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Social exclusion – word as a symbol defining the nature of humanity

Abstract: The process of objectively deleting the meaning of ideas-symbols plays an important role in the education, teaching, upbringing and universal socialization of man. It is an area of transcultural struggle, which should lead to exposing the total truth about man, recognizing their place in the history of the world. In addition, naming the truth about oneself creates trust and responsibility and thus frees the state of affirmation for the rule of law and a just state. Via autotelic experiences, internal transformations and proactive consciousness, it is oriented on the basis of language and a symbolic universe, personal growth allowing to integrate the human being with the environment, and not to create a civilization of fall based on enslaved existence. This keyword means that people who are pushed outside the symbolic field and the *imaginarium* are deprived of emotional freedom and the right to freely choose and take responsibility for their actions in order to ensure freedom for the rest of society, the imagination, perception, sensations and feelings of which are fed by hatred, contempt and total isolation.

Key words: Social exclusion, exclusion, disadvantage, hubristic values, apologetic thinking, trans passiveness.

Introduction

The truth about ourselves is the truth about the world we live in. If a human escapes from the truth about themselves, they are not able to recognize the place in being, in history, in the life they occupy (Heidegger 2001, p. 121).

At the linguistic level, words are introduced to the general circulation that reflect thinking, speaking and acting, and therefore the intentions, thoughts and actions of a human functioning in the social structure. They perform numerous functions by causing specific states in the mental sphere, consciousness, reaction and attitudes of their recipients and addressees. Above all, they are a part of the process of discursiveness of representation, leading to the formation of a community bloodstream – transculturalism. In the humanities, the following concepts have been constantly used in the past decades: exclusion, disadvantage, social banishment, in relation to those who violate social order. The use of these language terms has a strong methodological bias and is used to explain and program the knowledge of people undertaking careless and immature activities, such as internalization or externalization acts.

The unreflective use of scientific terms: social exclusion, excision, disadvantage, social banishment, referring to persons violating the normative order, is an admission to simplistic and simplicistic discourse. The above phrases implemented from many human sciences to the universal consciousness trigger a gap between them and their environment due to the lack of a common link integrating the individual good and the supraindividual good. On the individual side, the dynamism of responsibility for one's actions should be triggered, while on the part of other participants of collective life there should be a readiness for general trust for all persons, including those who exceed normative axiomaticism. Binding people in a community together with trust and responsibility is the ground for justice to be given to others by naming the truth about oneself.

The process of objectively deleting the meaning of ideas-symbols plays an important role in the education, teaching, upbringing and universal socialization of man. It is an area of transcultural struggle, which should lead to exposing the total truth about man, recognizing their place in the history of the world. In addition, naming the truth about oneself creates trust and responsibility and thus frees the state of affirmation for the rule of law and a just state. Via autotelic experiences, internal transformations and proactive consciousness, it is oriented on the basis of language and a symbolic universe, personal growth allowing to integrate the human being with the environment, and not to create a civilization of fall based on enslaved existence.

The measure of humanity

– perceiving each person as individualized good

The notion-symbol relating to a convict as a socially excluded person in connection with a wrongful act is characterized *a priori* by negative values, taking away the power of circumstances and salutogenetic predispositions.

The multidimensional construct, the model of punitive justice, into which the existence of the convict is embedded as an entity subject to disadvantaging and social banishment, does not allow participants of collective life to adopt mature variations of external and internal consciousness. The total axiological blockade creates limitations taking the form of boundary walls in the matters of ontological redefinition of the individual violating social order. The measure of the satiety of speaking, thinking and acting on the part of the community and people who are victims of crime are only the indagations that improve the acts of controlled exclusion of careless and immature perpetrators from the community.

At this point, it is possible to recall the claim made by representatives of national socialism that “the rationality of action and equality of rights, rather than leaving a node of naked interest between people” may be conducive to normalizing human communication (Marks, Engels 1962, p. 517). In keeping with this reasoning, it should be noted that the word-symbol “social exclusion of convicts”, which is saturated with elements of hostility and violence, becomes the leaven and earliest expression of this type of reaction by the convicts and the society and victims. **Legal provisions sanctioning violence trigger secondary violence**, which escalates towards the affirmation of the public awareness of the necessity of such a post-anthropological and reificational point of view.

