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Reification and Post-Anthropology of the Law on Youth Social Therapy Centers

Abstract: This scientific study pertains to evaluation of imposing, on non-public entities which run youth social therapy centers, the duty of establishing a school within their organizational structure, as a result of changes introduced by the Act of 20 February 2015 amending the Education System Act and some other acts. The legal basis, for determining to what extent socio-therapeutic actions produce the desired effects with regard to young people and social institutions, is constituted by the currently binding provisions of the Education System Act of 7 September 1991 as well as the Regulation of the Ministry of National Education of 2 November 2015 on the types and detailed rules for operation of public institutions, conditions of residence of children and youth at such places as well as rules and amounts of payments made by parents for their children's stays at those facilities. The general aim of pedagogical efforts should be successful socialization of juveniles, which contributes not only to their socialization and integration with the community, but also, at a more general level, to the homogeneity of norms and values necessary for unity of the whole society.

Key words: Reification, equipotentialism, equifinality, interpretive paradigm, structuralist paradigm, functionalistic paradigm.

Structure and context of the disquisition

The rationale employed by the legislator is the argument of a systemic solution for the youth education process at the place where such youth is staying. The most general definition of a system states that it is an ordered composition of

elements which creates a coherent whole. The basic feature of this whole is that it is not an ordinary sum of its elements. The statement formulated by Aristotle claiming that “the whole is more than the sum of its parts” is a view that reflects systemic thinking and, at the same time, expresses the general dimension of the system. To describe a system, important is the property according to which any change in any part of the system affects the remaining parts (Laszke 1978, p. 29).

This is also connected with other operating principles of a system: equipotentiality and equifinality. The former means that causes which come from the same source may bring about different results. And according to the latter principle, after departing from different sources, it is possible to arrive at the same results. If both these principles are combined, we may conclude that there are no simple relationships between cause and effect.

The concept of a system is a relative articulation. Elements making up a system may simultaneously constitute components of another system’s environment. Here, we arrive at the concept of an environment which, in a way, is inseparable from the concept of a system. In practice, we understand the system’s environment as the fragment of reality that is not the system, but with which the system comes or may come into some contact. Systems differ in terms of the level of openness. A closed system does not accept anything from the outside and is, therefore, headed in the direction of entropy (a tendency toward disorganization) (Szymański 1991, p. 96). Such systems operate within their own impenetrable boundaries, through which energy or information cannot be transferred. Open systems exchange energy with the environment because their boundaries are at least partly open. All the so-called living systems constitute open systems and have a tendency toward maintaining a state of negative entropy (negentropy), which is reflected in the system’s inclination toward maintenance of order.

The proposed statutory solutions treat the education system mechanistically, and practically put it at risk of equipotentiality which entails regression and ineffectiveness of actions. As a closed model, it is headed toward ghettoization of the patients of youth social therapy centers and thus generates unfavorable processes of personal, communal and cultural/civilizational disintegration.

Qualification of legal solutions at the paradigmatic level i.e. based on evaluation of a collection of general premises necessary to define the studied subject, requires previous reference to knowledge in the field of social sciences – one of which is law. According to the rules of hermeneutics (cognition), the concept should be analyzed within at least two key categories: person as the subject/object, and community as a good based on social solidarity or rules of environmental and transcultural utility. As far as questions about the nature of a person are concerned, there would be two basic stances: voluntarism and determinism. In the ontology of voluntarism, the will is deemed to be the primary principle organizing its internal environment (and, at the same time, the reason for changes that happen in a person is the person himself/herself, or rather his/her will). One

must acknowledge that the basic principle that organizes a person's development in determinism is the network of cause-and-effect relationships. An individual is determined by the actions of other entities which condition his/her development, set the boundaries and possibilities of his/her assertiveness.

If now, on the plane of a world of objective content of thoughts, we combine the subjective approach (nominalism and voluntarism) with the objective approach (realism and determinism), then the analyzed phenomenon may be viewed in four variants – constructs – as distinguished by social sciences. These are: humanist paradigm, interpretative paradigm, structuralist paradigm and functionalism.

