

## VIOLENCE AS A SOCIO-LEGAL PHENOMENON AND PROBLEM

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**Abstract.** Searching for search results in the reconstruction and construction of scientific research results, must go hand in hand with the results of scientific research, the results of moral research, social reform, activities related to academic activities, as well as economic activities, in search of data on people – his humanity, raise the delay and culture society. We must learn to be in front of each other in the human-human relationship. It should be emphasized that the regression of humanity cannot be stopped with punishments and fear. He will restrain himself with a wise, demanding, responsible and consistent love.

**Keywords:** violence, development, personality, humanity, family

### INTRODUCTION

Certain issues have been chosen for analysis, with the awareness that this is only an exemplification of the problems, and not their comprehensive presentation. The term violence is most often understood as relations between people characterized by the use of force, both verbal and non-verbal – harming and violating personal dignity. It is a phenomenon, behaviour and situation that violates basic social standards, disorganizes the social order, and the functioning of social institutions constitute a negative fact, causing great loss and social-psychological damage. Many people have no idea how their own lives reflect the rapid changes in our world.

The problem of violence has been widely discussed in the Polish literature as well. There are fewer supporters of the thesis that violence concerns a certain social margin, social pathology, or people with personality disorders – it is confirmed by the practice of, among others, lawyers and courts. At the same time, it is possible to encounter persons with immature personality, egoistic, irresponsible, toxic, aggressive, dishonest, narcissistic, willing to live at someone else's expense, not guided by ethical and moral principles. There are individuals who are characterized by an inability to have emotional relationships with other people, objects of attitude to sexual life, lack of guilt, shame and responsibility, as well as inadequate antisocial behavior, self-destructive lifestyle, failure to distinguish the boundary between reality and fiction, truth and lies, lack of fear, frequent blackmail suicide and self-damaging tendencies. From generation to generation there is more and more emotion and less love in the world. The number of aggression and other disorders of human ties increases, which has been long reported by scholars of various countries. These problems are clearly interdisciplinary.

It is known that social standards cannot be enforced by laws. Compliance is their *a priori* assumption. However, making a law is accompanied by trust in its addressees and the hope that they will obey it. Laws not calculated to be effective are pointless and immoral. The state has an apparatus of execution and repression, but repression has its limits. Once they are breached, the law loses its meaning. Trust and hope in the legislature's view are also important as protection against the citizen being perceived as a potential criminal. Some assume that the law will cure society, remedy its ills, separate the good from the bad, make it possible to settle accounts with the past. In these expectations, the law grows to the role of an instrument of happiness. Man is no longer perceived as a subject of law, but as someone who still needs to be regulated.

## 1. HUMANITY AND DIALOGUE

K. Lorenz, in a book entitled "The Regress of Humanity," wrote "In the present era, the prospects for the future of humanity are extremely sad, if not killed by nuclear weapons or environmental poisoning, they are threatened by a gradual regression of all the qualities and achievements that constitute their humanity." He believes that the mind becomes the enemy of the soul and leads to perdition. He writes that "today's youth is in a particularly critical position. In order to avoid the threatening apocalypse, it is necessary to reawaken among the young the sense of value, beauty and goodness suppressed by scientism and technological thinking" [Lorenz 1986, 77, 170, 190].

The world we live in is characterized by a new way of social and cultural organization. How, then, will man function in this system. However, it is a distinctly different world from the one envisioned by classical social theory. A. Elliott has critically discussed many of the major perspectives in contemporary social theory. He points out that "social theory deals largely with issues of repression, oppression, and humiliation resulting from asymmetrical social relations: it is a strongly political, sometimes melancholic, but deeply human critique of the social forces that are responsible for the self-destructive pathologies in modern societies. The devastation of human life today is so serious that, according to many social theorists, only by confronting the worst and most painful aspects of contemporary global realities is it possible to hope to create viable social and institutional alternatives" [Elliott 2018, 12ff].

We should create laws that bring to the fore the security of human rights, that support human political activism, that hold the powers of government in check, and that in criminal cases emphasize the victim's right, the accused's right, a liberating, activating law, a law enacted not "against," the famous anti-bullying laws, but enacted "for" the sake of human beings. If to recognize the inherent rights of man, and at the root of these rights the inherent dignity of man, then it is thereby assumed that a life worthy of man is possible. A democratic legal state is built on this assumption. Neither maximalism nor minimalism, but realism. The

law is to protect the human being in such a way to allow the person to be himself. To be a man endowed with great imagination and the creative power of his own life. There is a field of activity of those groups and communities which show the good, mobilize for its realization, direct the use of freedom, assimilate the ability of valuing, integrate people, make people aware of their dignity, indicate the sense of life and strengthen the meaning of this sense. This cannot be achieved by law alone; behaviors, phenomena and situations should be covered by organized educational, preventive and curative activities.

