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UNDERPRIVILEGED CHILDREN IN THE SOCIAL SPACE OF IMPUNITY: THE EXAMPLE OF THE CHILDREN'S RESIDENTIAL CARE SYSTEM IN THE POLISH PEOPLE'S REPUBLIC

Abstract

This paper treats the social conditionings of institutional violence. First the very notion of the impunity, which creates the theoretical foundation of the consideration, is briefly discussed, followed by treatment of the scheme of the institutional(-ised) space of impunity with its constituent elements: common beliefs regarding the “nature” of the marginalised collectivity, the low social value ascribed to the collectivity, an ideological embargo on scientifically-based knowledge, and the expulsion of the marginalised from normals' field of vision. In the main part of the article the author presents a historic example of a social space of impunity: the children's residential care system in the Polish People's Republic (PPR). Examples of institutional and private violence in this space of impunity are depicted in the final part of the text. The narrative and biographical interviews with institutional care-givers, narrators' files analysis and FGIs constitute the empirical basis of the article.

Key words: institutionalised violence, impunity, social space of institutionalised impunity, children's residential care institutions

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INTRODUCTION

This paper treats the social conditionings of institutional violence in the “helping” sectors” with reference to the notion of *impunity*. The “dark sides” of formal organizations operating in the area of social work and rehabilitation have been analysed in sociology from its very inception, in particular within the framework of symbolic interactionism. The early analyses of correctional institutions for children and youth described by Chicago school authors were developed by Goffman (1961) in his legendary “Asylums”. Sociological concepts and theories gain support from social psychology and its well-known experiments, especially with Stanford Prison Experiment (SPE) (Zimbardo 2008). Sociologists and social psychologists share in this regard an interest in the situational (or cultural) conditionings of violence. In this article I consider the concept of *the space of impunity* as a set of important cultural and situational factors of institutional(-ised) ill-treatment of underprivileged children.

The concept of *institutional(-ised) impunity* is recognized more in law and criminology than in sociology. As a term “impunity” refers both to the lack of legal consequences of serious and minor crimes and to the cases of harmful anormative behaviours in which the social control mechanisms fail (i.e. moral, legal, and traditional sanctions are not applied or do not work, consequently the perpetrators of anormative behaviours remain “untouchable”, even though their specific behaviours are culturally considered “immoral”, “bad”, “wicked”, etc.). During the last two decades “impunity” and cognate terms (“official politics of impunity”, “impunity regimes”, “impunity law”, “legal impunity”, “levels of impunity”, etc.) are applied almost exclusively by English and Spanish-language authors in analyses of genocide, war crimes, the crimes of military regimes, and the inequalities of (international) justice systems. Studies on democracy and civil society development, human rights protection and transitional justice create the general framework for such considerations (e.g. Burt et al 2013; Druliolle 2013; St. Germain and Dewey 2013). It seems that Burt, Amilivia and Lessa, researching the prosecution of human rights violation in Uruguay, were the first who used the concept of *institutionalised impunity* (Burt et al. 2013: 307). The concept of impunity also appears in the literature and refers to different kinds of corrupt practices, violence, maltreatment and neglect performed towards marginalised individuals and groups; those who – due to their unequal status – are deprived of access to material and symbolic resources or whose rights are violated (e.g. women and children, particularly in South America or Asia, ethnic minorities, etc.) (e.g. Boesten 2012; Brito and Pereira 2012). We can also find

some references to the field of social- economical- or gender-based inequalities (the impunity of “the wealth owners” [Cattani 2009] or the impunity of revenge pornography perpetrators [Salter and Croft 2015]). This article falls within the “stream” of studies on “lived experiences of those who traditionally have been left out of the analysis and marginalised” (Burt et. al. 2013: 309), focusing on the space of impunity established in the institutions called upon to protect or rehabilitate society’s members¹. Generally speaking, the concept of a space of impunity presents the mechanisms contributing to the maltreatment of individuals perceived as “marginalized”, “less worthy”, “pathological”, etc. in institutional settings. Institutional employees acting in the space of impunity (re-)victimize their clients, service-users, wards, etc., neglecting their basic needs and depriving them of their rights. Weakness of mechanisms of social control both sustain and provoke further ill-treatment.

The still hypothetical concept of an (institutional or institutionalized) space of impunity² has been generated from the empirical data gathered since mid-1990s in studies on poverty and social exclusion in the city of Lodz and the Lodz region³, however it seems that the very phenomenon of a space of impunity has been deeply rooted in every hierarchical social order, regardless of cultural and historical frameworks. Children and teenagers are treated – due to the cultural conceptualisations of childhood and the resulting lower social status of “minors” – as a collectivity especially vulnerable to the impunity phenomena. Although the historic progress of the welfare institutions is obvious (see, e.g., Kolankiewicz 2006), and children’s rights and proper child care are nowadays mainstreamed in many international and national documents, we can still observe examples of serious neglect and violence affecting the youngest in many countries.