The first one regulates all the influences of the external environment that would be supposed to have domination over individual choices of the state of freedom and responsibility, as well as over the individual's freedom to take on social commitments. The second variant prefers homogeneity of actions to understanding how individuals gain awareness within social structures. Therefore, the interpretative paradigm is interested in the reception of a subjective personal experience by testing knowledge in specific communities.

In light of the structuralist paradigm, there exist objective structures in which life happens, whereas explanation of their deterministic relationships gives sense and direction to the planned social intervention. Every individual occupies a particular place in the social structure and is subjected to the influence of external processes that shape his/her destiny. In terms of relation to social change, structuralism is a common denominator for radical theories of conflict, but not between an individual and the society (as is the case with the humanist paradigm) but rather between institutions of the external environment fighting for domination over social distribution of goods (Rubacha 2003, p. 60).

The last pattern of modeling the reality, i.e. the functionalist paradigm, construes the social world as an objective entity with ready-made structures that regulate an individual's life (determinism). The basic category of description is the cultural system that makes the personality of individuals subordinate to itself.

An education system that affirms the obligatory nature of school in the organizational structure of public social therapy centers is a conscious and deliberate choice of the quality of law that arises from the structural and functional paradigm. This choice definitely rejects the humanist-interpretative patterns of thinking (Jajuga, Wrzosek 1993, p. 18). Considering the subject of the positive law's regulation, which should assume actions for the benefit of the youth, choosing such a direction for modeling of social reality should be deemed highly reprehensible. Treating the patients and the social environment as material entities (reification) remains in complete relevance (opposition) to the goals, stages and strategies of socialization proceedings on socially-threatened young people who stay at social therapy youth centers.

The legislator's argument that the education system forced homogeneity of organizational solutions for all public entities conducting educational operations is an approach that reflects symplistic (simple) and symplicistic (inaccurate and generalized) reasoning. Normative restrictions like these break with basic axioms of systemic thinking which should always be included in the institutional, social and axiological contents of legal norms (Kwieciński, Witkowski 1993, p. 18). Expulsion (removal) of the normative essence from the provisions of the law leads to its primitivisation because the ontological value (nature of an individual) and the gnoseological value (source of reason) are negated.

Eclectic-synergetic generation and processing of knowledge is a processual act that should be based on five axioms i.e. general statements that do not need to be proven. These should include the axioms of: synergy, context, equivalence of systems, diversity and efficiency. Synergy is an element of cooperation of two or more factors in some process or system. The whole, i.e. the system, is not a simple sum of its parts – it acquires features that its individual parts do not have.

In the present analysis, the centralized approach, which brings together in one place a social therapy center with an educational facility, is a solely relative-value fact that eliminates the processes of joint action, cooperation, exchange and development between the internal environment of a youth center and the external local environment in which the educational facility operates. The axiom of synergy rejected in the pre-assumptive axiological thinking practically prevents realization of the emergent state as social inclusion, which should constitute the horizons of every social control and change.

Every system is a selected part of reality. In other words, model understanding cannot be limited only to itself – to its components and relations between them. The reality that surrounds us is continuous and every organized ontic entity must be treated as a dimension of some broader dynamism. Therefore, every organized social order – system – must be subordinated to this broader whole, namely, be subject to specific influences of other predictors which (should it be treated as a separate whole) constitute its environment (Golka 1992, p. 54).

When diagnosing the subject of cognition based on the axiom of context, we note the degree of its coherence with the external environment and thus determine a field for causative actions that correspond to segregational, integrational criteria or to social inclusion (Kieszkowska 2012).

The measure of external isolation directly conditions the state of internal isolation in every institutionalized system, and emphasis is put on evaluation of all the factors that condition its development. In light of cognitivist knowledge, the reformist approach – which depends on a clear superstructure of and preference for legal/organizational solutions characteristic of segregation or integration, but rejection of the variants of an open school in the socio-inclusive space – turns the process of control and change into superficial actions.

The choice of affirmed structural solutions for social therapy centers makes them entities subjected to administrative control and management, thus significantly reducing or even eliminating the processes of self-education, self-awareness, self-organization and self-reflection of education of these youth centers.