Neither the state nor law can determine what kind of man should be, but literature, philosophy, art and religion, especially Christianity, try to suggest it. The Christian religion and the democratic legal state are based on the same assumption that man can succeed in his humanity. Affirmation of man is the ideological foundation of this relationship. The state, built from the bottom up on the basis of the people's basic rights, lives from the activity of the citizens and depends on them. Basic human rights are perceived not statically, but dynamically as a system of social communication. The private, family and community life of a human being is an area of dynamic changes and, at the same time, of research of various sciences.

Concepts have been formulated over the centuries, which have guided thinking about man and the family at successive stages of development of a given discipline, leaving behind various myths and stereotypes. Violence and especially aggression was considered as one of many forms of behavior in everyday life. Therefore, violence is not a new thing. Historically it was used as an acceptable way to exercise control and power. Violence against children, for example, has been found in educational ideas and practices [Siejak 2016; Badinter 1998; Balcerek 1986; Marrou 1969; Ariès 1995; Tazbir 2001].

There have been attempts at the level of social policy and law to distinguish socially acceptable violence and abuse of violence. The phenomena under discussion is one that has always accompanied human history. A. Kępiński, J. Aleksandrowicz, B. Suchodolski and others have written about the progressive dehumanization of life. E. Fromm devoted his works to this issue in the West. He warned against the growing phenomenon of human reification, against the denigration of man. But did societies and politicians draw any conclusions from these warnings? No! K. Obuchowski at one of the conferences stated, "The entire 19th century, a large part of the 20th century, thinkers of all those times, thought that in order to create something new, something better, it is necessary to destroy what is bad and old. Sigmund Freud thought so, Ch. Darwin thought so, K. Marx thought so, very many contemporary scholars thought so, that in the struggle the new is hardened, in the struggle something better is created. The good is created through the destruction of bad. We live in a time when more and more people are challenging this view. I wonder if it is not the case that from bad comes only bad. Destruction only leads to destruction. On the ruins of bad, flowers of good do not bloom. On the ruins of bad, flowers of bad bloom. It's just the way it is."

E. Fromm wrote that human nature becomes inhuman, that love disappears, but he did not lose hope that such a state of affairs can be changed. He argued that there are real possibilities for transforming society, among others, by influencing politics, changing the style of political life from aggressive, antagonistic to cooperative, devoid of hostility [Fromm 1968]. It seems that Fromm is right. Indeed, without influencing politicians' attitudes it is impossible to stop the process of dehumanization of life. They create social policy, establish laws and control their implementation. It is from them that aggression flows into the society in various forms, modeling social attitudes and infecting social relations. In places saturated with it, just any spark is enough to explode with uncontrollable hatred. It can be observed, e.g., on television or on the Internet, as well as in everyday life.

The regression of humanity is a process. Only the process consisting of consistent actions of governments and societies is capable of stopping it, not laws, conventions, codes or punishments. During one of the conferences, M. Łopatkowa (Senator of the Republic of Poland) stated: "Without removing aggression from the political scene, building a civilization of love, which John Paul II encouraged, seems to be impossible. This civilization can only be built together – governments and societies, believers and non-believers, children, youth, adults – who know how to love. And in order to know how to love, it is necessary to take at least as much care of the development of higher feelings in a child as we try to take care of his physical development."

It was once assumed that the world could be fixed by fixing institutions. It was believed that man is better the better he performs tasks. It is man the object, man the tool. Today we already know that man cannot be fixed by changing institutions. The world can only be changed by man, by changing the "I" and changing the concept and understanding who I am.

There are different concepts of human regression, among others, which claim that the human graph consists in the fact that people do not perform what they have been asked to do or they do not know what to do at that time. There is a conception in which the human regression is that a person thinks of himself as a part of this world rather than simply being his world. That man has no concept of himself. He does not know who he is. He is not a subject. And in order to be a subject, the essential Criteria must be met. It is necessary to know who we are, and therefore we must have our life goals, establish them, understand the meaning of life. Life programs should result from these goals, and not from someone telling us something. All this must be done in a wise and responsible way taking into account certain external circumstances. Thus civilization exists only where there are subjects.