¹ The term “impunity” in this context has appeared, for example, in the studies of maltreatment of imprisoned women (Buchanan 2007), and in children’s court testimony in cases of child sexual abuse in Brazil (de Brito and Pereira 2012). Buchanan, in describing the mechanisms of re-victimization in women’s prisons, states that: “Prisons owe an affirmative legal duty to protect their inmates against abuse” (Buchnan 2007: 46, 53). She also demonstrates the significance of legal regulations in constructing institutional impunity (*ibidem*: 71–75).

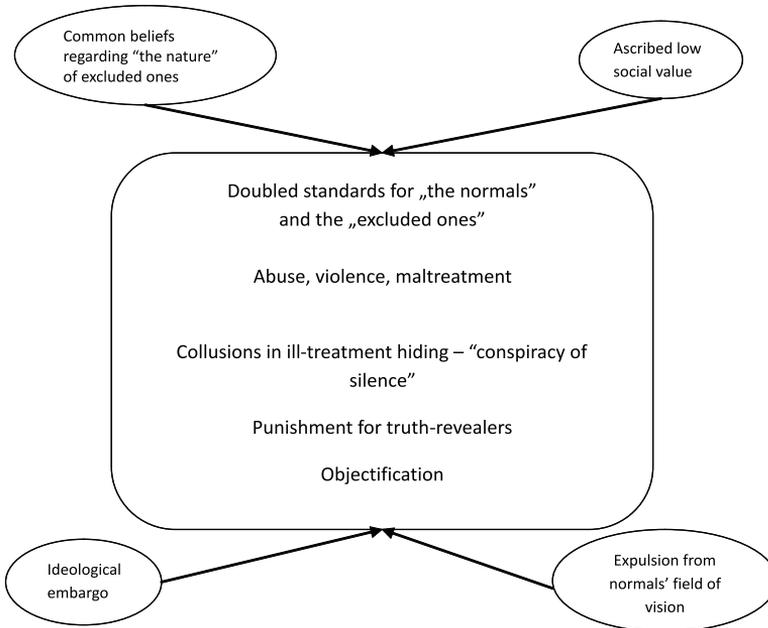
² Which, generally speaking, seems to be an interesting analytical tool in studies on all hierarchically-structured social settings.

³ Before Poland’s systemic transformation, Lodz used to be the 2nd largest city in Poland and the centre of its textile industry. During the last 25 years it has become a shrinking city with a wide scope of social problems. Since early 1990 the sociological team I work in, led by Wielisława Warzywoda-Kruszyńska, has conducted quantitative and qualitative analyses on poverty and social marginalisation in the city of Lodz and the Lodz voivodship (region).

THE SCHEME OF THE SPACE OF IMPUNITY

The main thesis of this paper is that the acts of classifying and valuing the socially-excluded *others* by members of mainstream society have their impact on the institutional management of marginalisation and create the phenomenon designated as *the social space of impunity*. In every society we can identify some typical ways of “marginalisation management”, i.e. the strategies that institutions and social actors adopt to cope with socially excluded persons. Some of them are in the permanent repertoire of societies, and some are particular, strongly related to the historic time and cultural system in place, built into scientific paradigms, social policy discourses, etc.

Generally speaking *the institutional(-ised) space of impunity* as a social phenomenon has four constituent elements: 1) common beliefs regarding the “nature” of the marginalised collectivity; combined with 2) a low social value ascribed to the collectivity itself and to its members; 3) an ideological embargo (Kraczla 1992) on solid, reliable scientifically-based knowledge; and 4) expulsion of marginalised persons from the normals’ field of vision (Picture 1).



Individuals, mainly professionals employed in social welfare and juridical institutions but also everyday participants in social life acting in the space of

impunity, “allow themselves” to treat socially-marginalized people in a way they would never treat persons perceived as members of the mainstream society. In a way, a double standard for the “normal persons” and “excluded ones” is a central attribute of this space. This “conspiracy of silence”⁴ enables different kinds of maltreatment, much more easily conducted in a situation when there are no organisations or groups which stand up against the violence. In the space of impunity the victims are powerless, while their persecutors remain unpunished, or – according to Salter – “immune” from social and legal sanctions (Salter & Croft: 2015: 1). As the victims are invisible to the mainstream society, they cannot expect any help. An average mainstreamer who would happen by accident to enter this space usually experiences a kind of shock resulting from the differences between his imagination of assistance and/or correctional institutions and their reality.

