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Scientific article

Criminological assessment of the influence of penitentiary subculture on crime in correctional facilities

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Abstract: This study addresses the pressing issue of the penitentiary subculture's influence on crime dynamics within correctional institutions. The goal is to assess the degree and mechanisms of this impact and propose ways to neutralize harmful subcultural factors. The research focuses on the nature and structure of the penitentiary subculture, its historical development in Kazakhstan, and its influence on the criminogenic situation, criminal socialization, and recidivism. The main idea is that the penitentiary subculture is a stable, informal system that negatively affects law and order in detention facilities and obstructs convict resocialization.

The scientific value of the study lies in its comprehensive criminological analysis of the penitentiary subculture's impact on crime within Kazakhstan's penitentiary system. Its practical significance includes its potential use by the Criminal Justice System, Prosecutor's Office, Ministry of Internal Affairs, and in developing crime prevention programs.

The results demonstrate that the penitentiary subculture is a socio-normative phenomenon with its own hierarchy, values, and norms, deeply rooted in the Soviet-era penitentiary system. The study shows that the subculture influences convict behavior, promotes criminal socialization, establishes informal hierarchies, and increases recidivism. A comparative analysis with international practices emphasizes the need for comprehensive reforms to improve detention conditions and enhance resocialization efforts.

This research contributes a new, systematic criminological perspective on the penitentiary subculture's impact on crime in Kazakhstan, filling a gap in domestic science. Its practical outcomes support the development of measures to combat intra-systemic crime, improve resocialization programs, and reduce recidivism among released prisoners.

Keywords: penitentiary subculture, crime, places of deprivation of liberty, criminological assessment, correctional institutions, re-socialization, convicts.

Introduction

The issue of penitentiary subculture remains one of the most complex and underexplored areas in domestic criminology, despite its evident influence on the functioning of the penal system and the overall criminal situation in correctional institutions. Given the ongoing legal and socio-political transformation in Kazakhstan, the question of hidden mechanisms through which the subculture affects not only the behavior of prisoners but also the overall dynamics of crime within correctional facilities is especially relevant.

This topic is driven by the current issues in law enforcement practice: there is a lack of comprehensive criminological research in Kazakhstan regarding the influence of penitentiary subculture as a stable social phenomenon on intra-system crime. Despite the existence of some sociological observations, fragmented legal analyses, and brief mentions within the broader criminological theory, the issue of a systematic analysis of the criminal potential of the prisoners' subculture remains unresolved. Furthermore, in light of new challenges – such as the digitization of the penitentiary system, reforms in criminal and penal legislation, and the state's increasing emphasis on the humanization of punishment – there is a need for a critical rethinking of established approaches.

This trend is confirmed by the Concept of Legal Policy of the Republic of Kazakhstan for 2021-2030 [1], which directly calls for a reassessment of approaches to the implementation of penitentiary probation, including the resocialization of convicts based on international experience, and emphasizes the identification and elimination of ineffective practices hindering the development of personal skills and social adaptation. The document also underscores the importance of introducing digital tools for control and analytics to detect hidden forms of subordination and criminal influence within the penitentiary system.

A particular focus on humanizing the conditions of punishment has been emphasized in recent political speeches by the President of Kazakhstan. Specifically, in his speech at the National Kurultai meeting (March 15, 2024), Kassym-Jomart Tokayev stressed the need to reconsider legal approaches to women in correctional facilities with young children, stating that "our penitentiary system should be focused not on punishment but on the correction of convicts". This emphasis on humanization and the reevaluation of penitentiary policy indirectly confirms the necessity of critically analyzing the internal subcultural mechanisms that hinder these goals [2].

The relevance of the topic is further confirmed by the words of the President of the Republic of Kazakhstan, K. Tokayev, delivered during the expanded meeting of the Ministry of Internal Affairs board on October 29, 2020. In his speech, published on the official website of the President, he noted: "Against the backdrop of a challenging socio-economic situation in the country, it is absolutely crucial to prevent the escalation of criminal activity and the spread of prison subculture. Clearly, the situation here is far from favorable" [3]. These words reflect the President's serious concern about the state of affairs in the fight against crime and the penitentiary system, especially given the complex socio-economic conditions in the country.

