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Pedagogical Capacity of the Regime as a Means of Correcting Convicts

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Abstract

Introduction: the article is devoted to identifying and characterizing pedagogical capabilities of the regime as a means of correcting convicts. It presents a scientific view of the essence and structure of pedagogical capacity of the regime, as well as highlights its components, each of which is designed to help employees of a correctional facility to apply a normatively defined model of the order of the execution and serving a sentence and assist convicts in getting used to regime requirements. Pedagogical capacity of the regime is considered as a set of resources, which effectiveness is largely associated with by penal system employees' wiliness and skills for pedagogical activity, as well as the state of the material and technical base for educational work in the correctional facility. *Purpose:* to reveal the essence and content of pedagogical capacity of the regime as a means of correcting convicts; to identify and characterize conditions of its productive use in the light of modern penal legislation and taking into account scientific achievements in this field of knowledge. *Methods:* comparative historical analysis, document analysis, monographic method, structural analysis, deduction method, logical generalization, etc. *Results:* the essence of the concept "pedagogical capacity of the regime as a means of correcting convicts" is revealed and its definition is proposed; key structural components of the phenomenon under study are presented; and conditions for successful application of the educational opportunities inherent in the regime are characterized. Prospects for studying pedagogical capacity of the regime in terms of the importance of applying individual and differentiated approaches in the correctional process are determined.

Key words: means of correction; regime; pedagogical capacity; upbringing; educational work; pedagogical process; training; personal qualities; educational methods; pedagogical activity; psychological mechanisms.

5.8.1. General pedagogy, history of pedagogy and education.

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Introduction

The adoption of new Internal Regulations to a certain extent widen the list of rights of those sentenced to deprivation of liberty, including in the field of education and educational work. In particular, convicts have the right to receive education and undergo vocational training according to programs for training qualified workers; to enroll in online educational programs, use additional, separately paid, educational services, devote more time to physical culture and sports, etc. [1]. So, it is rather relevant to consider potential possibilities of the order of execution and serving of imprisonment as an instrument of pedagogical influence on convicts in the light of new trends in the modern penal policy.

Although the term “regime” in relation to the issue of detaining prisoners was firstly used in special domestic literature in the early 1920s, deprivation of liberty accompanying the execution of criminal punishment has always been associated with special regulations, regardless of the type of state structure. Russian scientists studied the regime in the context of pedagogy at the turn of the XIX–XX centuries. I.Ya. Foinitskii, enumerating factors of ensuring order in prisons, called prison discipline its main condition, which he understood as “a set of measures aimed at maintaining order and peace within the walls of the prison” [2, pp. 388–390]. He described the following requirements as measures ensuring order: regulation of prisoners’ pastime; prohibition to use things that “may be applied to disturb prison order”; building a special system of prisoners’ accommodation to prevent “harmful influences on each other”; approval of the norms for conducting visits and receiving parcels; establishing the procedure for communicating with prison staff and interacting with priests, teachers, watchers at work; determining penalties for violating prison discipline, etc. [2, pp. 388–390].

I.Ya. Foinitskii’s pedagogical approach to the regime was manifested in his interpretation of the essence of penalties applied to prisoners for violating rules of conduct. In this regard, the “core of punishments” should be considered the principle according to which “prison penalties should be consistent with educational tasks of prison activities and should not contradict them at all”. Otherwise, punishments are “dishonoring the prisoner in the eyes of his comrades” “weakening his energy”, “triggering aversion to those phenomena that are necessary for successful

movement along the path of honest discipline” [2, p. 394].

S.V. Poznyshev developed his ideas in a similar way. In “Essays on prison studies” (1915), he called the order of serving a criminal sentence “the conditions with which the life of prisoners in prisons is arranged” [3, p. 143]. He described material conditions (everything associated with the physical well-being of prisoners: the condition of buildings in which they are held, food, clothing, walks, hospital, bathhouse, etc.); moral conditions (all measures of spiritual and moral influence on prisoners); prisoners’ connections with “the world outside prison” (meetings, correspondence, etc.) [3, pp. 214–227]. Subsequently, in the work “Fundamentals of penitentiary science” (1923), S.V. Poznyshev used the term “penitentiary regime” for the first time in the domestic scientific literature and defined it in a broad sense as an order that “encompasses the entire system of measures by which penitentiary institutions strive to achieve their goals” [4, pp. 113–114]. According to N. Luchinskii, the “penitentiary regime” should be “correct”, that is, having “a really great moral impact on prisoners”; the school and the church, i.e. institutions with an inherent dominant educational function, are “the most important foundations of the correct regime” [5, p.9].