UNDERPRIVILEGED CHILDREN IN THE INSTITUTIONAL SPACE OF IMPUNITY – THE HISTORIC EXAMPLE OF THE POLISH PEOPLE’S REPUBLIC (PPR)

As the very concept of the space of impunity has been generated from biographical data of social welfare clients, I will here present the historic example of institutionalised violence in socialistic Poland, as recounted in the biographies of adult leavers of group homes, interviewed in 2010–2012⁵. Due to dysfunctionality in their families, the narrators were placed in residential child care institutions in their childhood and/or adolescence during the last three decades of the PPR (from the early 1970s until late 1990)⁶. Even though the PPR represented the

⁴ See Buchanan’s remarks about the meaning of the “code of silence” in women’s prisons (Buchanan: 2007: 67).

⁵ Forty narrative and biographical interviews were collected within the research project funded by National Science Centre: “Institutionalised identity? The processes of identity development on the basis of biographies rendered by adults raised in residential care, Lodz, Poland 2011–2014”, grant no 6716/B/H03/2011/40. The narrators’ institutional files, made available to the researcher by the group homes and 3 FGIs conducted with the care-takers, teachers, probation officers and judges, professionally active in the children’s residential care system in those years, represent here two other types of data sources.

⁶ The system of residential care for children which functioned until late 1990 was created in Poland after World War Two in response to the needs of war orphans. Due to the weak tradition of professional social work in pre-war Poland it was organized within the framework of Ministry of Education (therefore it is characterized as “school-centred”, i.e. oriented at providing children with basic education and vocational skills). The main tendency was to conduct large-size residential institutions; in contrast in to the de-institutionalization tendencies in western Europe and the USA in 1950 and 1960, where the children’s institutional care institutions were labelled an “expensive

socialist welfare state model, with many social transfers available for those who were active on the labour market, it is rather difficult to say that the state with its institutions followed any clear principles of social policy, besides the so-called regulation of the wages of labour and prices of basic goods. People living at the margins of mainstream society⁷ were isolated (not only due to mental but also due to architectural barriers⁸), concentrated in large-sized total institutions, and at the same time deprived of any other institutional help, stigmatised and/or penalised. While there were social welfare agencies situated at district health centres, they offered some services mainly to old and disabled people. Third sector organizations hardly existed. The NGOs established before the World War Two were eliminated in the late 1940s and early 1950s under the banner of class conflict. They were recognized as organisations run by “class enemies”, and all their property was taken over by the communist government. The institutions run by those NGOs were turned into public property or liquidated (Leś 2000: 131–132). The only “survivors” – huge organizations like Polish Red Cross or The Children’s Friends Society, were controlled by the state.

We should note that the criteria for being excluded from the socialist society was of a dual nature. Firstly they stemmed from the cultural norms, values and beliefs of Polish society, deeply rooted in tradition and religion, and the outcome of this phenomenon was the social exclusion of people who not only violated basic social norms, but also of those whose failure to ‘fit in’ was the result of perceptions within the framework of strict Catholicism. Thus to some extent traditional and religious values were interfering with the puritanism of the system⁹. Secondly, there was an ideological embargo¹⁰ imposed on social problems and

failure” (Wolf et al 1976: 52 as cited in: Sutton&Mannes undated). Although the structure of the wards changed (the percentage of so-called “natural orphans” was diminishing, they were “replaced” by “social orphans” – children from multi-problem, underprivileged families), in the late 1980s the system operated in a rather stabilized way under the supervision of the Ministry of Education, an arrangement which lasted until the end of 1998. Since 1999 the children’s residential care institutions have been transferred to the structures of the Ministry of Labour and Social Policy, and this action began the process of systemic reorganization (Golczyńska-Grondas 2014).

⁷ This group includes individuals and groups affected by social problems: criminal offenders, prostitutes, drug addicts, persons with all categories of serious mental (but also physical) impairment, homosexuals, deeply poor, “goldbricks”, “deadbeats”, persons permanently out of labour market, sub-cultural groups (e.g. hippies), and some ethnic minorities, especially the Romani people.

⁸ For example, one could hardly meet a person in a wheel chair outside his/her home.

⁹ E.g., the impairment of a child was perceived as “punishment” for parents’ sins (deviant behaviour, alcohol abuse, or sexually transmitted diseases).

¹⁰ The ideological embargo had its roots in the myth of social equality, mirrored in the propaganda of success, although some studies were conducted semi-officially, under the cover of

social inequalities in public and scientific discourse, not only in the PPR but also in the other socialistic countries. The embargo contributed to the removal of those socially low valued, excluded people from visual sight of the “normal persons”. Moreover, some social problems were either politicised¹¹ or presented by the socialistic mass-media through a distorting mirror. Hence different groups living at the margins of society faced a tribal stigma, stigmatization, and isolation. Marginalised individuals, “invisible” to the mainstream citizens, were deprived of social support and could be easily placed in the space of impunity.