The measure of normativity of the general civilization is the creation of alternative and flexible solutions allowing individuals to assimilate to new thoughts, world view pluralism and diversity in the multitude of proposed rules. Transrational activity – assuming an assumption about the equation of sensuality supported by thinking, motivation, perception, sensitivity and higher feelings for all participants of the social life – leads to the acceptance of mediocrity as a culturally creative norm. In this state of affairs, mediocrity means violence, and this type of legal rationing becomes dominant as a combinational algorithm also in the plane of ethical feelings.

The creation of a symbolic universe with the participation of morphological categories of social exclusion of persons attests to the fact **that conflict is embedded into the nature of the model of punitive justice**. It is created by all the parties involved, burdened with the reason for submission to repression, ailments and social revenge. The linguistic configuration used in circulation seems to be a socialization obedience course, which widens the gap between consciousness, trust and responsibility of the participants in the punishment process. Acts of institutional justice should, in principle, minimize conflict with the parties, as only a strategy of compensation of harm can merge and justify the reconciliation process.

Another truth stemming from cognitive analysis is that using the term “exclusion of a person” means **agreeing to inequality, asymmetry and to putting the perpetrator, victim and the society at opposite poles**. The assumption is that the authorities do not allow for a social structure to be confronted at the same

level with respect to the objectives, tasks, methods and means of influence of the sanctions in place. It presupposes the need for spatial isolation, or controlled isolation *a priori*, separating the parties to the conflict in the interests of supposedly fair conduct. It seems that the basic prerequisite for achieving the statutory assumptions in the framework of the execution of a penalty is to build a strategy based on equifinality and equipotentiality, which guarantees a symmetrical arrangement that would facilitate the neutralization of mutual distrust and consent to reconciliation. The assumptions of the social policy, which recognizes the priority and superiority of the perpetration in penitentiary conditions for the benefit of persons affected by the crime and community, with simultaneous marginalization of the position status of the perpetrator and their role in the expiation phase, lead the executive proceedings to fetish and falsehood, maintaining the myths about incorrectness and state of danger of the perpetrator of the act.

Consent to the substrate of punishment in the form of social banishment of total exclusion of a person from collective life is a unilateral dictate of positive law, which eliminates any subjectivity and personalistic autonomy. **Deciding against an individual's will**, without any reference to self-esteem, self-assessment, sense of life, emotional freedom, optimism and socio-occupational competence, leaves punishment as the sum of ailments and planned repression within the framework of justified retaliation. In addition, the elimination of the convict's consent to serving a sentence in the strict rules that recognize the legitimacy of exclusion and disadvantaging is a vile and unethical conduct, because it deprives any hope and opportunity to rework the psychological guilt that allows a person to reject the previous lifestyle and to re-integrate into the free world. Taking away the right to self-determination and self-reflection without attempting to organize communal accommodation defines a legal system capable of achieving only the effects related to the enslavement and objectivity of a human being. Spatial isolation does not improve the cognitive, emotional and social spheres of the persons punished by social exclusion. This is determined by multifactorial elements, including: prisonization of convicts, deprivation of higher level needs, self-destructive behaviours in the micro-prison environment, lack of professional activation, breaking of personal ties with the surroundings and local environment, decreased level of confidence in own possibilities for improvement and unsatisfactory level of emotional reactivity (Bałandynowicz 2015a, p. 91–120).

Shaping the principles of the rules of the transrational sphere, allowing for a segregation and integration model, eliminating the possibility of depriving the convict of their consent to incarceration is a testimony to the application of the law without any values, i.e. the law without conscience. (Bałandynowicz 2015b, p. 15–41).