The special merit of S.V. Poznyshev, I.Ya. Foinitskii and N.F. Luchinskii is that they not only revealed the educational essence of the penitentiary regime, implemented with the help of such directions as subordination of prisoners to a certain order in the distribution of their hours of study and rest; mandatory expediently organized labor of prisoners; mandatory participation of prisoners in cultural and educational classes (school or extracurricular); organization of serving sentences in such a way that prisoners strive for parole [4, p. 160–161], but also raised its meaning to the level of interpretation from the standpoint of morality.

Developing ideas of his predecessors, A.S. Makarenko formulated characteristics of the “right regime” having an educational impact on convicts. They are the following: expediency (all forms of the regime should have a certain meaning; accuracy, implying the inadmissibility of exceptions and indulgences in terms of established time and place; generality, asserting the mandatory regime for everybody; certainty, implying validity and regularity by precise rules and distribution of responsibility [6, p. 103].

In the framework of the modern Russian penal policy, the regime acts not only as a legally formalized procedure for the execution and serving of imprisonment, but also as one of the main means of correcting convicts (Article 82 of the Penal Code of the Russian Federation). The regime is characterized in the works of a number of scientists who have revealed various aspects of its implementation. Researchers pay a lot of attention to its functions. Thus, the works of S.L. Babayan, M.M. Galkin, A.V. Dergachev and others are devoted to the study of the punitive function of the regime; in their opinion, the use of punishment is an integral attribute of the penalty and consists in retribution, which should reflect the principle of justice of the law and follow the commission of a crime [7–9]. The preventive function of the regime, which consists in the prevention of offenses in places of deprivation of liberty, is presented in the studies of M.N. Zharkikh, V.A. Ishigeev and others [10; 11]. The sustaining function of the regime, the essence of which is that it acts as the basis for the implementation of other means of correction and the entire correctional process as a whole, is described in the works of S.A. Vetchkin, I.I. Koroleva and others) [12; 13]. The educational function of the regime is reflected in the works of A.V. Vilkova, E.V. Zautorova, L.V. Kovtunenکو and others [14–16].

Within the framework of penitentiary psychology mechanisms of the regime's influence on the individual are considered in the works of M.G. Debol'skii, Yu.A. Dmitriev, V.M. Pozdnyakov and others. They focus on deprivation and discomfort experienced by convicts in connection with isolation from the usual environment, constant supervision and control, strict regulations concerning all the main areas of their human vital activity [17–19]. Philosophical and sociological issues related to the application of the regime in modern correctional facilities are summarized in the dissertation prepared by D.Kh. Shakirov, who argues that the restrictions accompanying the regime should not become an end in itself, but are designed to harmonize the convict's relationship with a positively oriented society and encourage acceptance of its norms and values [20].

Summarizing the presented scientific judgments, it can be stated that the expected result of the corrective effect of the regime should be the following: displacement of antisocial habits and negative personal characteristics; formation of positive qualities, socially approved founda-

tions; and development of resistance to negative criminal influence. Appreciating scientists' contribution to the study of various aspects of the regime implementation, we cannot but mention the absence of special monographic studies devoted to consideration and description of pedagogical capacity of the regime that correlates with the current penal legislation and modern achievements in the field of pedagogy.

Purpose of the study. The purpose of this article is to present and characterize the regime as a means of correcting convicts that has pedagogical capacity. The disclosure of the essence and content of pedagogical capacity of the regime is important in determining pedagogical impact methods for convicts who get used to the order of serving imprisonment, as well as identifying conditions conducive to effective application of regime norms. The study conducted is relevant, since the range of pedagogical impact measures increases due to the expansion of humanistic trends in the penal system, which is confirmed in the new Internal Regulations.

Methods. To achieve this goal, a group of theoretical methods were used in the course of the study, including a method of comparative historical analysis (referring to it made it possible to compare scientific approaches to the identification of pedagogical aspects of the regime at certain historical stages of the penitentiary science development), document analysis (the study of normative legal acts helped clarify pedagogical aspects of the correctional process), a monographic method (an in-depth study of the regime was carried out, ways of achieving the goals to correct convicts by means of the regime were specified, problems preventing the use of pedagogical capabilities of the regime in the correctional process were identified); a method of structural analysis (it helped present the structure of pedagogical capacity of the regime as a means of correcting convicts), a method of deduction (it contributed to the consideration of general features of the concept "capacity" with their transfer to a particular characteristic of the concept "pedagogical capacity of the regime as a means of correction", as well as to the study of mechanisms and methods of positive personality change with their extrapolation to the pedagogical process of introducing convicts to the regime), logical generalization (it helped sum up certain results of the study), etc.