Mindfulness is a fundamental feature for the reflection on the legal subjectivity of a person in the sense that the concept of person can only refer to someone having a mindful nature [Hervada 2008, 435]. Furthermore, mindfulness is the basis for ordering human conduct. The correctness of human conduct is measured by determining its conformity with reason. Hence *recta ratio* (right reason)

is the principle regulating and determining the proper order of human personal actions. Mindfulness is the measure of every single rule of conduct or the totality of human conduct [ibid., 440]. Brutalization of political life, domination of rape, terror, violence, is also a factor that reduces the sense of stability, certainty of man and stimulates negative emotions. At the same time, the degree of risk and uncertainty of life is increasing in all modern societies, which is partly due to the complexity of social life, to the fact that we all depend more and more on some anonymous large technical systems, the functioning of which we do not fully understand, which becomes second nature, becomes necessary for survival – many people in this situation are lost or powerless. A factor that increases distrust, uncertainty, a sense of instability, the globalization of social life, i.e. the fact that our fate depends increasingly on events so distant as to be inconceivable in the sense that we have no influence on it.

K. Lorenz writes that “the ability to love and make friends, along with all the accompanying feelings, arose in the same way in the course of human phylogeny as the ability to count and measure. This is true, but in order to develop the ability to love or the ability to count, the right conditions must be created. Someone has to teach it. If *Homo amans*, the loving man, is to save us from *Homo sapiens atrox*, the cruel and rational man, there is no other way. We should all, and in all areas of life, develop and protect positive interpersonal emotional bonds, and not allow aggression and violence to develop” [Lorenz 1986, 129]. This task should be treated as one of the most important to be undertaken by parents, educators, scientists, artists, lawyers, clergy, politicians and journalists then hopefully it would be possible to stop the regression of humanity. The process of becoming human lasts as long as we exist. To become human not only in a purely biological sense, but to become human in the full meaning of the word, it is necessary in our lives to refer to higher values or ideals.

As S. Chrobak rightly notes, “[...] conscious and free actions taken by man are directed to the world of values, here he makes a rational cognition and choice of values that enrich his spirituality. In personalism the principle of values is the integral and ordered human nature, it is the foundation of value formation, while the person is the proper ontic subject of values and constitutes their existential background. Values are constituted through the personal act; the experience of transcendence is given as the experience of a person’s transcendence in the act. The transcendence of freedom comes in the transcendence of morality. Its axiological value revealed in the deed, through the deed finds its ultimate reason in the self-fulfillment through the deed” [Chrobak 1999, 196–99].

Who the man is – this answer is related to the reflection, on his operative abilities, these in turn can be understood through the study of human actions [Krapiec 1992, 146]. Reflection on who the man is must take into account and explain his subjectivity, manifested in a particular culture, individual history and personal choices [Piechowiak 1999, 316ff; García Cuadrado 2010, 76ff].

Gradually before our eyes, but still we are not fully aware that new concepts of the human being are emerging. They are born with such difficulty because it is becoming increasingly clear that we have two radically different concepts of man. Every person has dignity and they want to have that dignity. There are more and more of these people today. Every person wants their life to be valuable and to get something out of it. There have always been such people, but today it is on a mass scale. Every person must know something about himself in the future, have some perspective, know something. A person must be helped to understand. A man who is afraid cannot look into the future. No one wants to live a crummy life. Every person would like something important to happen in their life. Human rights are rooted in the dignity of human person, in his goodness. The consequence of regarding man as a person is characterized by reference to inherent dignity, natural freedom and radical equality. The thesis of the primacy of person in decision-making processes, characteristic of the anthropoarchival conception of law, means that the findings of the scope of anthropology are taken as the starting point for the analysis of these processes' results.

Man is defined by the term "person" to emphasize that he does not allow himself to be reduced to what is contained in the notion of "individual of species," that there is something more in him "fullness and perfection of being" [Wojtyła 1985, 24].