Glorification of the function of a general preventive isolation penalty in the court phase has an impact on penitentiary policy, radically **depriving it of authenticity in the sphere of rationalization of correctional and educational**

goals and tasks. The latter only serve as a background for the strategy of protection and prevention, and thus there is no reason to implement them. Conservative thinking forces us to be aware of the permanent threat posed by those who have been penalized and the belief, based on the myth that these are individuals who cannot be rehabilitated. Sympathizers who preach slogans justifying the rigorism of punishing involving social exclusion, definitely place sympathy on the victim's side and treat the crime as an expression of genetic mental deformation or ill will of the perpetrator. They reject the depressing influence of social and environmental factors, recognize the state of wrongdoing of criminals and identify themselves with the theory of nativism. Clearly, the anthropocentric treatment of genetic circumstances of degenerative behaviors determines the agenda of criminal policy, whose aim is to maintain security and social order through severe, inevitable and fast-track sanctions associated with banishment and exclusion.

The proponents of rigorous thinking openly question the results of research and the postulates of science, treating them as an expression of traditional, subjective and imaginary attitudes inclined to liberalism in all areas of life. Therefore, they are opponents of social rehabilitation because it is ineffective, and thus they are opportunistic in their efforts to eliminate the corrective effects involving care, education and therapy from the system of punishment. Representatives of the school, which prefers rigorism, ailment and regime as a trajectory of punishment and exclusion from society of those who violate the legal order, proclaim the need for prisons as Spartan squares filled with simple isolation, discipline and forced hard physical labor.

Masking, suppressing and distorting the symbolic universe by maintaining the myth and archaic awareness that punishment means the exclusion and disadvantaging of the perpetrators of careless and immature acts find their place through **revealing the hubristic values of the human being**. The measure of humanity is the perception of each person as individualized good with the features of uniqueness. Therefore, the guilty party, as a human being, should meet with the punitive justice system's reactions, assuming respect for their persona as a personalistic value. The deed of an individual is the event in question, subject to affective sensuality based on free will. However, this does not mean that it reflects the state, structure, dynamics and depth of the antecedents that make up their personality. The agency of internalization and externalization behaviors is often the result of external aggression, hostility, rejection or independent depression. Due to the important determinants of the group environment influencing the political and emotional choices, the perpetrator cannot be blamed unilaterally for the condition of mental and social health.

A person as a holistic being shapes the capacity and quality of biological, mental, spiritual and social abilities in the community environment. The hostile behavior is a response based on cognitive scripts of selected predictors of the volitional and emotional sphere and social maladjustment, but it does not fully cover the multi-dimensional and multi-level developmental profile of the person. The

negative causal personal properties must not obscure human's diverse internal life structure, which abounds in rich disintegration capabilities, allowing for integrated secondary personal integration (Gottfeedson, Hirschi 1990).

Rooted in the public consciousness, the belief in the inborn inclinations of individuals to hostile behaviors and the maintenance of the mythological knowledge about the passive effectiveness of the correct functions of punishment triggers the consent to constructing a system of criminal liability allowing exclusion and banishment as a cultural-normative standard. Following the propagation of a state based on universal security and efficiency, the linguistic phrase "community exclusion" – as a nucleus of punitive justice – is a material guarantee of the realization of such order. Thus, the authorities clearly formulate the content and nature of legal regulations, which are intended to reinforce the stereotype of conservative thinking about others as a less important social group. Moreover, they are denied the right to once again be a fully-fledged participant in community life and to find their place in society by creating a cultural-creative model of elimination and segregation. This is the way the propagators of an institutional system of punishment based on exclusion (Urban 2007, p. 172) give themselves the authority to manage and steer this inferior social category. The legal system, as a transrational regulator, has been reduced to the sole purpose of effective rule of incorrect culprits. It rejects the active participation of the convicts in the legal status quo in the phase of detention by changing the permanent revaluation.

With the participation of the world of culture, it is possible to determine the essence of every being, which by definition is multidimensional and abounds in a variety of dynamicisms and material properties. Such an existence is the system of punishing justice, defined with an index of norms, rules, values and practical strategies of conduct, aimed at the realization of the main ideals translated into a vision of the image of administering justice for the evil transgressions of culprits. In order to correctly read the symbolic field constituting this canvas, on which the image of carceral activities is painted, one should **make use of meta-analysis following the rules of hermeneutic reasoning** (Nawroczyński 1986, p. 101). The phrase-symbol of social exclusion as a basic dimension, fulfilling the nodal role as a marker of movement in the structure of the order of punishment, should be read as the leading motif in epistemological command. And so, this category majorizes other partial and singular elements forming a collective model of punishment, and thus defining it in general as oriented towards the realization of redistributive goals with a high degree of ailment. What is more, it eliminates from the legal order the principle of respect for the human prisoner. This imperative is a consequence of recognizing the subjectivity of man and treating them as an autonomous value, that is to say one in which lies the attribute of value, regardless of whether people from the social audience perceive it in such a way or not. The autonomous value is not relativized in relation to axiological personalistic experiences. And we also certify to the value of each prisoner, no matter how we judge their act and to what extent it is disapproved.