Analysis and discussion of the results.

In modern conditions, the regime or the order for serving sentences in penitentiary institutions is regulated by legal acts, among which the leading role belongs to the Law of the Russian Federation "On institutions and bodies executing criminal penalties in the form of deprivation of liberty" of July 21, 1993 No. 5473-1, the Penal Code of the Russian Federation of January 8, 1997 No. 1-FZ, and the Internal Regulations. The implementation of the regime is also provided by other regulatory legal acts, including Resolutions of the Government of the Russian Federation, orders of the Ministry of Justice of the Russian Federation, orders of the Director of the Federal Penitentiary Service of Russia, etc., as well as special methodological recommendations and instructions.

The pedagogical essence of the established procedure for the execution and serving of punishment is reflected in Article 9 of the Penal Code of the Russian Federation, which states that the means of correcting convicts, including the regime, are aimed at forming "a respectful attitude towards a person, society, work, norms, rules and traditions of human community and stimulating law-abiding behavior". The listed directions imply an appeal to pedagogical tools, since they are focused on encouraging the convicted person to recognize the personal significance of a person, society, as well as generally accepted social norms. According to the Penal Code of the Russian Federation, the regime is designed to ensure effectiveness of all the main means of correction, among which provision of general and professional education and educational work are of particular importance in the aspect of our research. The means of correction of convicts have an integral pedagogical nature, as they provide for the mandatory participation of professional teachers and employees of the educational institution with competencies in the field of education. The process of correction of convicts is largely created by people who must be professionally trained to carry out pedagogical functions in correctional facilities, and the effectiveness of this process directly depends on their level of education and skill, as well as attitude to their work. The staff of correctional facilities should rely on pedagogical capacity of key correction means, including the regime.

The term "capacity" is interdisciplinary in nature and can be applied in various scientific and practical fields. Capacity is considered as a set

of means, conditions necessary for maintaining and preserving something; as a rule, this term is associated with the concept "resources" [21, p. 526; 578]. In turn, resources are considered as auxiliary means, which include everything that can be used by a person for effective activity and maintaining the quality of life [22, p. 514]. Based on the existing ideas about the concept "pedagogical capacity" [23, p. 90], we consider this phenomenon in relation to the regime of serving a sentence as an integral resource formation with a pronounced educational orientation, which creates an opportunity for a penal system employee to broadcast norms and the procedure for serving a sentence, as well as to facilitate their acceptance by convicts. Since the resources of any object that determines a successful activity include, first of all, organization, content and meanings [22, p. 522], and the regime in a correctional facility is always characterized by normative certainty, then pedagogical capacity of the regime can be represented as a specific series of means, the structure of which consists of organizational-normative, content-normative, and value-normative resources. We will consider the listed resources in more detail.

Organizational and regulatory resources include regulatory requirements for the organization of training and education in a correctional facility. The main list of them is defined in the Penal Code of the Russian Federation and is specified in more detail in the Internal Regulations. Thus, Section 2 of the Internal Regulations "Basic rights and obligations of persons sentenced to imprisonment", fixes the rights, the implementation of which is designed to ensure positive personal development through general and vocational education, as well as vocational training in accordance with the legislation of the Russian Federation (paragraph 6.19). In this section, the right to participate in cultural and sports events, go to the library, board games, listen to radio broadcasts, and watch TV shows, movies and videos at a time determined by the daily routine of those sentenced to imprisonment is fixed (paragraph 6.21). If there is a technical possibility and subject to compliance with the Internal Regulations, persons sentenced to imprisonment may have access to educational programs in the information and telecommunications network "Internet" when they receive general and vocational education in accordance with the legislation of the Russian Federation (paragraph 6.22).

The obligation to conduct educational activities in a correctional facility is fixed in the legal norms defining the procedure for serving sentences. According to paragraph 406 of the Internal Regulations, up to one hour and 30 minutes are provided for educational activities in the daily routine for juvenile convicts, and up to one hour for adults. Attendance of a general or professional education organization of the Federal Penitentiary Service of Russia and self-training are carried out according to a separate schedule in accordance with the curriculum. The new Internal Regulations permit convicts to use electronic books for reading for educational purposes (paragraph 6.25 of the Internal Regulations). The novelties of the Internal Regulations approved in 2022 consisted in the provision of additional opportunities for physical exercise, obtaining and accessing educational services and legal information.