The 'equivalence of systems' axiom means that collective outlays can be equivalent in terms of the achieved results-objectives, functions and features. However, each of them may be characterized by a different measure of efficiency and effectiveness and by different costs of building and functioning (Białyszewski 1972). Profitability of an institution as a system, and improvement of its position in the social structure, can be achieved in various ways, but every action will entail different costs. In light of praxeology as well as organization and management, an organizational structure is always secondary in relation to the essence and contents of the subject of control and change (Sztumski 1987, pp. 15–16). The ontic essence that constitutes the axis of the planned influences is supposed to be educational activity addressed to young people who are at risk of moral corruption or who exhibit symptoms of antagonistic/destructive behavior.

At the level of planning of the strategy for socialization procedure toward juveniles, a series of these endeavors must always be constructed as the central ones, taking the following criteria into account: relevance, permanence, efficiency, effectiveness, functionality, innovation and cost-intensiveness. This kind of dimension of change, which confirms realization of said protective factors, should be the basis for incorporating organizational/managerial structures into the composition of the compatible/eclectic system.

Modeling of causative achievements that ensure their efficiency and effectiveness can be done when the programmatic offer addressed to juveniles remains symmetric and functional in relation to the institutional superstructure. Building a school as an open entity in the exosystemic space, and incorporating it into the closed structure of a social therapy center, leads to dysfunctionality of the results and thus pathologizes any intra-organizational processes and the institution of the social therapy center in itself.

The factor of cost-intensiveness overlooked by the legislator as one of the predictors and rejected as a result of affirming a centralized normative solution reflects conscious and deliberate actions without an economic justification, in the name of maintaining the disorganized system of its existence.

Ashby's axiom of diversity states that a system's norm is balancing the diversity through another activity of this kind. The degree of multi-factoriality and flexibility of a model's elements depends on the diversity and variability of inputs thereto. What becomes a measure of an organized entity is the sufficient size of a system's components and degree of their flexibility in confrontation with the environment in which it will operate. Flexibility of every predictor that makes up a model must be balanced and correlated with the flexibility of all the other dimensions. The designed collective system must be homogeneous so that none

of its features become an obstruction leading to degenerative phenomena thus impairing its functionality. On the other hand, excessive flexibility of one of the singular elements only causes an increase in the costs of a system's functioning at the stage of design and operation (Rapaport 1963).

Considering the current legislation concerning the obligation to incorporate a special school into the structure of a social therapy center for youth, it should be noted that it rejects the axiom of diversity as a determinant of rational acting. Therefore, the organizational structure cannot 'flatten' or limit the types of treatments responsible for the success of the process of youth resocialization.

Based on psychopedagogical sciences, a permanent change in an individual's behavior can occur in the model of additive proceedings which take into account the variety of dynamisms and their corresponding dimensions in the area of the individual's personality. An open school is the only feasible proposition because, in the interactive space, dynamisms of positive disintegration can be released which condition the reintegration of a person (Szkudlarek 1995, p. 118). Overcoming of social barriers is a natural road to redefinitions in the field of motivation, self-evaluation, self-awareness, self-esteem and participation in culture by underage people. Designing an educational model that is homogeneous for all of its participants sets out a geography of caregiving, educational and therapeutic activities that correspond to individual expectations and needs.

Good law, on the socio-axiomatic plane, is an offer of diverse elements allowing them to be balanced in an open environment which guarantees inclusivity in terms of shaping the immunity and elasticity of personality traits in patients of social therapy facilities. Under the rigors applicable to resocialization of children who exhibit externalizational/internalizational disorders, the area of pedagogic influence in an open local environment allows to mold positive changes conducive to developing friendships and reducing victimization (Baładynowicz 2015).

Maintaining the axiom of diversity and its balance in practical educational actions comes down to forming many developmental dynamisms, including: social participation, understanding of emotions and feelings, self-control, communication skills, pro-social skills, the ability to solve difficult problems. Each of these dynamisms requires formation of a developmental trajectory that runs in a system of multi-level and multi-plane changes in the specific psychological profile for juveniles. Only the conditions of freedom, as opposed to institutional conditions, to ensure the process of school education for patients of a youth social therapy center, make it possible to develop a syndrome of multi-factorial acts of operation and thought as meta-needs and real transgressions aimed at reintegration of juveniles.

