce their cultural shock.

**Legislation regarding the education of convicts in the Slovak Republic**

The Slovak legislation does not recognize the term „penal“ (penal system), not even in terms of education, it employs merely terms such as “education” and “convicts’ education”. However, education is one of the treatment methods and it belongs among the convicts’ rights.

Convicts’ education is a set of activities requiring their active. Activities focus on their incorporation into the society in accordance with their personal and social needs. A successful completion of the educational course is usually confirmed by issuing a certificate to the convict by an accredited institution. The certificate must not obviously show that its holder completed their education in a prison (Act No. 475/2005 on Prison Sentence Execution, § 32). Convicts’ education consist of:

- general education,
- cultural and sport activities,
- social education,
- using of library funds, which are free of charge (Decree No 368/2008 of the Ministry of Justice of the Slovak Republic publishing the Order for serving of prison sentence, § 44).

Educational activities are performed in all prisons and for this purpose the institutions establish classrooms, detached classrooms and alternatively also classrooms for practical teaching. Educational activities take place on a daily basis but convicts can also apply for individual courses. Foreign convicts or convicts without citizenship who do not
speak Slovak are provided an opportunity to learn Slovak facilitated in a language they do understand. If the conditions allow, such convicts are further educated in a language they do understand (Order No. 7 on education and organization of leisure activities for accused and convicted persons, § 2–4).

A number of educational organisations can participate in convicts’ education, mainly schools located in the vicinity of the given prison. Other institutions include citizens’ interest associations, registered churches, religious societies, etc. Education is provided based on a written contract or project between the director general of the given institution and the prison director. Convicts’ education can be funded by the relevant prison itself, European Union, Slovak state assistance programmes or other grants (Decree of the Ministry of Justice of the Slovak Republic No. 368/2008 Coll. on Issuance of the Order on Service of a Term of Imprisonment, § 44).

Adult convicts’ education is defined as an intentional and purposeful process of gaining new knowledge, skills and abilities. It can also include restoration of convicts’ existing skills. „Through educational activities, we develop a person’s knowledge, abilities and attitudes required in their work and personal life” (V. Prusakova, 2005, p. 26).

The Social Welfare Department of the Corps of Prison and Court Guard also devotes time to the convicts’ education. It states that “to achieve the educational goal of the prison sentence it is necessary to improve convicts’ education through requalification courses in order to help them succeed in the labour market after their release” (The Concept of the Prison Service for 2011 – 2020, 211. P. 11). Although education which provides a certificate upon completion is gaining popularity, we believe that other types of education also play an important role and are of equal importance. Their common denominator is the development of knowledge, skills and abilities in convicts which will allow them to manage their life after their release.

**Particularities of convicts’ education**

Convicts represent a specific group in terms of environment as well as personal characteristics. It is a socially excluded group that needs considerable attention if the purpose of their punishment is to be achieved. Working with convicts requires for a number of circumstances to be taken into consideration (legislation, teaching staff, material conditions, social climate, individual personalities, etc.).

Convicts are a heterogeneous target group with significantly ranging attributes such as age, education, health, previous criminal activity, life and educational opportunities, skills, abilities and value systems. It is necessary to perceive convicts as individuals if their education is to achieve its goal. Otherwise, adult convicts might not be willing to pursue it.

The most important and fundamental factor in education is motivation. Motivation is essential in terms of participation, persistence and successful graduation. Motivation
factors in adult convicts can be divided into internal and external ones. External factors include the desire to fulfil other people’s expectations (family, friends, Corps of Prison and Justice Guard staff). Internal motivation factors include compensation of the educational deprivation to help the convicts in their future professional life and also adaptation to social and cultural life. Further motivation factors include the belief that education is important, one’s personal interests, actual interest in gaining knowledge but also the opportunity to escape the problems emerging from the complicated life situation. The last factor is concerned with spending free time in the company of other people.

If the convicts lack motivation, educators from the Corps of Prison and Justice Guard play an important role as motivators. These educators should help the convicts understand how education will help them manage their lives after they are released.

For sustaining the convicts’ motivation to gain education, it is important to eliminate barriers in education which are frequently present in this specific environment. The problem can be rooted in the absence of one’s drive to study or their inability to do so; in other words, passivity and the lack of motivation. Sometimes, the target group is not convinced about the benefits of education in solving of their problems.

Barriers in convicts’ education can be categorised as following:

- Typical barriers, however, usually eliminated in the prison environment, include lack of time, high costs, too many duties, need to travel to gain education, inability to navigate through the offer of education opportunities,
- Barriers arising from the educational system itself – the offer of educational opportunities does not reflect the actual educational needs of convicts, selection of participants for individual educational activities,
- internal barriers – a negative attitude towards learning, absence of learning habits, lack of conviction about the significance of learning, doubts about one’s ability to study, low self-respect and self-confidence.