In general, the members of families with multiple problems are a “typical” example of a social group endangered by social exclusion. Poverty and unemployment, combined with drug/alcohol addiction, child neglect, violence, etc., were and still are one of the main premises for undertaking institutional intervention in Poland and other European countries. While adults in such families are assessed by professionals (school teachers, social workers, psychologists, etc.) as persons who are not able to fulfil parental tasks, their children – on the basis of an order of a family proceedings court – are placed in residential care.

The legal acts of the PPR created the framework for the intervention undertaken in the cases of children deprived of parental care¹². One such act pointed out that staying with the natural family was in the best interests of a child, and that children could be placed in institutions only when all other efforts aimed at improvement of a situation of a family were ineffective (Dziennik Ustaw 1964, par. 9, as cited in Kamińska 2000: 18–19). However, multi-problem families in the socialist reality were deprived of proper help and marginalised in their environment, thus their problems deepened over time (Hryniewicz 2006). Polish children’s group homes had all the typical traits of Goffman’s total institution – a forced residence, a schedule of daily activities carried out in a group, restricted contacts with the outside world, a clear staff-inmate split; some institutions fulfilled just the biological needs of residents at the very basic level, neglecting or ignoring children’s emotional needs (Goffman 2006; Golczyńska-Grondas 2014). The staff, with differentiated professional skills and personal capacities represented the whole spectrum of attitudes towards the wards, from deep engagement and

“non-indicative” titles (e.g., it was possible to research “deprivation of needs” instead of “poverty”) (Kraczla 1992, as cited in Tarkowska 2000: 9; Tarkowska 2000: pp. 9 and following).

¹¹ E.g. drug addiction was recognized in the late 1970s and 1980s as a plague imported to Poland from imperialistic countries.

¹² The Convention on the Rights of the Child was signed in 1989. It was ratified by Poland in 1991.

passion, to neglect, cruelty and violence. The members of personnel representing the latter attitude were able to manifest it in the institutional space of impunity¹³.

Presumably, the space of impunity in the system of child residential care in socialist Poland was founded on beliefs about the nature of institutionalised children resulting from the beliefs regarding their parents and relatives¹⁴. The analysis of narrators' institutional files (dating from early 1970) reveal that the professional assessments (performed by school teachers, educators, probation officers, psychologists, etc.) leading to children's placement in residential care were constructed on two main attributes – poverty and dysfunctionality in family life. It is noticeable that the opinions of the specialists were founded not only on professional expertise and knowledge, but also on their individual perception rooted in values, norms, stereotypes, personal beliefs and prejudices. At least some of the analysed documents seem to depict arbitrary opinions, intuitively formulated, with regard to subjective standards and norms mostly referring to the desirability of the place of living, based on cultural norms required of the children's and adults' behaviour. One of the most important criteria in the assessment of parental incapacity were the moral competences of the adults and their (ir)responsibility (*very bad moral situation; children faced with immoral behaviours of the drunk parents; mother leads an immoral life, she often disappears from home, coming back after a few days (...) she is an incorrigible mother*). Generally speaking the responsibility for family dysfunction was ascribed according to sex – men were portrayed as offenders and women as weak, passive victims – while the descriptions given by narrators of their mothers' and fathers' functioning are far from being cast in “black and white” terms. The conditions and factors influencing parents' malfunctioning, as well as potential resources of the child's social environment, were not described in the assessments. Hence it appears that documents gathered at the beginning of the institutionalization procedure were constructed in order to justify the necessity of separating a child from the family (Golczyńska-Grondas 2014: 181–190). It also seems that the professionals in the children's residential care system, in locating the causes of parental incapacity in individual traits, capacities, values and behaviours and blaming the parents

¹³ According to Philip Zimbardo: “a total situation” has the potential of transforming the behaviours of both the personnel and the wards (Zimbardo, Polish edition 2008: 268).

¹⁴ Other authors, analyzing the issues of gender-based inequalities, also underline the importance of cultural beliefs as a cognitive component/factor in sustaining institutionalised impunity (Buchanan 2007; Slater and Croft 2015). See also Albert Bandura's considerations about the phenomenon of moral disengagement (e.g. Bandura 2002).

for the difficult situation, leaned toward cultural (behavioural) interpretations of poverty and social exclusion (Tarkowska 2013: 56–57)¹⁵.

The negative evaluation of the parents – the next attribute of the space of impunity – is noticeable in both the documents and in some opinions formulated by the participants of the focus group interview:

There were families with a very low cultural level where, in point of fact, for them the education for children in the school was just a needless duty; in this place between [2 streets], in the past there was (...) a club “Young Africa” created for such people. And there mummy met that... that student. So, that student, of course, behaved typically for a man. And shortly afterwards he left. And she [the institutionalised girl] stayed with the mother, who, however, in spite of all, did not return to normal, but she kept on looking for adventures; the parents simply didn’t have time for her [the institutionalized girl] because there were eleven [children] and the mother had children with anyone who came across (all quotations from the FGI with retired workers of the children’s residential care system).