The last axiom, neglected by failing to include it in the contents of statutory solutions, is the axiom of a system's efficiency. It consists in ensuring the reliability of targets, resistance to interferences from the environment, and flexibility allowing to maintain positive results measured by efficiency and effectiveness of

real changes in the process of control of social change. In order for resocialization, which in the analyzed youth happens outside the familial environment, to be a constructive process of personality transformations, it must become a part of the education strategy. In the systemic approach to education, socialization is understood as all the effects of acquisition (under the influence of the social environment) of mental predispositions that make an individual able to live in a civilized society (Frąckiewicz 1980, p. 41). It shapes a human's personality and adapts him/her to life in a community; it allows to communicate and intelligently act within it and teaches how to behave in order to achieve life goals.

Introduction of a statutory provision that reduces education through socialization as a result of taking the school facility out of the open social sphere, leads straight to pathologization of juveniles' behavior.

Reduction in the sphere of social interactionism results in creation of great difficulties in adaptation to life in a community because the individual does not learn the appropriate codes – behavior, language, intellectual abilities or moral sense. The general aim of pedagogical efforts should be successful socialization of juveniles, which contributes not only to their socialization and integration with the community, but also, at a more general level, to the homogeneity of norms and values necessary for unity of the whole society (Bałandynowicz 2012, p. 113).

Adoption of a normative model in the practice of socialization of youth, who exhibit careless and immature behavior, consisting in sealing off the social therapy facility from influence of the social environment through incorporating a special school into its organizational structure, is a solution from the field of social engineering. It is devoid of the material features and properties that allow juveniles to achieve changes in behavior and attitudes as a result of redefining an individual habitus toward a communal habitus. According to the theory by Pierre Bourdieu, an individual recreates the quality and level of life of the predecessors because of the previously defined habitus i.e. learned personal predispositions in order to perceive, think and feel in a specific manner. These have their own dynamics and range contained within the social trajectory i.e. stagnation, promotion or demotion as a result of an individual positional status which is the response to a social status. The binder that brings together a person's thought, action and experience with the external environment is the exosystem, which is expressed by cultural solutions. The basic cultural institution is the school facility which implements strategies for education of an individual. At the level of cultural pedagogy, one may deduce, based on theoretical and practical logic – knowledge and expectations, that a law, which articulates changes enabling promotion and boosting someone's self esteem, is a source of positive culture-forming solutions. Thus, if a facility combined with a special school constitutes a coherent system effectively isolated from the culturally diverse external environment, then the effects in the area of education of youth can only boil down to stagnation or degradation (Bałandynowicz 2015, p. 173). So, on a macro-structural scale, a system, which

should be aimed at intrapersonal and interpersonal activities in the cultural/civilizational sphere in order to sensitize to promotion and positive redefinitions of personal/communal inequalities of a social therapy center's patients, is deprived of essential antecedents (features) that would ensure pro-social efficiency and effectiveness.

On the micro-structural plane, the phenomena of cultural impoverishment and exclusion – as a consequence of preferring a law based on expressly isolating socially unadapted people from cultural institutions of the external environment – occur more clearly. From the individualistic point of view, only the process of socialization of a person that allows to gain independence from the influence of the previous environment, has the causative power, by releasing life energy toward achieving authenticity in the choice of behavior and attitudes. Practical and daily assimilation of values under the influence of the external world, as opposed to a world placed in an isolated institutional system, provides the youth with developmental dynamisms exceeding their previous state of social ill-adaptation into positive ill-adaptation. One should definitely show and emphasize the need to release – in youth who manifest passive, withdrawn or anxious-aggressive attitudes – a personal rebellion consisting in resolutely rejecting the affirmative adaptation and conformism of the possessed communal habitus.

An individual who enters into various social interactions, on the plane of an open school, with peers who do not have similar identity traits, becomes ready to gradually release the state of personal zeal, an active life attitude, and at the same time enables the shaping of needs associated with the sense of life (Baładynowicz 2014, p. 79).