At the level of institutions executing the punishment, the word social exclusion and disadvantaging, in accordance with the second cognitive principle, boils down to treating the convict as an object and not as a subject. The convict is thus not an autonomous value, but an instrumental value, and can be judged only for their usefulness in achieving the goals superior towards them, which are determined by the interests of an organized community, and not by the personal good of the convict. At the same time, objectivization of a person means that a person is not an end in itself, but always a means to an end. Man is almost completely equated with a role that is assigned to them by the system and is judged solely on the basis of how they fulfill it.

Cultural acceptance of the Spartan point of view on persons coming into conflict with the law leads to them being treated as beings controlled from outside the system, which are fully determined by the conditions of the micro system in which they reside (Machel 2007, p. 107).

This historically harsh and quite rusty variant of social policy, which is constantly resuscitated in the modern-day dehumanized world, is contrasted with a relevant system that can be called Socratic. In the latter institutional system, man is perceived personalistically, they are attributed with their own abilities of integral development as a result of the process of disintegration of personal dynamisms, they become a creator of themselves and have the spiritual possibilities to discover a positive product and sense of experience.

The object of the hermeneutical insight is evaluated from the point of view of the work – as a reality of the human community, thanks to which we reveal the truth about ourselves. The proposed transversal order on the question of justified retaliation related to behaviors that violate the participatory order and boiling down to spatial isolation as a condition for communal exclusion, forces social reactions related to the elimination, resignation and total lack of responsibility for the fate of the convicted persons. Group interactionism is deprived of the elements of trust, support, social comfort and tolerance towards differences and diversity. The law, judicial policy and adaptation initiatives against culprits are characterized by an oscillatory profile that is completely imbued with alterocentric and empathic procedures (Bałandynowicz 2014, pp. 19–53; Kieszkowska 2012).

The sensitization of creating punishing justice based on communal exclusion is connected with **complete compliance of the convict with formal discipline and absolute obedience to officials** of the place where the sentence is served. Total power over a person incapacitates and weakens the efforts aimed at insighting oneself in order to adopt patterns of behavior different from the previous ones. The subject who is constantly subjected to an order-prevention and control procedure, with the elimination of any rules of duty, loses the sense of initiative in coming out of the previous corset of hostile distortion of attribution. Moreover, the tactics of external control and behavioral manipulation reinforce the convict's need to cultivate bad intentions and aggressive attitudes towards other inmates

and prison staff. Hostile motivation and moral indifference are prolonged for the period after the punishment is served as learned and accepted cognitive behavior patterns. This leads to a deepening of egocentrism, behaviors of blaming others for their life situation, minimization of aspirations and expectations in terms of improving living conditions and imagination and perception oriented towards catastrophic experiences related to experiencing the worst (Bandura 1989, p. 17).

The allocation of criteria for assessing changes in prisoners' behaviors and attitudes towards formal measures related to the length of time spent on punishment, rather than towards material findings and estimates of the diagnostic-projective measurement of their personality, makes the procedure of punishing justice entirely free from actual corrective actions.

Penal acts that offend the ideal of human dignity and fraternity, which are connected with the glorification of spatial isolation that causes the exclusion of persons in a permanent way from the community structure, praise the inflicting of excessive ailment to convicts, revenge that triggers repressive behavior and justified terror. **This cultural and civilizational model breaks away from with the category of justice, which should certify a fair, helpful and effective punishment authority.** Giving justice to others reveals the truth about us and confirms the advanced structure of the participants of the transcultural system in creating responsibility and trust. External dialog towards internal dialog can provide a solid basis for democratic and conciliation activities. The communities observing normativity, which includes rules of formal, equivalent and corrective justice, allow for the creation of a community law order with an autotelic trajectory. Only the internalization of norms creates a positive climate for the assimilation of these standards as one's own, provided that, on the part of the individual, they teach responsibility for actions and on the part of the authorities – the state of universal trust is actually fulfilled (Konopczyński 2009, p. 121).