Nowadays it is impossible to reconstruct thoroughly details of the attitudes of individualised personnel towards the children themselves, nor their professional practices in everyday work. Nevertheless, the typical trait of the socialist residential care institution was collective child-rearing; the staff applied this common standard to all the residents. Until the late 1980s children’s homes followed a secular upbringing ideology, and some pedagogic methods were based on rituals typical of collective totalitarian institutions (e.g. collective responsibility or written self-criticisms displayed on notice-boards) (Czyż 2000: 41). This lack of an individualised approach was an important factor in the wards’ objectification. Moreover, it seems that at least some of the care-takers followed the concepts of social or genetic inheritance, potentially enhancing the tendency to anormative behaviours in the space of impunity: [*the care-taker*] *always repeated*: “*You are just parasites and you will be worth nothing*”; *in the group home one also heard that you, that* “*you are nobody here! You’re going to be rubbish*”; “*Your children will be sentenced to be placed in the institution just like you*”.

These beliefs and the negative valuations of wards were supported by traditional attitudes towards childhood, the children themselves, and their social status. A child in Polish society in those times was conceptualized as “an undefined and

¹⁵ As Elżbieta Tarkowska states: “According to the cultural interpretation, also called behavioural, the causes of poverty are contained in individuals’ traits, their abilities, capacities, values, attitudes and behaviours, e.g. in laziness, recklessness, irresponsible procreation, incapacity of thinking in terms of foreseeable results of present activities, etc. The issue of an individual’s personal responsibility for her/his economic situation is interlinked with this approach, as well as the practice of blaming the poor for provoking the situation in which they found themselves (Tarkowska 2013: 56, transl. AGG).

unfinished being, filled with deficiencies and imperfection” (Ornacka 2013: 16) rather than a subject entitled to autonomy, dignity, respect, or as a partner of an adult (Ornacka 2013: 36¹⁶, Taraszkiewicz 1996: 22–23). These attitudes not only formed the basis for the power and dominance of adults in mainstream society, but they also possibly enhanced the objectification of children in residential care institutions.

The next factor constituting the space of impunity – the ideological embargo on scientific studies – did not cover research on children placed in group homes *per se*¹⁷, yet it encompassed areas of crucial social problems which could be identified as important factors of children’s institutionalisation, first of all poverty and other factors interlinked with this phenomenon. The exact number of impoverished individuals in socialist times remained unknown, although there were some estimations of the percentage of the Polish population living below the social minimum level (see Tarkowska 2000: 53–54). Again, the lack of scientifically-grounded knowledge enabled the maintenance of stigmatising beliefs and prejudices.

The expulsion from normals’ field of vision regards mainly the inner reality of children’s group homes. Most of institutionalised children attended public schools, they spent vacations on organized holidays with peers from different kinds of social environments. Students in their trainings and volunteers supporting children visited institutions. Yet, the group homes were isolated from their environment by fences and gates, they rarely maintained contacts with local environment and local community. Some institutions, like emergency shelters or social rehabilitation centres, had their own kindergartens and schools. Moreover, the wards in the territory of institution remained under the group power of the personnel (Goffman 2006). Due to the system of work organisation, each of the care-takers could independently form his/her own relationships with children, especially when the place was poorly supervised by a headmaster.

¹⁶ “The evolution of conceptualizations of children and childhood also concerned children coming from the lowest strata of the social structure – children deprived of their own identity, hard-working, abused by adults for criminal activity” (Ornacka 2013: 36, transl. AGG).

¹⁷ Many studies on institutionalised children were conducted along with the development of psychology, psychiatry and pedagogy, including in socialist Poland. Some early experiments provide other illustrations of the institutional space of impunity, e.g. the research conducted by H.B. Dye and H.M. Skeels in 1930, who proved the correlation between individualised care and an increase in the developmental index on the basis of observation of a group of infants from an orphanage placed in temporary care for mentally retarded women staying in the asylum (Ainsworth 1962, as quoted in Lis 1992: 64).

INSTITUTIONAL (-ISED) AND PRIVATE VIOLENCE IN THE SPACE OF IMPUNITY

In analysing the children's residential care system in the PPR we can point out two general categories of typical behaviour manifested in the institutions: a) institutionalised violence (open practices of violent, aggressive behaviour); and b) private violence (Buchanan 2007: 60), defined as hidden acts of ill-treatment.