Bronfenbrenner and Hartup's theory suggests that a positive peer group is a counterbalance to a social group defined by the similarity of the features of the individual and social habitus; thus shaping the 'two worlds' of childhood and adolescence in youth. The latter world enables internal experiences of socialized youth that were not previously known and allow to shape a network of values as a stable development system based on knowledge and registered new facts of social communication with the peer environment. A diverse school group, as opposed to negative selection that groups individuals of similar dimensions of personality disorders, teaches every participant communal needs responsible for successful realization of the resocialization process. These include: reciprocity, cooperations, negotiations, compromise, friendship, social skills, participation in various activities, accepted ways to resolve difficult situations including conflicts and emotional/affective bonds that determine the state of internal reactivity of an individual.

Selection of the school (peer) group – which constitutes a relevance (opposition) to type and kind of the individual's previous internal environment determining his/her individual and supra-individual (group) habitus – is a necessary element of the process of empowering a person and making him/her the admin-

istrator and originator responsible for his/her own life. Otherwise, the individual becomes a means that is subordinated to external control and is subject solely to the influence of a system based on command/prohibition articulation – institutional control. According to Charles Cooley, the attributes of a person as a social being can develop only in a diverse and open educational space because this is a necessary system in which biological existence and psychological/spiritual self-realization occur.

A legislator, who adopts the concept of separation between various culture-forming processes occurring in the closed and open environments, proposes a model for rationally creating an individual's awareness of the social reality. In the proposed legislative solutions, an opposite way of thinking was adopted, deciding that socializational influences are an inseparable part of educational and developmental proceedings of an individual and should be one and the same on the institutional/cultural plane. The consequence of this kind of view was incorporation of an open communal structure sensitive to all the influences of the macro-structural environment – a special school – into the closed space of a social therapy facility. The proposed systemic model significantly limits the society's insight into the issues of real needs ensuring efficiency and effectiveness of causative actions undertaken by social therapy centers. Further consequences are the unfavorable changes in the public awareness that distort the picture of the patients' personality condition and the role which should be played by the organizers – teachers and pedagogues – in the educational strategy (Kamiński 1982, p. 77).

In light of Zbigniew Zaborowski's theory, it is associated with a sum of internal and external experiences including the individual's behavior through the performed social roles and relations in which it matters. In the scope of the theory of consciousness, four forms thereof should be distinguished: personal, defensive, external and creative, which become the result of a person's moral/social development and are responsible for the dynamics of shaping his/her identity.

This cognitive interpretation of the role and meaning of a person's consciousness may be used to construe the psychophysical condition of an individual in order to paint a picture of one's own state of nature and to determine the degree of socialization under the conditions of communal life. The personal, defensive and external dimensions of the state of consciousness determines a person's identity at the material/object level, and only a change in the creative/reflective consciousness makes a person recognize his/her own autonomy and subjectivity.

The latter perspective of the state of awareness boils down to a person accepting him-/herself along with any resources and potential, and directs the individual's behavior in a continuous and dynamic way towards reintegration, sharing educational experiences and the realism of one's own chosen action. But the existing law basically limits the flexibility and alternativeness of the manifested self-awareness forms because it glorifies the passive form of self-determination to patients of a social therapy center, which is responsible for their sensory sphere.

Sealing the school off in the closed institutional structure of the center limits the interactional network of social communication among representatives of the exosystem and has an influence on the extent of their knowledge, self-awareness, behavior and attitudes toward individuals who exhibit symptoms of social disintegration. Maximum reduction in the exchange of stimuli between participants in the system and people in the social audience, according to the theory by Dodge and Crick, has an influence on consolidating the role of stereotypes, myths, conservative thinking in perceiving the image of reality. The concept of processing information says that knowledge – of functioning of the youth who manifest developmental deficits, use of the social potential in mutual cooperation for them, and the possibility of enriching people toward empathetic, pro-social behavior via own developmental dynamisms – is significantly limited and thus distorts the sphere of motivation, thought, perception, memory, sensitivity and feelings/emotions of common citizens in the society.

The conservative-liberal approach reflected in positive law as maintaining a sealed isolation/spatial structure in the form of a special school in the composition of a centralized education system, translates not only into a state of social self-consciousness but, more importantly, into a declared and realized level of communal support (Baładynowicz 2007, p. 45).