In K. Wojtyła's philosophical anthropology, the issue of subjectivity of the human person is fundamental. Moreover, he notes that this problem "imposes today as one of the central worldview issues which stand at the very foundation of human «praxis», at the foundation of morality, [...] at the foundation of culture, civilization and politics" [Wojtyła 1976, 5–39], as well as at the foundation of law. K. Wojtyła indicates that the subordination of free action to the truth concerning the good is fulfilled through consciousness understood as "an essential and constitutive aspect of the whole dynamic structure constituted by person and deed" [Idem 1985, 40]. It should be noted that the author gives a specific meaning to the concept of participation, with reference to the various nuances of meaning that this concept has in traditional and modern philosophy. According to the author, participation means: the capacity of man to act "together with others," in which he not only realizes all that arises from the community of action, but precisely by doing so, he realizes all that defines the personalistic value of his act, and therefore his own fulfillment, as well as the transcendence and integration of the person that is included in it; the use of this ability. He emphasizes that without participation, acting "together with others" deprives the person's acts of their personalistic value [ibid., 333–36]. He points out that the proper subject of existence and action also when it is realized together with others is always the human being – the person [ibid., 342–43].

According to M.A. Krąpiec, openness in relation to the world is realized through cognitive actions, while in relation to persons it is realized through love [Krąpiec 1982, 34; Idem 2007, 42]. Man is a social being not only in the sense that he

is able to interact with other people. Man's social nature is not exhausted in his openness to relationships with others for functional benefits such as a simple division of roles or tasks in society [Bañares 2005, 57]. A person is social in his deepest ontological status, he is radically a being for another. And coexistence with others from the cognition and identity point of view, and touching the deepest personal dimension, enables a person to know himself – thanks to finding out that the other person is the same person as him, and in the sphere of intimacy of the other it is possible to capture with sufficient depth what is common to each person and what is individual [ibid., 22; Piechowiak 2005, 19ff].

Dialogue has become an important problem of contemporary intellectual culture. It is necessary to understand conversation as “such a form of linguistic communication, which assumes the direct presence of two or more participants, co-creating and co-sustaining a mutually accepted focus of visual and cognitive attention” [Piętkowa and Witosz 1994, 197]. M. Buber called the philosopher of dialogue claims that the human is a dialogical being, the relations “I – You” are personality-forming [Buber 1993]. In a dialogical relationship, some sphere is created, connecting the two subjects, which can be called “between.” It is not any auxiliary construction, but an actual place bearing human “becoming.”

M. Buber advocates a dialogue symmetrically conceived, based on the equality of partners. He claims that we can learn a lot from our students and even from animals. According to E. Lévinas, a contemporary philosopher, dialogue has an asymmetrical character. Of particular note is the term dialogue used by E. Lévinas, who claims that dialogue is a conversation that people have with each other face to face [Lévinas 1972]. The face-to-face contact [Idem 1991, 48ff], the recognition of the other as a person like me, unique, with his personal freedom and individual history, requires at the same time a certain way of arranging the relationship: one that respects the dignity of the other. This relationship is expressed in action which is a consequence of such recognized status. As K. Wojtyła puts it, this proper way of recognizing, relating to and treating the other is unconditional respect, which can be defined as the basis of love. It is the proper way of treating the one who is recognized as an end in himself, and can never be a means to other ends [Wojtyła 1986a, 30ff, 67ff].

From the action point of view, love is the only proper attitude and way of action of a person towards a person. Love *sensu stricto* is possible only in relation to the person [Krapiec 1974, 382; Dec 2011, 141ff]. Due to the absolute value of the person, no more valuable action is possible than the one which consists in supporting another person in his process of self-improvement [D'Agostino 2002, 23ff].

As a result of self-control, the person has the ability to make decisions and to act, this is the result of free human action, not merely the product of external or internal forces or impulses that would control the person, but on the contrary: it is the result of decisions and makes possible the responsibility of the person [Wojtyła 1985, 205]. K. Wojtyła distinguishes between the interpersonal dimension

and the social dimension of community. The interpersonal dimension of community can be expressed by the pronoun “I – You,” “I – Other” and allows to capture the problem of participation at its very center. It is about participation in the humanity of others, about discovering the “neighbor” in the “other.” “It also seems that only then can we follow the full specificity of that community which is proper to the inter-personal system «I – You»” [Wojtyła 1976, 26]. The social dimension of community is expressed by the pronoun “we” denoting the multiplicity of persons [ibid., 29ff]. K. Wojtyła emphasizes the relevance, primacy and priority of the interpersonal dimension of “I – You” in “the whole vast territory of the existential action of human being together with others” [Idem 1986b, 6–19] thus indicating that “community, society, groups of people, programs or ideologies” precisely in this dimension and through it “show their value in the end. They are human insofar as they actualize” this dimension [ibid., 17].