Moving away from the rules of axiology of punishing justice results in the rejection of the paradigm of human dignity, which is demonstrated by taking the perpetrator's state of social danger as a basis for punishment, the use of unmarked or relatively marked sanctions, the creation of legal institutions which extend the repressions beyond the duration of the sentence, and opening the gates for penitentiary policy for repression motivated by the need to increase the effects assumed by these rationalizations.

The praise of social exclusion as a substrate of punishment and its effects on the environment determines the development of the apparatus of power using repression, which is the material of control over man in order to force obedience and submission perceived in the spirit of the desired change of behavior. The eruption of retribution in punishment causes, above all, the detachment of the severity of reaction from the equivalence of goods, achieving goals other than restoring the violated moral order, and in particular it strives to seek revenge or terrorize a person.

A particular focus on the concept of punitive justice, feeding on the social exclusion of the individual, means that **the authorities owe their power to permanent satisfaction from using violence**. This mechanism is supported by the praise of a public audience characterized by a lack of knowledge and archaic and mythological awareness regarding people brutalizing the legal order. The political discourse on the issue of punishment that eliminates a human being from a social group is completely at odds with the views of civilized societies that assume punishments that are fair in their own right, but which also indicate that they are at the same time a right of the criminal. It should be noted that retaliatory punishment, which is the opposite of penalties based on banishment and exclusion, is in a way an emanation of the freedom of the culprit, which, while manifesting its own will in the criminal act, thus manifests its subjectivity and even its autonomy, since it is weighed against its own personal will and the general will embodied in the law, which is, admittedly, doomed to failure. In the light of modern penal doctrines, the isolation penalty is the criminal's right and thus we recognize their hubris, typical of a human being (Niewiadomska 2007, p. 79).

Drawing from the reasons for punishment and the measures of its severity, together with the manner in which it is carried out from sources other than the act, we deprive them of personalistic subjectivity. We are guilty of a similar disgrace in our search for punishing purposes in actions related to compassed violence and deterrence, but also in forcing a mandatory order for social rehabilitation regardless of the reasons justifying their selection. At this point it is necessary to recall the historical view taken by Immanuel Kant, which maintains its relevance through the fact that it reflects an individual's thinking as the thinking of the majority of people representing the human race. Expressed in the transcultural imperative: always use humanity as a goal, never as a means, both on your own and with others (Kant 1986, p. 179).

The history of law provides sufficient evidence that the same goods, such as life, health or property, have been protected over time with the same firmness over time, but this does not mean that they are protected in the same way. The punishment for the act has evolved from mutilation, through prison based on social exclusion, up to probative measures, i.e. freedom sanctions implemented in an open environment with active participation of society. The transformation of penal ailment consists in the overwhelming rejection of rigorism, austerity and voluntarist revenge. Moving away from just retaliation towards exclusiveness and disadvantaging forced penal policy to prolong the penalties and exacerbate their severity in the name of variously understood corrective rationalizations, the penitentiary meaning and legal form of which usually remained in a free and simplistic relationship with the cognitive concept and strategy of these influences (Bałandynowicz 2015, p. 273).

Adoption of the concept of punishment for the malicious deeds of an individual, linked to social banishment and spatial isolation, **leads to stigmatization**

of these persons and treating them as inferior compared to the rest of the society. The principal aim of penal ailment is to put a stigma on a person who effectively triggers the mechanisms of sensual and affective elimination, escape and burden for the situation in the sentenced person, the victim and the society. The state of internal repudiation necessitates an anomaly of community participation, which prevents any relationship with the group from being experienced as a result of identification processes or applying for social bonds (Durkeim 2007, p. 52).