Priests traditionally play the role of education subjects, and their authority among convicts has recently been increasing. In accordance with Article 14 of the Penal Code of the Russian Federation, which regulates conditions for the admission of priests to prisoners held in a penitentiary institution, the procedure for involving priests of traditional confessions in the correctional process is defined in the Internal Regulations [23]. According to paragraph 397 of the Internal Regulations, there is a norm imposed on the conduct of religious rites and ceremonies within the framework of agreements of the Federal Penitentiary Service of Russia and territorial bodies. It has been established that in order to perform religious rites, clergymen are allowed to bring books, as well as objects of religious worship, necessary for them for the time of worship and religious rites, to the territory of a correctional facility and a pre-trial detention center.

The regime is supposed to promote correction of convicts. The existing progressive and step-by-step system for serving a sentence meets this goal, providing the possibility of changing detention conditions within one correctional facility or by transferring to another type of a correctional facility; replacing the unserved part of the punishment with a milder penalty, conditional early release, etc. In accordance with Article 96 of the Penal Code of the Russian Federation, positively characterized convicts serving imprisonment in correctional facility, as well as convicts left to conduct maintenance work in pre-trial detention centers and prisons, may be allowed to

move without escort outside the correctional facility, if necessary by the nature of the work they perform. At the same time, in case a convict violates the Internal Regulations or the nature of the work performed changes, movement without escort is canceled by the decision of the head of the correctional facility. A progressive system of serving a sentence can not only contribute to positive changes in the conditions of detention, but also act in the opposite direction: in cases of non-compliance with regime requirements, the legal status of a convicted person may change in a regressive direction and lead to the deterioration in the conditions of serving a sentence or transfer of a convicted person to an institution with a more stringent type of regime.

A progressive and step-by-step system for punishment execution, in which the content of restrictions varies depending on the degree of correction of the convicted person, serves as an incentive to correction. In a correctional facility, there is an order to promote convicts according to the stages (levels) of achievements, depending on which each convict is equated to one of the following categories: observing the order of serving sentences, showing activity in positive self-change; basically observing the order of serving sentences, but not striving for positive personal change; systematically violating the order of serving sentences and not seeking self-correction. In order to move “up”, a convict has to prove his/her desire for correction, including through the presentation of achievements confirming the growth of his level of education and upbringing.

It should be noted that the variety of deprivations and restrictions in a correctional facility and their specifics are fixed in the norms on types of regime and differentiation of conditions of serving a sentence. The variability of conditions of serving sentences affects such areas of convicts' life as place of residence, monthly expenditure of funds for the purchase of food and basic necessities (Article 88 of the Penal Code of the Russian Federation), number of short-term and long-term visits during the year (Article 89 of the Penal Code of the Russian Federation), number of parcels received during the year, number of telephone calls per year (Article 92 of the Penal Code of the Russian Federation), etc. Thus, different types of regime reflect differences in the conditions of serving sentences affecting essential spheres of life of convicts, and the progressive system

creates opportunities for gradual changes in the conditions of serving sentences, depending on convicts' behavior in the direction of expanding or limiting their legal status. It is assumed that a convicted person, focused on integration into a progressive system of serving sentences, knowing the criteria according to which his/her behavior is evaluated, strives to comply with the Internal Regulations, as well as minimize negative consequences of the crimes committed, including compensating for the damage caused by him/her to the victim.

In general, it can be stated that organizational and regulatory resources of the regime are able to ensure implementation of pedagogical capabilities of the established procedure for the execution and serving of imprisonment, since they are focused on creating necessary conditions for education and upbringing, the organization of which is strictly regulated.

The content and normative resources of the regime, first of all, fill the correctional process with the pedagogical content that should encourage convicts to manifest certain personal qualities. Personal qualities (properties) are understood as a set of individual characteristics, the nature of which is hereditary or acquired, i.e. socially conditioned. Personal qualities as stable manifestations of the uniqueness of each person have an impact on the social status of the convict in the penitentiary environment, his behavioral attitudes and the direction of actions, well-being, reputation, and predisposition to specific activities.

The progressive system of serving sentences, correlated with the regime, contributes to the formation of personality qualities in convicts, such as adherence to law, discipline, independence, responsibility, purposefulness, diligence, accuracy, politeness, etc. Adherence to law is unquestioning obedience to legal norms; discipline consists in voluntary conscious observance of the established order; and diligence – in a positive attitude to work, a tendency to work hard, getting satisfaction from the process and results of the work.