Considering these circumstances, the criminological study of this phenomenon becomes particularly significant – not only sociologically, but from the perspective of identifying patterns, causes, and conditions that contribute to the formation and spread of subcultural norms in the

penitentiary environment, as well as their impact on the level and structure of crime within institutions.

The subject of this research is crime in correctional facilities in the Republic of Kazakhstan, while the object is the influence of penitentiary subculture on its dynamics, structure, and reproduction in the context of the modern transformations of the criminal enforcement system.

The study aims to criminologically assess the degree and mechanisms of influence of penitentiary subculture on the formation and development of crime in correctional facilities, followed by the development of recommendations to neutralize destructive subcultural factors.

The research hypothesis proposes that penitentiary subculture in the current realities not only remains a stable internal system of values, norms, and hierarchies, but also actively influences the criminogenic behavior of prisoners, creating the conditions for the development of institutionalized crime within the criminal enforcement system.

The scientific significance of the work lies in the insufficient development of the issue within domestic criminology and the need to create a scientific foundation for the development of criminologically grounded measures for the reform of penitentiary policy. The practical significance is in the potential use of the study results in the activities of correctional system bodies, prosecutors, the Ministry of Internal Affairs, and in the preparation of programs to prevent repeat offenses.

Research methods

The research methods used in this study are based on the analysis of theoretical and empirical materials presented in the academic literature on criminology, sociology, and law, concerning penitentiary subculture and its influence on crime in places of detention. The work includes a theoretical analysis that involves studying and summarizing scientific publications to define the essence, structure, functions, and factors of penitentiary subculture formation. The historical method was also applied to explore the genesis and evolution of this phenomenon during the Soviet and post-Soviet periods. To identify different approaches to addressing the issue, a comparative legal method was used by analyzing the experiences of foreign countries in countering penitentiary subcultures. The logical method was applied to establish causal relationships between the existence of penitentiary subcultures and crime dynamics in correctional facilities, as well as to formulate conclusions and recommendations. The research material is characterized qualitatively through the analysis of scientific articles, monographs, dissertations, regulatory legal acts of the Republic of Kazakhstan, speeches by the President of Kazakhstan, and materials on international experience.

Findings/Discussion

Penitentiary subculture is a stable socio-normative phenomenon functioning within the penal system as a parallel, often opposing, structure of social norms, values, and role expectations. It arises as a response to the repressive and closed nature of the prison environment, where prisoners seek to establish an alternative order aimed at ensuring survival, internal cooperation, and maintaining a specific status quo. Unlike formal legal mechanisms regulating life in penal institutions, penitentiary subculture is based on unofficial but strictly enforced behavioral rules rooted in criminal traditions and the norms of the "criminal world" [4].

The definition of penitentiary subculture in the academic literature varies depending on the research approach. However, most interpretations emphasize its normative nature – it encompasses an internal logic of behavior, sanctions for violations, a system of symbols and signs, and defined statuses and roles. It is not merely a collection of rituals or traditions but a self-sufficient regulatory system covering all aspects of a prisoner's life, from interpersonal relationships to resource distribution, communication with the administration, participation in the shadow economy, and expressions of violence and dominance [5].

As noted by N.P. Barabanov, V.V. Mikhaylin, and N.D. Moiseev, the subculture that develops in penal institutions, the so-called prison subculture, consists of values and norms governing the unofficial life of convicts. While related to the criminal subculture, it differs in penal settings due to the unique development of value orientations among those serving prison sentences [6].

The essence of penitentiary subculture lies in its ability to replace the official regulatory system by creating an alternative legal order – informal, yet often more effective in terms of managing prisoners' behavior. In this parallel system, there exists its own "criminal code of honor," where legally punishable actions, such as informant behavior, cooperation with the administration, or refusal to participate in communal affairs, are considered treason and are punished, sometimes even with physical elimination. Thus, a convict often faces the choice of whether to follow the law or adhere to "understandings," with the consequences of violating informal norms being far harsher than legal sanctions.

The subculture's distinguishing feature is its resilience. Even under external pressure and with the introduction of resocialization measures, it is capable of transforming and adapting to new conditions. Moreover, the stronger the pressure from the official system, the more consolidated the subculture participants become. This highlights its self-regulatory mechanism and its ability to reproduce within the closed environment [7].