The punishing behaviors that lead to stigmatization involve separating the inferior from the social group in order to gain total control over them, which in fact amounts to their incapacitation for their own choices. The label allows you to manage and administer the people who possess it, while at the same time significantly reducing their emotional freedom and distancing them from being held responsible for illegal acts. The consequence of reification of convicts as a result of such conduct is the progressive phenomenon of acquiring a deviant identity. In order to meet the need for hubris and coherence, which are determined by the scope of autonomy and subjectivity, people who are punished, labeled as excluded, strive to satisfy them outside the public view, in informal communication. Most often, the identification of norms, rules and deviant behaviors remains proportional to the degree of rejection and social exclusion experienced and perceived. The dynamism of externalization aggressiveness accompanies the convicts at the stage of serving a sentence and is hidden in informal structures, and manifests itself out in the open by their continuation of their criminal careers (Becker 1968, p. 112).

The administration of justice for an act, involving punishments which are stigmata triggering the awareness of universal elimination and group disadvantaging, is connected with maintaining and deepening the oppressive and traumatizing situation in the punished person. The fact of wicked behavior should be met with a proper, well-deserved and just punishment, which is expected by the perpetrator.

Meanwhile, the relevant actions causing the marking associated with the impossibility to serve an excused penal ailment boil down to intensification of negative experiences and feelings, and thus prevent the return to the potential of social consent articulated by the will to observe the normative order.

Apologetic thinking, which allows for punitive ailments based on social exclusion of convicts, is connected with **resignation from values in the institutional legal order**. The world of immoral ideals and values is replaced by categories of interests, tasks and usefulness in relation to a particular social group. The prison then becomes a *mala per se* organization, because subjection as slavery brutalizes customs, undermines the ideal of brotherhood of people and eliminates those who threaten the current social structure with their behavior. Moreover, the penitentiary system, with its vision of deep external and internal isolation and the elimination of the community, is becoming a cultural relic, as it does not assume the need for any reforms and qualitative transrational changes. The place where

the sentence is served is a cultural construct, a common good, and is subject to the custody and control of all participants in collective life. It testifies to the level of public awareness and the reliability of building Community harmony based on knowledge and a diverse world view.

The acceptance of a culturalism assuming stagnation, notorious unreliability, tendency to schematicism and archaic and mythological thinking leads to a collective transparency that allows us to establish normative order without values. A system of discursiveness between the personal good and the common good, which does not assume any mutual development, cooperation, exchange, collaboration and transcendence, is irreconcilable, due to the transrational pattern. It is a metaphysical and ontological embezzlement of man's nature and all cognitive thinking. The prison model without reform is a place where values are eliminated and an ontological-gnoseological approach is rejected.

The institutional legal order, which recognizes a prison based on the substrate of exclusion and social banishment, is an expression of the failed existence of a community through imposed and prescriptive rules completely breaking away from the inner attributes of man. A feature of human subjectivity and a circumstance which testifies to the representativeness of the human race: it is a permanent, active and creative operation aimed at the realization of higher and homeostatic ideals. The law, which is a transcultural product, denies its own essence when it unifies with reification and breaks away from biocentrism and alterocentrism.

Thus, an isolational prison, which excludes the convict from society, is a separate part of the pseudo-cultural model, eliminating the synergy of personal and supra-individual forces towards the glorification of human nature and the rights allowing for its development and cross-border attitude. Acts of deliberately limiting the growth of public consciousness and the modeling of communal life through institutions and a system of stagnation, stillness, liberated from the world of values – give rise to existential clumsiness and distant thinking and paralyzes emotions, feelings and empathy in their manifestation towards others. Cropping out the system of value from the model of punishing makes it a system of cautionary actions ensuring detention of convicts in isolation conditions without the offer of any corrective and educational influences. Criminal justice boils down to maintaining the rigor of formal and legal acts that have no connection with the etiological factors of criminal behaviors or personal precursors with salutogenetic characteristics, making it possible to take responsibility for the act in connection with an esthesiodic psychological fault (Corrado et al. 2003, p. 73).