Convicts' independence is manifested in their predisposition to initiate useful deeds, develop and implement their own positive life plans, the ability to make judgments independent of the ideas existing at the level of subcultural communication. Responsibility as a personal quality is characterized by convicts' conscious attitude to their actions and their tendency to see inner

reasons for what is happening to them. Responsibility is associated with the choice of a life path and convicts' awareness that they themselves are the source of a positive change in their legal status. Purposefulness is persons' willingness to achieve goals and readiness to overcome circumstances that prevent its implementation.

The regime forms carefulness in convicts – a character trait that expresses the ethics of their relationship to themselves, people around them, and their belongings, including clothes and household items. Neatness manifests itself in persons' habit of keeping things in order, diligence, accuracy, etc. For example, paragraph 10.10 of the Internal Regulations obliges convicts to keep living quarters, sleeping, study and work places, bedside tables, clothes clean and tidy; paragraph 10.10.1 of the Internal Regulations – to make the bed according to the established pattern. Politeness is a quality required by the regime, which consists in respectful and tactful communication with people; this imperative is fixed in the approved norms of relations between employees of the correctional facility and convicts. Thus, paragraph 19 of the Internal Regulations obliges convicts to greet employees of the correctional facility, get up when meeting with them, address them formally by name and patronymic (if any).

In addition, the regime is focused on the displacement of negative personality formations inherent in convicts. In particular, the Internal Regulations fix a list of prohibited actions that accompany bad habits and antisocial behaviors. These include drinking alcoholic beverages, smoking in places not designated for this purpose and before the age of eighteen, gambling, tattooing yourself and others; when communicating with other persons, the use of obscene language and slang words and expressions, humiliation of the honor and dignity of other people, the appropriation and use of nicknames in speech, replacing the names of people, etc. (paragraph 12).

The regime also performs a censorship function, which is associated with the implementation of a system of supervision over the content and dissemination of information, printed materials, musical and stage works, works of fine art, film and photographic productions, radio and television broadcasts, websites and portals, in some cases private correspondence to restrict or prevent dissemination of ideas and information recognized by the authorities as prohibited. Censorship in places of deprivation of liberty can

be conditionally called pedagogical, since it presupposes a special kind of control over books, films and other sources of information, which can concern all people or be prohibited only in relation to convicts. Special requirements are imposed on the repertoire of books and films, since works of literature and cinema can have a strong influence on readers and watchers, including negative ones that are incompatible with the goals of correcting convicts. Thus, according to Appendix No. 3 to the Internal Regulations, literature, documents or information on any media calling for the implementation of extremist activities or justifying them, pornographic materials, objects and videos are prohibited.

The presented information shows that the content and normative resources of the regime are designed to fill educational activities conducted with convicts with the content that can contribute to the formation of positive personal qualities and the displacement of negative ones, and promote the implementation of the required patterns of behavior in everyday life.

Value-normative resources of the regime reflect the value nature of the normative acts regulating the regime and, accordingly, are determined by the values with which the law as a whole is endowed. The axiosphere of regime norms includes such values of law as legality, equality, and dignity. "Legality" asserts the necessity of the regime and is based on its self-worth. Standardization of the regime is an objective necessity that finds its form in the totality of norms. Standardization is inherent in the regime in any sense; it is associated with general obligation and formal certainty. It is obvious that if there were no order of executing punishment and serving imprisonment correlated with the tasks of correction, then such tasks could not be solved at all or would be solved chaotically and haphazardly, without achieving their goal.

The value of "equality" characterizes the same opportunities of convicts as individuals who are able to influence their legal status in line with the progressive system of serving sentences. The order of serving the sentence puts each convict before a choice that requires self-determination in the direction of law-abiding or illegal behavior; at the same time, all convicts are in an equal position, since they can independently decide on the preference of the most acceptable options for him.

The value of "dignity" determines the role of the convict as a person, his/her responsibility to

him/herself and others. The regime that encourages the manifestation of dignity gives a convict the opportunity to minimize negative consequences of the crime committed, thereby showing "inner nobility" and gaining the trust of society. This value is reflected in the regime, since the order of serving a sentence, which provides for a progressive system, contributes to the formation of certain positive personal qualities inherent in a decent person. Thus, the content of the value of "Dignity" associated with the regime includes two factors: objective, which represents the social role of the convict as a person perceived by other people, and subjective, which expresses his/her own self-esteem [24, pp. 33–34].

Familiarization of convicts with the values that the regime is endowed with brings them closer to a meaningful attitude to the order of serving imprisonment and gives direction to the assimilation and acceptance of the requirements.