The human must, according to him, be considered in its integral dimension, in all its one and “unique reality of being and action, consciousness and will, conscience and «heart», [...] in all the truth of its existence and being personal and at the same time «community» and at the same time «social».”<sup>1</sup>

Article 1 of the Universal Declaration of Human Rights, second sentence, clearly reveals the transition between knowing how a person is and how he should act: “All human beings are born free and equal in their dignity and their rights. They are endowed with reason and conscience and should act toward others in a spirit of brotherhood.” An important element of the characteristics of a person is the description of a relationship between the spiritual dimension of man, which determines intellectual cognition, and the material and physical dimension [Poczobut 2007, 130ff].

It should be noted that this division, which is in modern thought a continuation of the Cartesian distinction between *res extensa* and *res cogitans*, no longer expresses the basic dichotomy in relation to nature, everything that can be said about a person refers to it in its totality and unity. An integral dimension of the person’s corporeality is its dimension of sexuality: the person is as a woman or a man. Also, this way of being is their internal structure that shapes the person [Bañares 2005, 28]. M. Piechowiak points out that human as a person is a being in relation, in which the given perfections and the way of giving them are what is specifically personal and human. This giving is closely related to the acquisition of perfection in the existential aspect – the more giving, the stronger being [Piechowiak 2005, 19]. K. Wojtyła stated “the more sense of responsibility for the other person the more true love” [Wojtyła 1986a, 47].

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<sup>1</sup> Ioannes Paulus PP. II, Litterae encyclicae *Redemptor Hominis* (04.03.1979), AAS 71 (1979), p. 257–324, no. 77–78.



## 2. MATURITY AND RESPONSIBILITY AND VIOLENCE

It is worth noting that the statement of immature personality in the course of divorce or separation proceedings as well as canonical proceedings for nullity of marriage often reflects the presence of disorder already during the marriage bonding period, but sometimes it may obscure the factual image. A person with such a personality is not able to fulfill the essential obligations of marriage contract. Negative expressions of immature personality are visible in the concluded marriage and from the very beginning, as a result of which the spouses are not able to establish a deep emotional bond with each other, conduct a dialogue, satisfy their needs, communicate properly. Emotional immaturity is expressed by a lack of differentiation of emotional reactions, both in their too little or too much intensity and a weak ability to experience and express higher feelings. Interpersonal relations are sometimes hindered by clearly outlined egoism and egocentrism, as a consequence of which these people are not able to fulfil important duties resulting from the welfare of spouses and offspring. In the case of immature personality, there is a subjectivization of the system of values and mental insensitivity to higher values – moral, egocentrism in interpersonal relations, as well as emotional lability, or unstable behavior, high anxiety and the use of immature defense mechanisms, sometimes using camouflage, often violating moral standards, not violating the standards of criminal law. Toxic people also appear in various forms, betraying their negative attitude. People who pose a threat to the mental, emotional and physical health of others really exists.

Violence, aggression as confirmed by A. Adler already in the 1920s, is an expression of stupidity, lack of opportunity for a positive solution or lack of skills, the result of helplessness. They are unable to solve the problem otherwise, yet had a strong involvement in the problem. The loss of ability to think and act rationally and responsibly is one of the major mechanisms of failure. Calling for punishments. Calling for prohibitions will not accomplish anything. Today's world differs from the old world in that the old world clearly informed us what was right and what was wrong. It was a clear message. However, today's world presents man with more opportunities, challenges, and does not indicate which is good.

Various sociological and psychosocial indicators show significant symptoms of a violation of this basic social fabric, which is the family and trust. A certain normative chaos, which means a sense of instability of regulations, rules, both legal and moral, customs, a certain feeling of being lost in what is right and what is wrong, what is good and what is bad, an excess of incoherent expectations of various institutions, public bodies towards people, results in the disappearance of a sense of clear signposts in own life. There are new circumstances that increase the sense of risk, uncertainty, confusion, a certain chaos, which are already associated with the direct effects of breakthrough and with the process of so-called political transformation that we are going through. New areas of risk and uncertainty, just to mention a few, such as unemployment, inflation, competition,

the rise of new forms of crime, or the current pandemic, are some of the many factors which over the last few years have had a clear impact on the general feeling of trust which has been broken down in the society.