With respect to a): a ward of the children's residential care system was objectified and victimised at the very beginning of the institutionalization procedure, at the very moment of placement in an emergency shelter or in a group home. Mostly children, even older adolescents, were taken to the institutions without any preparation, suddenly eradicated from their environment (*We didn't even know that... we would go [there]. The police simply came and they took us from home to the emergency shelter*). Sometimes, during the placement procedure¹⁸, acts of direct physical violence took place:

(...) it is my worst memory of my 40 years work in the court – placements. For me it was a trauma, for children, it was a trauma for parents, some release of aggression, after all it came down to some struggle. We had to place them with the support of militia, because sometimes there were really tragic situations, literally. The mother was convulsed, and while seeing it, the children too. I was taking four children, I had four well-built militiamen to help [their task was to protect the probation officer, they were forbidden to touch the children] (...). [The mother] was shouting. They did not touch her, they did not touch those children, and I – the four of them, the driver helped me, caught two, I took two others in my arms, because these were small children (FGI, probation officer).

Children who were located in emergency shelters were routinely placed for some time in a kind of isolation room, officially intended for captured escapees (*You sit in one room, you are closed, yes? Barred windows (...) nothing more. If you need to go the toilet you have to knock or ring the bell*). Due to the legal regulations siblings of differentiated ages (*the regulations did not take into account the differentiated age of siblings*) were separated. A child could stay in an emergency shelter no longer than three months, but this regulation was routinely ignored, and placement in this institution could be even prolonged until even a year or more. Such prolonged detainment meant that the wards were in a state of limbo, which enhanced their sense of instability (a significant attribute of the institutionalisation process *in toto* – Andrzejewski 2007; Golczyńska-Grondas 2015). Limits placed on family contacts (cancelling passes for home visits) and (the

¹⁸ It happened quite often that children were taken from schools during classes. A parent or legal guardian could also bring a child to the institution him/herself.

threat of) re-placement to other more rigorous institutions (reformatory centres, psychiatric hospitals, or sanatoriums)¹⁹ as either a punishment or a disciplinary tool are other examples of violent institutional, semi-official practices in residential care²⁰. The wards' objectification creates yet another dimension of institutional violence in the space of impunity. The residents of children's homes were not able to decide their fate for themselves, neither in everyday life nor in important choices regarding their future²¹.

As concerns private violence (b): the space of impunity sustained the phenomena of a "second life", as it generated the framework for hidden acts of private violence performed by some staff members. Probably the direct physical violence (from forced-feeding to punishments via torturous exercises²²) performed by a number of care-takers, combined with the overwhelming sense of powerlessness, formed one of the most traumatic experiences for institutionalised children, both as victims and eye-witnesses (*and the first time I saw at [children's home name] how the boy was booted by a teacher. Booted! (...) At that moment I saw a young boy curling up with pain*). No narrator declared that she/he was a victim of sexual maltreatment themselves, but some of the narrators confessed to witnessing such acts²³. A care-taker who wanted to avoid direct confrontation with a child could provoke peer violence:

She hit my sister's head with her rings (...). I rushed toward her [the teacher] and told her not to hit her, (...) so she sent girls to us in the evening, who were older wards there, while we were fresh (...). These older inmates (...), they had a permission (...), when they [teachers] couldn't

¹⁹ The practice of placement in a psychiatric hospital is still performed in Polish children's homes: "there were cases where the need for psychiatric hospitalization reported by the personnel was a kind of punishment for aggressive behaviour" (Sowińska 2007: 11–12, transl. AGG).

²⁰ "They sent me [to the reformatory institution] just so, without any court proceedings, without what now would be impossible (...). I wanted ev/even to commit suicide. For me, generally it was a terrifying world, the reformatory centre" (WDD10 Grażyna).

²¹ For example nearly all of the wards of child care institutions in the 1980s were sent to vocational schools (Raczkowska 1983), quite often not corresponding with their individual capacities and interests. Sometimes such practices were performed against the best interest of a ward.

²² "(...) for example 'the chair' by the wall, you leaned your back against the wall, kneeled to the level of the chair and stretched out your arms and you had to hold it for some time (...) And sometimes she [the care-taker] ordered another child to sit down on the other child's knees to make it easier ((ironically))" (WDD07 Bartosz).

²³ It happened that teachers did not react even in situations of sexual violence: "Quite often [the teacher or another staff member] caught somebody on the spot, but it was just that he hit a person or something, 'Go away, dismiss', [A: and this was all? the end?] . . . and that was all" (WDD 17 Grzegorz).

cope with something, to knock us down a peg or two (...). In reality they [the inmates] were sorting things out, that one should be polite to the teacher (WDD32 Sabina).