Having considered the specific range of resources that reveal the structure of pedagogical capacity of the regime as a means of correcting convicts, we note that the regime is implemented to the extent that convicts are able to assimilate and internally accept its norms. In the pedagogical context, the use of the concept "pedagogical capacity of the regime" helps identify important educational processes when accompanying convicts in circumstances subject to regulation by the order of serving a sentence. So, correctional facility employees should ensure the assimilation and acceptance of regime requirements by convicts. The need for such support is based on the understanding that in some cases the fulfillment of regime requirements by convicts is hindered by objectively existing circumstances, including a deformed worldview; active influence of criminal subculture; predominance of authoritarian educational systems in the correctional facility; inconstancy and situationality of value-semantic guidelines that determine convicts' behavioral attitudes; imperfect application of the progressive system of serving sentences; change in the vector of human self-realization; violation of the rights of convicts in places of deprivation of liberty, etc.

The regime, which not only establishes prohibitions and restrictions, but also requires the convict to prove achievements in correction, acts as a guideline to help answer the question "What should be done?", but at the same time the question "How to achieve this?" often remains unanswered. In this regard, the choice

of means of pedagogical influence on convicts and a special system of methods of education, becomes significant.

M.I. Rozhkov's classification of methods of education seems can be proposed to solve this problem. It provides for a harmonious correlation of methods of influencing logical and sensory spheres of convicts. According to it, methods of education are binary. Selection of pairs of methods is based on the principle "education – self-education", and each method of education and the corresponding method of self-education differs from each other in what personal sphere of a person it has a dominant effect on. Personal spheres and corresponding dominant methods of education and self-education include: intellectual sphere (persuasion – self-persuasion), motivational sphere (stimulation – motivation), emotional sphere (suggestion – auto-suggestion), volitional sphere (requirement – exercise), self-regulatory sphere (correction – self-correction); existential sphere (dilemma – reflection) [25, pp. 166–168].

Implementing the persuasion method, correctional facility employees should use arguments in favor of the profitability of fulfilling regime requirements. They should explain the meaning of these requirements; clarify their content and disclose possible consequences for specific violations; show the effectiveness of a progressive system of serving sentences in a specific context, etc. According to the self-persuasion method, convicts are encouraged to formulate their own logical conclusions by comparing possible reactions of the correctional facility administration to convicts' behavior in certain situations mediated by regime requirements.

Stimulation is based on the formation of meaningful attitudes among convicts to comply with approved norms; this method is provided with the help of tools of encouragement and punishment. Condemnation or approval of other people, as well as expression of public opinion, are also important. Motivation is based on bringing convicts to an awareness of their needs and awakening their desire to achieve goals.

The suggestion method is focused on influencing convicts' senses, and through them – their mind and will. In turn, auto-suggestion involves triggering the mechanism of experiencing failure, the joy of success and overcoming difficulties. Implementing this method, the staff of the correctional facility should use pedagogical interaction techniques to cause

emotions reflecting an adequate perception of the regime and awareness of the inevitability of fulfilling its norms.

The requirement method implies that convicts are familiarized with prescriptions or behavioral models that are subject to mandatory implementation in actions and deeds. Relevant guidelines are categorically and clearly formulated; they do not allow ambiguous interpretations and discrepancies. Along with a direct requirement, an indirect one can be applied in various forms: advice, instruction, hint, reminder, call, exhortation, etc. An indirect requirement contributes to the awakening of the convicts' desire to comply with the established order of serving the sentence in response to the sympathetic attitude towards them as individuals. The exercise method consists in repeated performance of the required actions leading to the emergence of certain skills and habits.

The correction method focuses on creating circumstances in which convicts are forced to make changes in their behavior and attitude to the regime. Self-correction implies convicts' desire to follow the regime norms on their own initiative.

The dilemma method means person's inclusion in a situation of self-identification: the convict is offered a task that puts him/her before the need to choose between two behaviors, one of which reflects adherence to norms of the regime, while the other – neglect of them. Convicts discuss likely consequences accompanying each choice. Reflection as a method of education is aimed at encouraging the convict to reflect on his/her own behavior within the framework of the Internal Regulations. An important component of reflection is self-understanding, which is embodied, first of all, in the awareness of the meanings of familiarization with the values of regime requirements. Reflection, being the result of understanding one's behavior from the standpoint of regime norms, forms the basis of the convict's evaluation activity, during which questions, such as "What am I doing?", "How am I doing this?", "Why am I doing this?", "Does my behavior meet the requirements of the regime?", "What consequences will my behavior lead to?" etc. Thus, the method of reflection provides for the convicts' inclusion in the analysis of actions, their boundaries and meanings. It becomes an impulse for the personal identity formation, which provides for delaying intentions to commit illegal acts, weighing arguments in favor of "pros" and "cons", restrain-

ing negative emotions, developing self-control and the ability to constructively resolve a conflict [24, pp. 169–170].