Lack of trust leads to the fact that people are constantly trying to control others and constantly try to gain power in the form of violence in order to satisfy their own expectations. Conversely, when people feel that others do not trust them, that they are constantly checking them, controlling them, have no area of autonomy recognized by others, these are factors which lead to cynicism, hostility, suspicion, constant anxiety as well as to the phenomena of aggression, violence and brutality. It is necessary to emphasize the fact that violence is an omnipresent phenomenon which occurs in different environments and different spheres of life. In the modern world it is an increasingly visible and disturbingly growing phenomenon.

Violence is understood as an act that interferes with an individual's personal freedom and forces them to behave against their will. It is also present at work, at school (peer violence), on the Internet, in the family, etc. and is a common phenomenon, regardless of culture, religion, environment, education, intellectual level or membership in a social group. Violence can be: instrumental, i.e. as a mean to achieve certain goals; disinterested, i.e. as a search for satisfaction in the abuse of others; collective and individual [Kmiciek–Baran 1998, 366].

In literature, various classifications of violence can be found. The most frequent classifications include physical, psychological, sexual, economic and neglect-related violence. Physical violence is often found in schools, homes and families, on the streets and institutions, e.g. children's homes and social care homes. Physical violence is a violation of physical integrity, intentional bodily harm, inflicting pain or threat of bodily harm (e.g. pulling, kicking, pushing, overpowering, strangling, pushing back, holding, slapping, pinching, beating with an open hand, fists, various objects, burning with a cigarette, etc.). The results of such violence may be bodily harm – injuries, wounds, fractures, contusions, scratches, bruises, burns; the following consequences: illnesses as a result of complications and stress, post-traumatic stress disorder, living in chronic stress, sense of threat, fear, anxiety, panic attacks, insomnia, psychosomatic disorders, etc.

Psychological (emotional) violence involves the violation of personal dignity. Unfortunately, contemporary axiological destabilization shows, among others, in the impoverishment of social morality, signaling a lack of respect for the human person, betraying the basic moral standards, i.e. respect for human dignity. However, the criteria of the sense of dignity and recognition of the dignity of others are: treating a person as a subject, compliance of own conduct with the system of values, satisfaction from pursuing the good [Urbanik 2011, 17–18]. In psychological harassment there are more camouflaged methods of abuse, and psychological abuse, according to I. Pospiszyl, “is often hidden under the mask of honesty, care, which seemingly nothing can be accused of” [Pospiszyl 1994, 102].

Emotional violence is expressed by e.g. ridiculing opinions, views, beliefs, religion, origin, imposing own opinion, views, constant evaluation, criticism, telling others about mental illness, isolating, controlling, limiting contacts with other people, forcing obedience and submission. The effects of its use can be, for example, reduction or destruction of the victim's sense of power, self-esteem and dignity, making it impossible to undertake any actions inconsistent with the principle of obedience, weakening of mental and physical abilities to resist and forming a conviction of its futility, isolation from external sources of support, total dependence of the victim on the persecutor, permanent fear, loss of hope and psychosomatic diseases, etc.

Sexual violence in the most general sense is sexual contact undertaken without the consent of the victim. In turn, sexual violence against children is involving dependent, developmentally immature and incapable of giving full consent children or adolescents in sexual activity that violates social taboos and rules of family life [Nowak and Pietrucha–Hassan 2013, 13]. This violence is revealed by forcing sexual intercourse, unacceptable sexual caresses and practices, forcing sex with third parties, sadism in intercourse and may result in physical injuries, pain in the whole body, reduced self-esteem and self-respect, loss of attractiveness and dignity, sexual disorders and frigidity.

Material subordination of the partner or others makes them feel dependent on the abuser's income or assets, or makes them responsible for supporting the family. Money or material values are thus used as an instrument, a tool for building up an overt or covert dominant position, and become a kind of bargaining chip in the victim's everyday life situations. Due to the characteristic mechanisms used in economic violence, according to D. Dyjakon [Dyjakon 2015, 1–3] several types of perpetrators can be distinguished: psychopathic type (preying), sadistic type, narcissistic type, compulsive type (frugal), hidden type (dissatisfied), immature type (helpless). This violence may be expressed by e.g. taking money, not paying for living expenses, making it impossible to get a job, not meeting the basic material needs of the family, blackmailing, taking loans and credits without the victim's knowledge and consent. The result of this form of violence can be total financial dependence, failure to meet the basic needs of life, poverty, destruction of self-esteem and dignity, ending up with no means to live and no sense of security.