In reference to Antonovski's theory, social support can take the following forms: instrumental, informative, evaluative and emotional. In the case of general self-consciousness burdened with schematic and archaic/mythical thinking as regards the phenomenon of social ill-adaptation of youth in the period of school adolescence, support from the community becomes a relict action and does not assume valuable forms of equalization of differences in the positional habitus of youth with developmental deficits. The unfavorable image of the society's external self-consciousness, which has a direct impact on their reactions and attitudes to people who manifest symptoms of degenerative behavior, can be described as a phenomenon of mythologization of truth. Lack of social comfort eliminates trust, acceptance of otherness and tolerance for differences, due to which the community of socially ill-adapted people recognizes their life situation as banishment, defavorization or exclusion from the general human community.

The analyzed legal and organizational system for juveniles staying at youth social therapy center, in terms of educational rigors, provides information about the fact that its coherence and homogeneity have an exclusively formal nature. The source of its contents – normative essence – are not individual, communal or cultural/civilizational values, but solely economic/administrative categories that correspond to the post-anthropological ideology. Apart from the institutional and social layers, good law should always take into account the axiological order for all the parties/participants in collective life.

The legislator's decision that an open institution of common culture, namely, school, is to be located within the structure of an institutional facility, means

definite breaking with the world of values. And so the individual good of the youth has been violated by depriving it of the space of external freedom and the right to choose a school in the local environment. The indispensable and universal attribute of humanity is the state of an individual's freedom. For juveniles who exhibit characteristics of social disintegration, creation of additional barriers, experiences and closures for interactive activity in the area of the environmental exosystem is nothing more than limiting the freedom and, therefore, making them unlearn alterocentric (pro-social) behavior. As we strive for maximum cumulation of various cultural institutions in one place, we establish primacy of social engineering instead of humanization or autonomy of human life. The person, who is subjected to restricted rules and principles of the educational strategy at an institution facility, is treated as a means and not as a target in him-/herself, due to the considerable depletion of the sphere of freedom.

In pedagogical interactions, one must always remember about the need to strengthen the values of the educated person in him-/herself (the hubristic need), the values of teaching effective action (the need of coherence) and the values of human autonomy. This 'Arcadia' in personal terms may occur when the system creates real opportunities for independent decision-making, including the juvenile's right to choose a school (Elliott 2011, p. 15). The personal dimensions – self-awareness, self-education, self-affirmation and self-reflection – which are responsible for reintegration of juveniles, may become a benefit for psychological changes only when individuals are given the right to freedom and the right to choose in an open oscillatory (external) environment, with school as the place of shaping cultural identity.

Thanks to an individual's material experience of the state of autonomy, which results from freedom and liberty of his/her own choices, we can achieve sublimation (refinement) of behavior, reactions and attitudes of a human, including the dynamism of responsibility and taking on commitments to other people. The primary goal of the educational strategy in the form of shaping personal identity with only partial values: freedom of choice, responsibility and freedom of voluntary commitments that are taken on, can be achieved in an inclusive system/model and not in an integrational or segregational model for juveniles. The position of school, with an offer of education that 'seeks' rather than corrects in the system of social inclusion, is an ontological-gnoseological solution (which takes into account the essence of a human and primacy of reason).

The mechanistic approach in constructing the normative model, which consists in incorporating a special school into the organizational structure of a social therapy facility, is an expression of disregard for supraindividualist (communal) values. This is due to the fact that the economic/administrative category is assumed as the only criterion for restriction and usefulness of legal norms. Affirmation of these circumstances as a source for positive law belittles awareness and puts it in the last place within programming of social reality. The rule of

objective, logic reasoning based on rational experience is anticipation (foreseeing something before the event) of awareness before law, whereas the last place of the hierarchy of social valuation circumstances should be taken by economic criteria for communal order.

Axiological order in common good, referred to as social solidarity, is noticeable when the institutional system proposed by law as a culture-forming category takes into account partial values, following Ludwig Wittgenstein: honesty, helpfulness and efficiency. These ideals are born as a result of joint action, cooperation and exchange in the sphere of interpersonal communication by all participants in social life in order to achieve personal development that is simultaneously trans-cultural development.