Factors outside the prison environment also influence the formation of the subculture. Specifically, the criminal romanticization in public consciousness, the perception of prison traditions as symbols of "courage" or "justice" (especially among vulnerable social groups), and the persistent existence of criminal slang, imagery, and symbols in the media all contribute to the entrenchment of subcultural attitudes before entering the penal system. This, in turn, facilitates the entry of a convict into the subculture and strengthens its influence on the entire system.

Penitentiary subculture is not an archaic relic but a living, actively functioning system that directly impacts the rule of law in penal institutions. Its essential nature requires consideration not only within sociological and cultural studies but also, primarily, within the context of criminological analysis, which helps to identify causal relationships between the existence of the subculture and manifestations of institutionalized crime.

Therefore, understanding the conceptual foundation of the prisoners' subculture is a crucial step in developing a criminologically grounded strategy for combating in-system crime and forming effective resocialization policies for convicts. To achieve this, one must turn to the historical prerequisites for its formation and development, which will provide a deeper understanding of the mechanisms behind its resilience and penetration into contemporary penitentiary practices. Its roots trace back to the practices of prisoner containment in pre-revolutionary Russia, yet it was the Soviet period, particularly from the 1930s onwards, that was decisive in crystallizing subcultural norms, hierarchies, and symbols that persist to this day [8].

The formation of penitentiary subculture in the USSR was closely linked to mass repression, political purges, and the creation of the system of correctional labor camps known as the GULAG. It was in these camps that a unique criminal order emerged, characterized by high autonomy from the official authorities, a distinct symbolic system, and a strictly maintained hierarchy. In these conditions, the concept of the "thieves' code" took shape and became firmly established – a non-official but highly influential system of norms regulating prisoner behavior [9]. The so-called "thieves-in-law" represented the informal elite of the prison community, shaping the internal policies of the camps and dictating the principles of interaction with the outside world.

The normative rigidity of this subculture was based on absolute loyalty to its internal rules and a categorical rejection of any cooperation with official authorities. Violations were met with sanctions, including physical punishment, isolation, or expulsion from the community. In such an environment, the subculture not only served as a means of survival but also as a form of resistance to the state system, paradoxically strengthening its ideological integrity.

The collapse of the Soviet Union did not lead to the disappearance of these structures. On the contrary, during the legal vacuum and instability of the 1990s, many elements of the Soviet camp system were preserved, including within Kazakhstan's penitentiary institutions. The transition to a market economy, the growth of organized crime, and the limited resources for reforming the penal system contributed to the persistence of established informal orders in places of confinement.

In the context of Kazakhstan, the influence of the Soviet penitentiary model was reflected in the architecture of colonies, internal routines, disciplinary practices, and even the professional culture of prison staff. Most correctional facilities were built according to typical Soviet-era designs, with spatial zoning that encouraged the formation of local centers of power among the incarcerated population. Ideological principles inherited from the Soviet system remained in the training of prison staff, where emphasis was often placed on strict discipline rather than social rehabilitation.

In the 2000s, Kazakhstan began active reform of its criminal enforcement system, reflecting the state's desire to align conditions of punishment with international standards. However, the process faced obstacles not only due to objective reasons – such as insufficient funding and a lack of qualified specialists – but also because of the deep-rooted informal structures that resisted change from within. Even with the introduction of new regulations aimed at humanizing conditions, real social control in some institutions remained in the hands of informal leaders who upheld the "zone" order.

This is especially evident in closed regimes, where prisoner interaction with the outside world is minimal, and alternative sources of information and support are limited. In such conditions, there remains a significant dependence on shadow norms, including systems for distributing statuses, punishments, access to resources, and forced involvement in criminal practices.

The current realities of Kazakhstan show that, despite institutional efforts to reform the criminal enforcement system, the historical legacy of the Soviet penitentiary model continues to significantly influence the structure and behavior of prisoners. Furthermore, the subculture has adapted to new conditions – digital communication channels have emerged, shadow power structures have evolved, and their connections with external criminal networks have strengthened. This indicates that the subculture is not a stagnant phenomenon; rather, it is a flexible and evolving system that requires in-depth criminological analysis and a systematic approach to combat its negative consequences.