The awareness of how economic violence can occur is quite low – every third Polish person (34%) considers giving money away and controlling their spouse's spending as a sign of thriftiness.<sup>2</sup>

Another form of violence is neglect, which is often a failure to satisfy the basic biological and psychological needs of children and is a hidden form of violence. Two types of neglect can be distinguished: 1) emotional and intellectual neglect: lack of understanding, lack of physical and/or verbal expression of feelings, lack

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<sup>2</sup> See [https://www.niebieskalinia.pl/spaw/docs/wyniki\\_badan\\_20071113\\_obop.pdf](https://www.niebieskalinia.pl/spaw/docs/wyniki_badan_20071113_obop.pdf) [accessed: 04.05.2021].

of emotional support, lack of cognitive stimulation; 2) physical neglect: lack of protection, inadequate hygiene and lack of medical care, failure to provide means of subsistence, deprivation of food, clothing, shelter, lack of help in case of illness, etc. More often it is possible to encounter the term “structural violence” or “environmental violence,” which refers to violations of human rights in institutions, e.g. in social or educational institutions, health care institutions.

The literature also includes the concept of “instrumental violence,” the basic feature of which is that it takes place directly in interpersonal relations and is recognizable by those affected. The opposite of instrumental violence is structural violence, which is voiceless and invisible. Its sources are in social structures and consciousness, standards and customs as well as socialization processes existing in a given community and culture. It is usually perceived as something normal and does not have to include physical or psychological aggression.

From instrumental violence comes symbolic violence, also called cultural violence, which is related to imposing the meanings and interpretations of symbols of the existing culture [Jabłoński, Kusek, and Hanuszewicz 2021a; Idem 2021b]. This violence is one of the forms of soft violence, which occurs to some extent with the victim’s consent. It consists in gaining by various means the influence of dominant or privileged groups on the whole society in order to impose on them a certain conception or form of behaviour, thinking or perception of reality. In this way the subordinated perceive their reality in categories organized by the dominating groups in order to legitimize their dominating position.

The philosophy of dialogue is one of the contemporary currents in European philosophy – revealing, because it takes as an initial point of consideration another human being (You, the Other) much different than systematic philosophy, which, both in the form of realism and idealism, placed an individual in “ontological” solitude [Sartre 2007, 297].

According to J. Jastrzębski “[...] in a culture that is both globalized and localized at the same time, meanings and significance often become an object of trade or/and political manipulation. The constant confrontation of standards and patterns of behaviour and ways of life results in confusion and loss of faith in the unshakable axiological order of the world” [Jastrzębski 2004, 22]. The occurrence of violence often means disturbed interpersonal relations and violation of human rights also in public institutions. These behaviors violate the personal dignity of a person, his welfare and rights. Personal dignity or a sense of dignity is realized especially when one is in a threatening situation, facing violence, incapacitating fear or objectification. Dignity is thus recognized most easily when a value is threatened, in various social situations [Marianiński 2016, 279–80].

According to phenomenologists or philosophers of dialogue, such as M. Scheler, N. Hartman, F. Rosenzweig, M. Buber, H. Jonas or E. Lévinas, the concept of responsibility ceases to mean merely taking on the consequences of own conduct, but becomes a source experience of man, constituting him as a person [Filek 2003, 11]. Man’s life is a continuous response to a variety of issues which result

in the fact that “responding to [...]” becomes “responding for [...]” [ibid., 12]. Responsibility is thus at the core of ethical human action, respecting the autonomy of the subject. It points to the fundamental references of responsibility for own actions and responsibility for the world, which is particularly evident in the age of globalization. E. Lévinas notes in this context that “responsibility is that which weighs on me and which, as a man, I cannot reject. This burden is the highest dignity of man” [Lévinas 1998, 101].

There has been a new reading of responsibility. It is not responsibility understood merely as the consequences of an action. In the words of H. Jonas, it is purely formal (the perpetrator of a harmful act bears civil or criminal responsibility, depending on whether the damage committed by the perpetrator is a misdeed or a crime). Moral responsibility, broadly conceived, is found in a new light. Meanwhile, there is also a need for responsibility that arises not post factum, but comes beforehand and obliges the person to act responsibly. Hans Jonas calls this type of responsibility “material responsibility” and emphasizes its positive character [Jonas 1996, 171–72].