The acts of psychological violence experienced by narrators during their institutionalisation resulted in deep emotional trauma:

I remember, what I was wearing when I came to the group home, red dress, white cuffs, white collar. I remember how my mum was putting a little cross on my neck and she told me ((pause)), not to take it off ((cries))... and I remember too how the headmistress of the group home ordered me to take this cross off... ((cries)), that it was forbidden²⁴ to have something like that. (...) after so many years this headmistress is still alive (...) and I do not have a heart for this woman ((specific intonation)). (...) I do have very unpleasant memories of her, just because of this, that she ordered me to take this little cross off. And my mum, I remember, told me, my child say your prayers, have God in your heart and remember that I have given you this cross (WDD01 Agata, recalling the very moment of the placement in the children's home).

Almost certainly minor acts of psychological violence, stigmatising and humiliation were elements of everyday reality in children's homes in the PPR. It also seems that such behaviours were performed "just so", not only by serious perpetrators, but also by other staff members²⁵. It happened that children were reviled in the most opprobrious terms, e.g. woken up by shouting or spanking. A care-taker who had funds for clothes and shoes at his/her disposal could refuse to supply a ward with new things, even though the old ones were worn-out or too small, and a hygienist at the emergency centre could cut off a protesting teenage girl's long hair, explaining her conduct by hypothetical pediculosis. Moreover, defraudation of the wards was an observable phenomenon at group homes. The inmates were aware that kitchen personnel took food home. During the times of martial law, staff members felt entitled to supply themselves in the first place, depriving children of different goods (food, clothes) delivered to the residential care institutions by international aid organisations from Western Europe (Golczyńska-Grondas 2014). A few institutional leavers are, retrospectively, conscious that the mistreatment they experienced as young children resulted from their lower social status (*it seems to me (...) that – as the inmates – we were on better terms with the administration and such social service [workers], (...)*

²⁴ The residential care institutions in the PPR had to have a lay character.

²⁵ "The worst thing there were teachers, because they allowed this / (...) and I remember it was such, trauma and that it was that they mentally/, because they were not allowed to beat or something, but they brought us down mentally, for example one came back from home after a pass 'So why mother didn't give you the grub?' And it was more such that one had to bite the bullet, say nothing, because one couldn't" (WDD32 Sabina).

an accountant or a cleaning lady, (...) these people talked with us as if we were normal people, in a sense they even wanted to be our friend).

The “conspiracy of silence” at different levels of the administrative hierarchy within the system was conducive to hiding ill-treatment, even though it seems likely that staff members were aware of the acts of power abuse performed by their colleagues²⁶. Mostly the inmates – convinced that the perpetrators represented a kind of “total power” – were too frightened to snatch on the teachers. They doubted if anybody would believe their stories and they were aware that they would remain unaided, as they did not have support even from relatives (*we were really... powerless, we couldn't do anything (...) such a child, from (...) home... where there are parents could say a word to a granny or someone else (...) and we didn't have anybody to tell, because (...) one was afraid of what could happen next*). Inmates' beliefs were supported by their experiences – sometimes other teachers used a perpetrator as a “threat” to discipline the children, and/or the victims who informed the authorities were punished instead of the violator:

This care-taker was the next terrible man (...) he had one rule – beating, beating and once again beating... Once he trashed our younger colleague so much that I have not seen anybody so black and blue. He was simply all black and blue from his back to the knees (...). We were then 15 years old, so we had our own wit, we told him “go to the police” [militia]. This was a tragedy, as they pummelled him too for the reason that he came to blame the care-taker (WDD 07 Bartosz)²⁷.

Only by the collective activity of a large group of inmates was there any chance of opposing the violence at group homes, but in most cases the children were too young or too weak to organize themselves. Moreover, the phenomenon of symbolic violence is observable in institutional leavers' stories. Some of the narrators still accept the grounds of institutionalised brutality and justify the teachers behaviours:

²⁶ At least the employees of the residential care system were and are aware of the phenomenon of multi-dimensional neglect and violence in the children's homes: “The fact that they [children] went through bad institutions, in which there was violence, mobbing, aggression and other kinds of mistreatment – this can be a real life-long nightmare” (FGI-active employees of the present system).

²⁷ The care-taker described in the quotation also kept on stealing both different children's as well as institutional property. The wards decided to report him to the headmaster. At first she did not react, but after having come back from holidays the narrator got to know that this man resigned from his post in the group home, got a promotion and became a supervisor of all children's homes in the city. Another narrator recalls a suicide of a 10-year old inmate; she recalls that the personnel and the headmaster of the group home kept their positions in the institution.

(...) it was I who maybe provoked, surely I provoked all this situation myself [the narrator has slight hearing impairment – as a teenager he was hit on his head by a teacher], I was saucy and I only saw this hand as it was reaching me and recklessly I did this way [he bends] and the whole open palm dropped on my [ear], the pressure simply torn this ear-drum (...). But as I say, I myself, was guilty on my own for this situation, for sure (...). I reported this to the headmaster, she was supposed to take care of this issue, later (...) I went to the pedagogue (...): “You didn’t have an abduction? Oh, now you cannot do anything” (...). And what? I was guilty myself.