Along with the presented classification, other methods can be used to solve the problem of effective use of pedagogical capacity of the regime in the correctional process. It is important that in their totality the methods used ensure the launch and functioning of certain psychological mechanisms, thanks to which it becomes possible to achieve the assimilation and acceptance of regime requirements by convicts. In this context mechanisms are the processes that favor the transformation of pedagogical influences into positive personal properties, reflecting the willingness to adequately perceive regime requirements and follow them. The relevant mechanisms include motivation, internalization, emotional response, reflection, overcoming the crisis of personal perception of regime requirements [24, pp. 170–173].

During the formation of motivation for the positive perception of regime requirements, the reliance on the development of meaning-forming motives in convicts that lie in the plane of combining situational motives, desires and interests with promising life goals becomes particularly relevant; the indicator of effectiveness in this case is convicts' formation of their own model of productive existence in the system of requirements, taking into account the possibilities of a progressive system of serving sentences.

The essence of internalization lies in the fact that, mastering and realizing the status of a person sentenced to imprisonment, an individual first internalizes (translates the external into the internal plan) the regime requirements imposed, that is, as if "accepts them" at the level of inner conviction, and then follows them in his/her behavior. The psychological mechanism of interiorization is closely related to the assimilation of regime requirements, i.e. the accumulation of knowledge about how to correlate life phenomena and events with the categories of "due", "necessary", and "fair" through understanding the essence of regime requirements. In the process of memorizing, reproducing, understanding, applying and evaluating the necessary information, the convicted person receives up-to-date knowledge about the order of serving a sentence; in the course of recognizing, typing and generalizing relevant situations, he/she masters the stereotypes of law-abiding behavior.

Convicts' emotional response to events and facts connected with the regime is significant for internalization of regime requirements. In fact, an emotional reaction is a person's reaction to the value system of the regime and his/her own claims as models, with which the choice that determines the subsequent action is measured. The appearance of an emotional reaction largely depends on how the interaction between a convict and a legal space of the correctional facility is initiated and organized by educators and to what extent the relationship with him/her is mediated by his/her semantic sphere. Receiving information about the criteria of a law-abiding personality and striving for it, a convict discovers meanings of these criteria, finding adequate forms of response. In fact, an emotional response is the convict's reaction to a system of values that are initially endowed with regime requirements; these are emotional experiences about situations with a regime context, expressed in the form of regret, remorse, guilt, shame, despair, anger, indignation, protest; satisfaction from a positive attitude towards oneself from others, awareness self-esteem, joy, etc.

The content of reflection is the correlation between the existing order of serving imprisonment and the value-semantic core of the convict's "self-concept". In the course of reflection, one's own behavior is correlated with regime requirements. Reflection as a dialogue between a person and himself presupposes the choice of criteria with which the content of this dialogue is compared. It can manifest itself at the level of awareness and be unconscious; according to its subject, it can be directed at the inner world (feelings, thinking, values related to the regime), ways and forms of behavior. The level of reflection is determined by these three dimensions [26, pp. 45–47]; its positive result is the decision to follow the established order of serving a sentence.

Overcoming the crisis of personal perception of regime requirements is actualized in situations when such a crisis emerges. Often, the reason for its appearance is that, being internally ready to follow the established norms, convicts are disoriented in the legal space of a correctional facility, are not able to comply with its legal norms and conditions of the surrounding legal reality, and have no skills to protect their interests. A crisis can also arise in circumstances in which, comprehending the legal re-

ality, the convicted person, along with acquiring information about regime requirements, receives a lot of reasons for disappointment, since in some cases he/she witnesses that penal system employees, who declare adherence to law, themselves act as its cynical violators. Data about such facts are available in official sources. Thus, the Report on the activities of the Commissioner for Human Rights in the Russian Federation for 2021 notes that during the reporting year, the Ombudsman's office received 5,879 complaints from citizens who are in penitentiary institutions. T.N. Moskal'kova states a 20.7% increase in complaints for this period compared to the previous year. The speaker connects this rise with such phenomena as rudeness of penal system employees, humiliation of human dignity, inconsistency of the penalties imposed with the nature of violations of the established order, etc. The ombudsman also highlights torture, calling it "the most terrible thing, which in principle should not exist" [27]. Overcoming the crisis in the context under consideration can be presented as a process of gaining a new experience for the convict, mediated by restoring justice in a situation of violation of his/her rights, exhaustive explanations and providing the necessary assistance.