Rejection by the legislator of the solution that treats school as an open and independent (from the institutional system) place for good communal practices that equalize personal deficits toward positive disintegration of socially ill-adapted youth and creating a vision of their promotion and limitation of symbolic violence, is a conscious and deliberate elimination of the ideal of social solidarity in favor of economic utility.

The category of righteousness and organizational correctness of the education system in this issue signifies that the vision of such legislative solutions is to achieve ontic (essential) systems that have a reificatory form (treating everything as things) instead of a biocentric form (people as the fundamental value).

The crisis of values in the analyzed normative acts also includes a third kind of ideals which should be carefully nurtured in law because they determine the individual-social essence and pertain to cultural identity. This fundamental value covers with its scope two partial dimensions as singular values in the form of: acceptance and understanding. Law as an associational algorithm (signpost) addresses all the potential recipients, thus emphasizing the significance and role of every human in collective life by respecting immoral decisions (a state that does not require moral judgments – outside the limits of good and bad) which protect otherness, differentness, diversity and pluralism as properties of the dynamism of acceptance and understanding of an individual in a social community.

Adoption of a preference for a segregational or integrational system is a unilateral proposal deciding that school should be part of an entire institutional/cultural model, therefore, there is no room for the values of cultural identity that presupposes acceptance and understanding for socially ill-adapted people. Incorporation of this ideal into the legal/organizational model may happen by way of relationality and mutuality of expected actions as well as evaluation of their rightness from the perspective of common good that remains in unity with individual good (Kwieciński 1995, p. 74). Transfer of mutual benefits and consent for respect for differentness as a positive dynamism of change and social control are the offer of smart law affirming the value of an individual's cultural identity.

Conclusion of the legal system's evaluation

The cognitivist meta-analysis of the current law on obligatory establishment, at a non-public entity which runs a youth social therapy center, of a special school incorporated into its organizational structure, has provided many arguments that prove the assumed solutions highly unsatisfactory from the juridical position as regards the meaning and essence of its contents. Therefore:

1. The education system was constructed mechanistically and, in accordance with the principle of equipotentiality, it produces ineffective actions that result in its further regression. As a closed model, it is headed toward ghettoization of the patients of a youth social therapy center and thus generates unfavorable disintegrative processes.
2. Selection of legal solutions rooted in the structural/functional paradigm definitely eliminates humanistic/interpretative patterns of thinking. In practice, patients of a youth social therapy center, as well as the social environment, are treated as material entities (reification) which remain in total relevance (opposition) to the assumed goals, phases and strategies of the socialization procedure.
3. In the law, sanctioning of a uniform, extensive and flat institutional structure is a sign of symplistic (simple) and symplicistic (inaccurate and generalized) reasoning due to rejection of basic axioms of systemic modeling that have a direct influence on the institutional, social and axiological dimension of legal norms. Elimination (the phenomenon of expulsion) of the normative essence leads to primitivization of solutions in terms of legal relations due to ontological poverty (consistent with actions for the good of an individual) and gnoseological poverty (insufficient in terms of reason).
4. Elimination of the axiom of synergy from the contents of law constitutes typical relative-value action that significantly limits the course of the processes of joint action, cooperation, exchange and development between the internal environment and the external (local) environment. Thus, one prevents achievement of the target emergent state – social inclusion – which is the horizons of positive social control and change.
5. Deliberate omission, in the proposed legal order, of the axiom of context that defines the degree and dynamics of the organizational system's coherence with the social/environmental surroundings, determines a field of action for resocialization under a segregational/integrational regime. Rejection of open school in the socio-inclusive space boils executive processes at youth social therapy centers down to controlling and managing individuals as opposed to actually solving their educational projects.