AGG: Did they have any idea about the medical treatment?

N: No, not at all (...) There was some blood from the ear, it stopped later (...). Later I got to know that I have a perforation of the ear-drum ((longer pause)). (...) Although, as I say, this person, who, who... ee hit me, he was needed in that place at that time. It had to happen so that I gained, such... another, another perspective, started to think a little bit differently (WDD34 Marcin).

FINAL REMARKS

It is difficult to assess whether the space of impunity was a general phenomenon in all residential care institutions in the PPR. Unquestionably it depended on the functioning staff, their attitudes and values, and some headmasters were able to lead the institution according to the principle of the best interest of the child. This leads one to ask: What about the space of impunity nowadays? On one hand, it is possible to formulate the thesis that the space of institutional impunity in democratic countries has been shrinking and becoming the space of symbolic violence. The systemic transformation brought about changes both in the area of social awareness and legal regulations. The post-communist countries have reformed their social welfare systems. Within the field of residential institutional care – the focus is declared to be on individualised psycho-social work, family-assistance, and the development of professional foster care. There are better opportunities for staff training, as obligatory life-long skills’ training, and aftercare programmes have been introduced. In the last two decades in Poland the activities of human rights and watch-dog organizations have significantly increased, and mass-media has begun to play a very important role in the mechanisms of social control. On the other hand, a child (especially in the “family-oriented” Polish society) is still treated as “a minor” and placed in a subordinated position in the relationship with an adult²⁸. We can also observe that children from the lowest social strata are still treated as “low(er)-value” children and that cultural beliefs regarding the individual sources of marginality and poverty are still present in both educational

²⁸ In 2012, 34% of researched Poles agreed with the opinion that corporal punishment (spanking) cannot do any harm to a child (O dopuszczalności kar cielesnych..., 2012: 3–5).

and social welfare institutions (Kalbarczyk 2013; Górnjak and Kalbarczyk 2013). The Supreme Audit Office reports on acts of neglect and human rights' violations in residential care institutions for children and youth. The risk of maltreatment is higher in the population of institutional wards than in the population of their peers living in family homes (Informacja o wynikach kontroli... 2011:14; Sajkowska 2007, 2010). At the same time, the mass-media constantly informs the public about acts of maltreatment in group-homes, emergency shelters, correctional institutions, and youth psychiatric wards. Children living in the pockets of poverty are not sufficiently protected from poverty and harm (Warzywoda-Kruszyńska and Golczyńska-Grondas 2010). Therefore it seems that the phenomenon of institutionalised impunity needs further and continuous monitoring, and that constant exploration and research should be carried out in strict cooperation with the endangered individuals, with the authorities and practitioners responsible for child protection, and with the employees of other social welfare institutions.

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DZIECI ZE ŚRODOWISK DEFAWORYZOWANYCH W SPOŁECZNEJ PRZESTRZENI BEZKARNOŚCI: NA PRZYKŁADZIE SYSTEMU OPIEKI CAŁKOWITEJ W POLSKIEJ RZECZPOSPOLITEJ LUDOWEJ

Streszczenie

Artykuł traktuje o społecznych uwarunkowaniach zinstytucjonalizowanej przemocy. W pierwszej części tekstu skrótowo scharakteryzowano pojęcie bezkarności stanowiące podstawę teoretyczną rozważań, następnie omówiono schemat (zinstytucjonalizowanej) przestrzeni bezkarności wraz z jej konstytutywnymi elementami: potocznymi przekonaniem dotyczącymi “natury” (z)marginalizowanej zbiorowości, niską społeczną wartością przypisywaną jednostkom i grupom, ideologicznym embargiem dotyczącym naukowo ugruntowanej wiedzy, usunięciem wykluczonych jednostek i grup z pola widzenia zwykłych uczestników życia społecznego. W głównej części artykułu autorka opisuje przestrzeń bezkarności funkcjonującą w tzw. systemie opieki całkowitej dla dzieci i młodzieży w okresie PRL. Ostatnie fragmenty tekstu zawierają zestawienie przykładów instytucjonalnej i prywatnej przemocy wobec wychowanków placówek opiekuńczo-wychowawczych realizowanej w przestrzeni bezkarności. Empiryczną podstawę tekstu stanowią wywiady narracyjne i biograficzne przeprowadzone w latach 2011–2013 z dorosłymi „absolwentami” PRL-owskich domów dziecka oraz wywiady grupowe z pracownikami systemu edukacji i sądownictwa aktywnymi zawodowo w okresie instytucjonalizacji narratorów.

Słowa kluczowe: zinstytucjonalizowana przemoc, bezkarność, społeczna przestrzeń zinstytucjonalizowanej bezkarności, placówki opiekuńczo-wychowawcze dla dzieci i młodzieży