Understanding the historical foundations of penitentiary subculture allows for an analysis of its real impact on the criminal situation in places of detention, where it continues to function as an unofficial mechanism of control and submission.

The formation of penitentiary subculture is the result of the interaction of historical, sociological, and criminological factors that ensure the internal integrity of a closed repressive environment. In isolation, under control, and through the deindividuation of prisoners, they are forced to adapt to the existing system, where alternative norms and social hierarchy become necessary for survival. The subculture plays a compensatory role, creating a distorted order in which the inmate solves adaptation, safety, and survival issues, especially in high-security institutions where open confrontation with the informal system may lead to violence.

A criminological approach confirms that penitentiary subculture does not emerge randomly. Its maintenance is ensured by those with criminal influence, whose goal is to preserve power through fear and submission. The subculture becomes a structure with criminogenic potential, capable of deforming the prisoner's personality and involving them in shadow processes. Research highlights that, in places of detention, the personality traits of violent criminals are shaped by their criminal experience and attitude towards punishment, which reduces motivation for law-abiding behavior and affects life after release [10].

A key aspect is the role of coercion and ritualization mechanisms that support subcultural order. In conditions of mistrust towards official institutions, informal leaders, controlling status, resources, and information, become the primary source of pressure. Rituals and punishment acts form prisoners' dependence on group rules and fear of consequences for deviation. The subculture is not always perceived as a threat; for many, it becomes the only understandable system of coordinates, leading to the inversion of legal norms and blurring the boundaries between the "zone law" and criminal law, contributing to the criminalization of the individual.

Sociologically, penitentiary subculture serves the function of social control. In the context of limited official control, it takes on the responsibility of maintaining order, which makes it more effective than institutional measures. In some cases, the administration is forced to rely on informal leaders to ensure stability, which effectively legitimizes their power. This paradox creates a dual power phenomenon, where the prisoner chooses the system backed by real threats rather than legal sanctions, making the subculture resilient and difficult to control from an official law enforcement perspective.

Thus, penitentiary subculture is not only a marginal form of deviant behavior but also a complex mechanism of social regulation with high autonomy and resistance to reform. This underscores the need to analyze its impact on the level and nature of crime in the penitentiary system, which will be the subject of further research.

The resilience and reproduction of penitentiary subculture are ensured by its internal normative system, which includes a hierarchy of values, taboos, symbolism, and role distribution. These norms permeate the daily life of prisoners, creating a subcultural reality opposed to the official legal system. The system is based on an informal set of rules, passed on orally and strictly observed. Violations of these rules, including cooperation with the administration, are considered serious offenses, as evidenced by the labeling of offenders as "informers" [11].

An important element is the ritual norms that regulate forms of communication, space division, object transfer, and punishment. These rituals symbolize membership in a specific group within the prison community, and their violation leads to sanctions, including physical

harm or expulsion. The internal hierarchy plays a key role in the functioning of the subculture. Each prisoner occupies a specific position, from "overseer" to "subhuman". Between them, there are intermediate roles, each involving its duties and restrictions. The role of "overseer" is particularly significant, as these individuals perform informal administrative functions, maintaining order and interacting with external criminal structures [12].

Social statuses within the subculture are formed throughout the entire prison term and rarely change without serious trials, such as violence or performing dangerous tasks. This strengthens stability and limits the possibility of changing one's social position. Ideologically, the system is supported by the notion of "zone brotherhood," the idea of loyalty and honesty, interpreted through criminal values. Rejecting "brotherhood" or cooperating with official structures is seen as betrayal, undermining the foundation of the community.

Despite its archaic nature, the subculture has high adaptability. It changes forms of control but retains its core principles, making it self-reproducing. Every new prisoner enters an existing system, learning its norms and roles, ensuring its stability and influence on behavior and interpersonal relationships within correctional facilities.

Being part of the penal system leads to legal isolation and the transformation of social identity. Imprisonment causes a break with familiar connections, requiring the process of secondary socialization. This process involves adapting to new conditions, where the prison subculture becomes the main tool for shaping behavior in accordance with the dominant norms. Socialization in prison is often coercive. Even prisoners oriented towards individual behavior are forced to conform to the subculture. At the initial stages, the prisoner is tested for loyalty, including compliance with subcultural norms, rituals, and participation in actions against other prisoners. Those who have no criminal experience and have been imprisoned for offenses considered contemptible in the subculture are especially vulnerable [13].