Sensitization of the process of punishing to retribution combined with social exclusion is an annexation of a way of thinking that **completely rejects the variant of reconciliatory justice between the perpetrator, the victim and the society.**

A prerequisite for a system based on meeting, dialog and acceptance and understanding is the recognition of equality, full autonomy and respect for human

values. Personal dynamisms, which form a meta-need encompassing the sphere of freedom of choice, extensive motivation, appreciation, deepening of consciousness and self-awareness towards responsibility and rehabilitation for a punishable act, move to the foreground. Only the personality predictors in the form of feelings and emotions, i.e. the sphere of the spiritual life of a human being, allow to regain balance and to shape high reactivity. The ability to perceive external stimuli, their proper moral judgment, perception and sensitivity to the harm caused by one's own actions, and the willingness to restore the disturbed order are the sole responsibility of the convict and not of the normative order. The fundamental barrier, which is an obstacle to the eruption of restorative justice, allowing for reconciliation of the conflicting parties and overworking trust and responsibility, are the current institutional solutions of the penitentiary system, which boil down to the amorphization of contacts, bonds and social communication.

The example of a prison as a place of serving a sentence without the participation of people who are in a different situation in the process of social change is only an act of punishment and calming the society against the threat of danger from the perpetrators. It proves that punitive justice is linked to the function of state security as a simple communal isolation and neutralization. This leads to the expansion of organizational structures and the flooding of urbanized areas with places of forced punishment. The power of penitentiary institutions based on a cultural archetype in the form of marginalization of prisoners' personalities and subjecting them to community exclusivity proves that the system of external organizational control is a priority. The educational and corrective objectives of penalties are secondary and do not constitute the focus of interest of professional staff. Showing the power of punishment becomes a nodal function and a traffic marker by applying ailments beyond the boundaries of justified retaliation. Leaving the perpetrators without the possibility of real redemption as a result of restitution and reconciliation with the victim of the act and the society to which they should return after serving the sentence reduces them to the role of an object that should be managed with authority.

Prison practice which prevents active, proactive and spontaneous reconciliatory, compensatory action by all parties to a conflict resulting from a degenerative act causes increased secondary externalization drive among the convicts. Victims of crime, on the other hand, are not allowed to overcome world view barriers and limitations of external and internal awareness, perceptions of others – a source of tangible suffering from crime.

Maintaining mutual immobility and eliminating the prophetic vision of equalization justice in the final result leads to nihilistic, orthodox and strongly formalized attitudes for all participants of the community life. Thus, the state of rejection and the inability to tell the truth about oneself under conditions of punishment, aiming at mutual social isolation, completely excludes self-esteem, self-awareness, self-confirmation and self-reflexivity. Without these personal ante-

cedences, there is a vacuum in the communication relationship, filled with repression, coercion and internal bondage with punishment.

The choice of functional and structural solutions for administering justice based on the elimination and exclusion of people from society undermines **the ideal of humanitarian treatment of all people regardless of their actions**. The principle of humanism, and especially its particularization, is causing a lot of trouble in culture. Most authors believe that its content is inherently correlated to ideology.

Prisons, which correspond to the humanitarian conditions of proceedings against the convicted persons, are characterized above all by the guarantee of civil rights and civil liberties for this social group, except for a category that cannot be exercised because of the order to stay in isolation from the community. In the group of protective factors, which testify to the culture-forming condition, one should mention the right to decent conditions of punishment, including ensuring a real possibility of development of personality traits triggering the dynamics of secondary moral integration.

The saturation of the place of punishment with integration measures in the light of cognitive knowledge may amount to aid elements for people who are unable to overcome their own bad intentions and hostile distortions of attribution. Moreover, convicts should be prepared for their readmission to social communities.

The humanizing content of the criminal justice system therefore includes assistance in a direct sense and the process of human learning to transform dependence and dependency into a state of self-organization and personal direction of one's life. It should be taken into account that aid influences are not an obstacle to the individual's own development and the triggering of self-confirmation dynamism. Human possibilities and dignity must be respected in the process of learning, because then an individual who is respected regains personalistic value and may voluntarily recognize the need to improve their situation.

The sense of humanizing the conditions and manner of carrying out an isolation punishment allows us to achieve positive results in the psychophysical development of the convict on condition that they cross the limits of their volitional and spiritual life, taking into account responsibility and trust as a trajectory of affective behavior towards the victim and the social community.