6. Abandonment of the axiom of equality as an axis that brings together the functions, tasks and strategies for socialization procedure at youth social therapy centers, means selection of a system that remains in a random relation to the material dimensions that determine the course of cognitive processes in accordance with the assumed goals. Omission of the criteria of: relevance, permanence, efficiency, effectiveness, functionality, innovation and cost-intensiveness as protective factors, which are of overriding importance to the system, gives rise to creation of incompatible and careless organizational solutions.
7. Rejection of the axiom of diversity constitutes pacification of open school as the only correct proposition in interactive space, where dynamisms of positive disintegration may be released that condition reintegration of an individual. Overcoming of social barriers is the only natural way to pursue positive changes in: motivation, self-awareness, self-esteem and participation in culture by patients of youth social therapy centers. Maintaining (in legal provisions) of the axiom of diversity and its balance in practical educational actions comes down to forming of many developmental properties, including: social participation, understanding of emotions and feelings, self-control, communication skills, pro-social skills and the ability to solve difficult problems. Each of these dynamisms requires formation of a developmental trajectory that runs on multiple planes, in order to draw a psychological profile for juveniles. So, marginalization of the axiom of diversity in the analyzed legal system entails reduction in the scope of social interactionism thus causing various difficulties with people's adaptation to life in a community because they do not learn the appropriate codes – behavior, language, intellectual abilities or moral sense.
8. The adopted legislative solutions create conditions for planning and implementing a strategy of resocialization under rigors that are characteristic of social engineering. They do not allow redefinition of the individual habitus toward the social habitus in the youth who stay at social therapy centers. On a macro-structural scale, systemic modeling aimed at intrapersonal and interpersonal influence in the cultural space should strive for sensitization of institutions to promotion instead of causing stagnation or degradation of its participants. A 'seeking' and populationally-diverse open school, as opposed to a school based on negative selection grouping people with similar personal disorder traits, teaches communal needs that condition a positive course of the resocialization of youth. These needs include: reciprocity, cooperation, negotiations, compromise, friendship, social skills, participation in various activities, accepted ways to resolve traumatizing situations, and sensitization to feelings and emotions that determine a person's state of internal reactivity.
9. In the postulated institutional/organizational model, it was decided that socializational influences are part of a person's educational and developmental procedure, and should be one and the same. The society's insight into the

current affairs of youth social therapy centers was thus significantly reduced. This is reflected in the unfavorable image of common self-awareness regarding the personal condition of the youth as well as the role that should be played by teachers and pedagogues in implementation of the socialization strategy. Moreover, negative effects associated with a centralized organizational structure include the limitations it causes for aplasticity and alternativeness of the exhibited forms of self-awareness, because it clearly glorifies a passive attitude to life. Not only does maintenance of an isolation/spatial structure that is sealed off from social influences have a negative impact on the type and kind of awareness, but also on the declared and actually undertaken level of community support;

10. The reviewed legal-organizational system does not refer to the world of individual, supraindividual or transcultural values at all. An individual value, in the form of internal and external freedom, right to choose, responsibility and taking on voluntary commitments, defines a human's identity and determines who a person is and should be.

Group ideals referred to as social solidarity give way to criteria of economic utility. It is these that define what righteousness, correctness and effectiveness of actions at youth social therapy centers should consist in. Adoption of an economic model leads the system to a reificatory form (objectification) instead of cultivating an undertaking that would condition a biocentric form (person's value) focused on the person's development.

In the dimension of transcultural values referred to as acceptance and understanding, particular traits related to the participants in the system cannot generate any physical, social or cultural barriers in the person's external environment. The institution of school as a representative of an open macro-system is supposed to act as an intermediary in realization of ideals, striving for humanization processes, as opposed to engineering of the organizational structures of cultural order.

Based on the above arguments as factors that enrich the state of knowledge, circumstances that force to intellectual reflection, determinants of rational justification of own views on critical reasoning and elements encouraging to reform the social reality, it ought to be concluded that the legal/organizational system of youth social therapy centers, which incorporates a special school into its internal structure, is an unacceptable solution and a sign of degradation of the statutory law as a model for shaping social relations.

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Legal basis

- [20] Regulation of the Ministry of National Education of 2 November 2015 on the types and detailed rules for operation of public institutions, conditions of residence of

children and youth at such places as well as rules and amounts of payments made by parents for their children's stays at those facilities (Journal of Laws 2015, item 1872).

- [21] Act of 20 February 2015 amending the Education System Act and some other acts (Journal of Laws 2015, item 257).
- [22] Education System Act of 7 September 1991 (Journal of Laws 2004, no. 256, item 2572, as amended).