Central categories of issues related to the pedagogy of law deserve our attention – from dialogue to respect [Stadniczeńko and Zamelski 2020]. They make up the outline of E. Lévinas’ thought, in which they find their original development and are suitable for critical use in the concept of pedagogy of law. E. Lévinas points out that the world becomes inhumane if there is no space in it to develop and act in such a way as to realize an ethical order in which one can be responsible. As E. Lévinas notes this is why the asylum, this discontinuity in space, seems to function by contrast. He emphasizes – we leave disorder where everyone existing is anxious about their existence. To enter the order where at last the visible is another person. Ethics, concern for the other, is not something given but inflicted. It does not end in initiation, it demands knowledge and its constant deepening. Asylum gives hope to stop violence, but it is also a place of teaching and learning to live without violence, a place where dialogue takes place.

E. Lévinas points out that human relations constitute the subject. “Being ‘I’ is a privilege. To say ‘I’ is to occupy a unique place in the face of a responsibility in which no one can replace me and from which no one can absolve me” [Lévinas 1998, 297]. The subjectivity of “I” can only be captured in relation to the “Other” “You” emphasizes that “I” becomes truly unique and irreplaceable through dialogue with “You.” The relationship with the Other has the value of constituting our humanity. From the work of Lévinas comes the fundamental conclusion that there is no human world, no subjective world, without an encounter with the “Other.” Depriving ourselves of dialogue, we create an inhuman world.

## CONCLUSION

The existence of society requires the existence of moral ties, and these ties underlie both individualism and social relations. I. Wojnar writes: “an urgent need

is moral – social education consisting in the liberation of good, and thus stimulating pro-social attitudes and behaviors, the culture of feelings, respect for the weaker people, training altruism and empathy” [Wojnar 1998, 37]. The regression of humanity cannot be stopped by punishment and fear. It can be stopped by wise, demanding, responsible and consistent love. Efforts in the reconstruction and construction of a truly democratic society must go hand in hand with educational efforts, with the effort to morally reform society, with both academic and media activity, to instill those fundamental values concerning the person – his humanity, to raise the consciousness and legal culture of society. It is necessary to learn to face one another in the relationship between man and man.

Personalism emphasized the ethical dimension of man in the fullest way by treating a person as a complete and autonomous being, material and spiritual, and placing him on the plane of action. In a rational and freeway, man creates the world of culture, which in turn creates different kinds of higher values: truth, goodness and beauty, which he discovers in himself and around him. Responsibility is inseparably related to freedom – readiness to accept the consequences of own choices, and the responsibility is most visible in the moral aspect, because man is an entity open to values for which he is responsible, and since he is also a value, he is responsible for his own value [Chrobak 1999, 421–39].

It is important to be aware of the fact that civilizational changes are made by means of social engineering. Motivated by ideology – as M. Peeters writes, “the art and science of directing individuals, groups and even whole societies, cultures and finally civilization. [...] The art of engineering involves making sure that at no stage in the process is it realized that a certain agenda is being imposed from outside” [Peeters 2010, 97].

Nowadays we live in the conditions of a global electronic economy, to which the ideas of K. Marx, M. Weber and E. Durkheim still apply to some extent. How to protect common aspects of social life under conditions of intense individualization processes. Studying the social situation in the context of violent behavior means analyzing on both a cultural and a personal level, thus looking at how the public is intertwined with the private. As a result, issues of identity, desire and emotion become one of the most important topics – intertwining the social and erotic, symbolic and unconscious, cultural conditions and experiences, the attachment of the global and local. Today a young person needs help to control himself, to control his emotions in contrast to those who are not able to offer them anything and, for fear of being influenced, do not demand anything from them.

It is necessary to raise awareness of the limit and teach respect for the limits of others, these symbolic barriers protect from the dangers of the outside world, they can also save many young lives from the trap of existential emptiness and axiological conflict leading only downwards. The lack of awareness of own value as a subjective being in relation to the surrounding reality is the basis of moral pathology, which is reflected in an escape into alcoholism or drug addiction, crime, violence and aggression. Therefore, it is important to harmoniously develop

in a young person the capacity for effort and a sense of responsibility, which will help him to become in control of his own freedom.

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