The use of pedagogical capacity of the regime as a means of correcting convicts becomes successful when carried out by professionals – people competent in this field. The staff of a correctional facility should be ready for conducting appropriate pedagogical activities, which implies a desire to work with convicts in this direction. In addition, penal system employees should be prepared to educate convicts by means of the regime. This means that they have a legal culture, possession, along with special (according to the profile of the main specialty), pedagogical knowledge, skills and abilities. The essence of pedagogical training of penal system employees is the formation of their pedagogical worldview, determined by institutionalized norms and status-role requirements. In modern practice, pedagogical training of penal system employees is carried out mainly in universities of the Federal Penitentiary Service of Russia, in which pedagogical disciplines are obligatory at the bachelor's, specialist and master's degree levels, and within the framework of additional professional education.

Another condition for the full use of pedagogical capacity of the regime in the correctional process is the availability of an appropri-

ate material and technical base for organizing educational work with convicts in correctional institutions; its importance is fixed in Part 3 of Article 110 of the Penal Code of the Russian Federation. According to the Decree of the Government of the Russian Federation of August 2, 1997 No. 974 "On the approval of norms for the creation of a material and technical base for the organization of educational work with convicts in correctional institutions", all educational institutions should be equipped with rooms for mass educational work, general education classes, educational work rooms, a radio room, a library reading room and a book depository, a summer playground for watching movies with spectator seats, etc.

An important factor in the successful use of pedagogical capacity of the regime, in addition, is the functioning of the correctional facility in the form of a legal space in which the order of execution of punishments is mandatory for everyone, both for convicts and employees. At the same time, the response measures, the staff of a correctional facility applies convicts, should be commensurate with the content and direction of their actions and deeds.

Thus, having considered pedagogical capacity of the regime as a means of correcting convicts, we have identified "niches of opportunities", the reliance on which can significantly affect the course and effectiveness of the correctional process. We believe that the full use of pedagogical capacity of the regime will contribute to the formation of convicts' willingness to follow regime requirements and the desire to integrate into a positive channel of a progressive system of serving sentences, while its partial application – to the development of adaptability in convicts with a pronounced tendency to demonstrate adherence to regime requirements only "for show", that is, situationally. Penal system employees' incompetence or reluctance to rely on pedagogical capabilities of the regime may lead to convicts' opposition to the requirements imposed.

Conclusion

The article reveals the essence of the terminological construct "pedagogical capacity of the regime as a means of correcting convicts", which consists in the selection and integration in one concept of resources that fill the order of execution and serving of imprisonment with a pronounced educational orientation. The structure of the phenomenon under study is presented, including organizational-normative, content-

normative, and value-normative resources. Organizational-normative resources reflect legally fixed capabilities of the regime associated with the mandatory implementation of education and upbringing of convicts. Content-normative resources indicate convicts' personal enhancement, which presupposes the formation of positive qualities in them and displacement of negative properties when following the requirements imposed. Value-normative resources make it possible to give regime requirements a value character due to their validity, obligation and fairness, as well as to direct convicts to build a line of socially approved behavior accompanying a decent human life.

The idea is substantiated that, in their totality, the listed resources create an opportunity for a penal system employee to broadcast the norms and procedure for serving a sentence, as well as to facilitate their acceptance by convicts under certain conditions. These include the following conditions: special pedagogical support, availability of the necessary material and technical base to fulfill the tasks of education and training, functioning of a correctional facility in the form of a legal space within which re-

gime requirements are mandatory for convicts and penal system employees. The proposed view on the nature of pedagogical capacity of the regime as a means of correcting convicts is based on the analysis and generalization of data contained in normative legal acts regulating the procedure for the execution and serving of imprisonment, scientific works describing functions of the regime, and makes it possible to multiply existing knowledge about the phenomenon under study.

The presented list of conditions for the successful use of pedagogical capacity of the regime is not exhaustive and can be supplemented. The conditions associated with taking into account an individual and differentiated approach in educational work with convicts on the assimilation and acceptance of regime requirements, as well as with the specifics of the educational process associated with types of regime, etc., are left outside the boundaries of this study. Accordingly, the problem field of research can be expanded in line with the description and justification of newly identified conditions for the full realization of pedagogical capabilities of the regime as a means of correcting convicts.

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