To advocate a punitive justice formula in the form of an isolated sanction leading to the elimination of a human being from the community is an admission to a line of thought that rejects and excludes any kind of **actions and strategies in favor of dealing with cooperation, coordination, exchange and transcendence between the convict and the society** in order to minimize civilizational losses from social disadvantaging in the implementation of imprisonment sanctions.

The measure of mature transcultural activity, including the establishment of a legal system allowing for the realization of the ideal of moral order, is a peni-

tentiary practice which allows minimizing the burden of spatial isolation and thus integrating places of punishment with the social structure outside prison (Becker 1968, p. 11).

When confronting negative internal structural processes, one should lead to the social isolation of places of detention. This can be done through a controlled process of minimizing internal isolation and simultaneous moderation activities, which enable the actual integration of the penitentiary system with the non-prison system. The mechanism of equifinality and equipotentiality of the places of punishment with social community is to ensure the active participation of persons not professionally affiliated with the prison in the institutions responsible for the sense of the application of criminal sanctions, and to introduce convicts into the existing non-prison community structures.

Conclusion

The use of the term “social exclusion as an act of punishment” categorically evokes pejorative associations in the sphere of imagination, perception and volitional and spiritual sensations, and leads to the use of negative values in social perception that define their metaphysical and ontological dimension.

Rejection of people outside the borders of the community as a result of social exclusion, which is the core of punitive actions causing widespread suffering, “cancels the distance, because it abolishes the world space in which political phenomena are located, the whole area of public affairs and, from a political point of view, it remains irrelevant and without consequences” (Arendt 2003, p. 105). We get used to suffering and pain as normality and existential-cultural correctness, and we move this experienced and perceived condition to others, distancing ourselves from the people to whom it is attributed. Moreover, liberal democracy does not like strong feelings and the associated words-symbols. Based on compromise, it respects moderation and reason, not love, hatred and struggle until the last drop of blood is shed. It prefers compassion and irony, hence the popularity of charity and philanthropy.

Confronting with each other the model of punishment based on exclusion of the convicts with the system of probational justice that recognizes the praxological rationalism in the form of freedom penalties, we want a new imagination and perception of the world in the cultural aspect. The element which is the material of this change is the phantasmal construction. It is responsible for the individual or collective organization of desire – another one, something that the social world wants in its linguistic form from an entity in such a position, not another position.

With the participation and through the use of a word-symbol, certain actions and experiences of another person can be experienced as one’s own, generating emotional and sensational states usually attributed to one’s own spontaneous and

creative activity. This phenomenon is referred to in Lacanian and Freudian psychoanalysis as transpassivity. “When another person rejoices, I rejoice with them... my most intimate feelings can be radically manifested, I can literally laugh and cry through someone else” (Žižek 2001, p. 169).

The rejection of probational punitive justice as a philosophy and the system of penal responsibility and social method of dealing with those who violate the legal order, and glorification of a prisoner incarcerated on the substrate of spatial external and internal isolation, expelling the convict beyond the boundaries of communitarianism, is an example of notorious unreliability and lack of consciousness, because it rejects guilt and humiliation as states of internal experience in relation to the perception of reality.

This keyword means that people who are pushed outside the symbolic field and the imaginarium are deprived of emotional freedom and the right to freely choose and take responsibility for their actions in order to ensure freedom for the rest of society, the imagination, perception, sensations and feelings of which are fed by hatred, contempt and total isolation. The immune system of the society determines the bipolarity of the place in the community, divided by an impenetrable boundary, where individuals excluded as objects have the sole task of maintaining homogeneity through loneliness without developmental possibilities.

The reanimation of a system of punitive justice at the turn of the 21st century, which reduces the perpetrator to a marginalized object and deprives them of the right to responsibility and trust, does not allow for communal conciliation and participation. This model of conduct antagonizes internal relations, maintains conflicting situations and does not fundamentally allow the “plowing” of public awareness and imagination that allows for patterns of alterocentric behaviors.

The authority of punishment and the society perceive satisfaction and joy as sublime states of emotional reactivity through normative and cultural contempt and hatred towards a man entangled in evil deeds.

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