Adjusting the types, forms and methods of convicts’ education to accommodate the aforementioned specificities is mainly the educator’s task. Educational projects targeted at these groups firstly need to identify the group members with relatively similar educational interests. It is further possible to create similar educational programmes for these group members, select the educational content to accommodate their interests and thus create “tailor-made” educational programmes (Z. Palan, 2002). Tailor-made educational programmes for convicts proved successful also in Nordic countries.

**Convicts as a target group of social andragogy**

Andragogy, as a modern educational science, takes into account the specificities of adult education. Prisons are a typical environment in which adult education takes place as the number of non-adult inmates represents merely decimal numbers.
Social andragogy is an applied discipline. It refers to upbringing, education and counselling of specific groups of population in problematic social situations or undergoing changes which are difficult to handle even for adults. Typical social andragogy target groups include ethnic groups, unemployed people, seniors, immigrants, asylum-seekers, people who suffer from substance and non-substance addictions, parents on parental leave, parents returning from the parental leave, homeless people, convicts with both suspended and non-suspended sentences, and last but not least, ex-convicts.

Due to the specificity of their problems, prisoners belong among the traditional target groups of adult education (M. Beneš, 2008, p.88). Specialized literature classifies convicts as one of the target groups of social rehabilitation in (special) andragogy (A. Tokarova, 2003). Special andragogy is one of the recently emerged andragogic disciplines dealing with “...upbringing and education of handicapped, disturbed and otherwise endangered adults, or more precisely, with education of adults with special educational needs. Social andragogy includes re-education of people with hearing, mental, visual and physical impairments, adults with health issues, but also talented and gifted people with multiple disabilities as well as behavioural, emotional, communication and learning disorders. Special andragogy ....deals with the questions of complex rehabilitation care, educational rehabilitation, integration of disabled persons and disturbed adults in the intact population, etc.” (G. Porubska – C. Hatar, 2009, pp. 34 – 35).

Special andragogy and rehabilitation can serve mainly the adult convicts with diagnosed mental or physical disorders via education and training this target group. They need a special educational approach including an adjusted curriculum. People with special needs can be found in every social andragogy target group. Since it is not possible to generalize special needs in education for convicts as a group, from our point of view, they represent a social andragogy target group.

The role of the andragogue in the prison environment

Although in Slovakia a social andragogue is not considered an independent occupation, “it can be said that a modern expert in andragogy with complex social and andragogic qualifications meets the relevant professional requirements” (C. Hatar, 2012, p. 132). In specialized literature, andragogues are categorized among the helping professions that are supposed to help solving physical, mental, emotional, social and spiritual problems.

Every prison has a specialized department which includes a sub-department managing the pedagogical and psychological activities. These departments employ specialized Corps of Prison and Court Guard staff which is in the direct contact with the convicts; other staff includes educators, social workers and psychologists. They represent the triad of the penintentiary professionals. Each of these professions approaches the issue of convict resocialization from a different angle and uses different tools. The primary
role of the prison educator is to help develop convicts’ personalities through an educational influence.

The educator positively affects the individual’s personality components in the process of education, mainly in the areas of moral education (moral imagination, opinions and beliefs, emotions, habits and customs, will, character, moral relationships), legal and social education (developing the convicts’ sense of justice, mutual help and cooperation). The aim of the abovementioned is to teach the convicts to interiorize the moral principles and norms appropriate for a civilized democratic world. These standards and principles represent the foundation of moral beliefs and thus also motives of adult behaviour (J. Perhacs – P. Paška, 1995).

We hold the view that the educator’s most important role is not the teaching itself, but rather the management of education – which is why they should possess a complex andragogic education. They should be able to analyse convicts’ educational needs but also plan, manage, organize and facilitate education within the formal system of education (primary, secondary and tertiary education) as well as within the non-formal one (external educators, civic associations) and to provide convicts with tailor-made education opportunities. Education of convicts should be provided in the cooperation with external assistants.

Our claims are also confirmed by the relevant international document which states that the prison staff should facilitate education for the inmates, support them and reasonably allow the public to participate in this process. Educational programmes should be provided for convicts. Prison educators should be acquainted with the relevant adult educational methods (Recommendation No. R (89) 12 of the Committee of Ministers to Member States on Education in Prison. 1989).

The key component of an educator’s work, is education of the adult population. Since andragogy, as a scholarly field, deals with adult education and consultancy along with its sub-discipline known as social andragogy, it is considered inevitable for the Social Welfare Department Corps of Prison and Court to hire staff with proper andragogic qualifications. Experts in this field meet the specific demands arising from the adult educators’ role with the Social Welfare Department Corps of Prison and Court which should be taken into consideration in the recruiting process. We are convinced that this step would lead to a significant improvement in convicts’ education as well as in the whole prison educational system.

Last but not least, we consider the term “educator” inappropriate and suggest to replace it with the term “andragogue”.

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