Socialization within the prison subculture is characterized by coercion. Integration into subcultural networks occurs through both physical threats and psychological pressure. Refusal to participate is seen as a threat to the stability of order, leading to collective suppression. Prisoners who do not follow the rules may be isolated or punished through the influence of the shadow hierarchy.

The main channel of socialization is involvement in the institution's shadow economy, including the exchange of contraband goods and more complex schemes related to corruption and illegal activities. Participation in these processes ensures safety, recognition, and raises one's status in the informal hierarchy. Establishing role functions is also crucial in socialization. A prisoner who proves their usefulness may take on an unofficial position, further immersing them in the subculture. Attempts to leave are viewed as betrayal, complicating the detachment from criminal ties.

Criminal socialization involves not only behavioral changes but also a shift in thinking. In the aggressive and suspicious prison environment, the convicted begin to view unlawful behavior as a survival strategy. Legal categories are replaced by subcultural concepts, with loyalty to the subculture becoming more important than adherence to the law. Criminal socialization is closely linked to recidivism. Those who adapt to the subculture are more likely to return to crime after release, as their identity remains tied to prison life and the "criminal brotherhood". These continued connections with the criminal world on the outside reinforce criminal communities.

The process of criminal socialization, rooted in the structure of prison subculture, cannot be understood without analyzing its hierarchical organization, which deeply influences prisoner behavior. This unofficial power vertical, though lacking formal status, holds real influence and creates an alternative system of management within the institution. It determines interpersonal relationships, crime dynamics, discipline levels, and the nature of conflicts. The informal hierarchy in the prison system is based on the recognition of certain roles assigned to an individual based on reputation, sentence length, criminal specialization, background, and adherence to subcultural "rules". At the top of this pyramid are the "overseers" – figures with authority who influence the functioning of the institution's internal order. They make decisions on conflicts, duties, resource allocation, and disciplinary actions, effectively replacing the administration.

The influence of these shadow leaders extends to both prisoners and, in some cases, prison staff. In cases of systemic corruption, "overseers" may form informal agreements with staff, ensuring loyalty in exchange for controllability, conflict minimization, or participation in illegal operations. These conspiracies undermine the rule of law in prisons, blurring the line between lawful authority and criminal leadership, thus shaping prisoners' perceptions of institutional corruption.

At the behavioral level, the influence of the informal hierarchy manifests in the formation of dual loyalty. A prisoner, especially one in a subordinate position, must balance official requirements from the administration with expectations from the subcultural hierarchy. This division causes internal conflict, with informal demands taking precedence, supported by threats of sanctions – humiliation, isolation, or violence. As a result, a behavior model focused on avoiding repression from the criminal community is created, rather than following formal institutional rules.

Conflicts in such conditions take on a structural nature, manifesting as struggles for power and control. Clashes between factions, attempts to redistribute influence, and demonstrations of strength through violence become part of daily life in correctional facilities. The administration, despite its formal authority, is often incapable of controlling these events, especially in the absence of trained specialists or under pressure from criminal structures.

One of the most troubling aspects of the influence of informal hierarchy is its obstruction of individual initiative among prisoners seeking rehabilitation. Attempts to distance oneself from the subculture are seen as threats to the "brotherhood" and may be harshly suppressed. Prisoners wishing to participate in resocialization programs or cooperate with the administration become targets of pressure, mockery, or repression. This undermines state rehabilitation efforts, maintaining the status quo that benefits the criminal elite.

This model shows that the informal hierarchy in prisons is not a random phenomenon but a systemic one, deeply rooted in the logic of the penitentiary subculture. Its influence on prisoner behavior extends beyond prison walls: skills in submission, manipulation, and resolving conflicts through violence are transferred to life after release, creating conditions for recidivism and the reproduction of criminal order. This is connected to the formation of repeat offenses and must be considered when studying the criminogenic environment in correctional facilities.

The informal hierarchy, shaping prisoners' everyday existence, influences not only their behavior within the system but also their post-incarceration fate. One of the most dangerous consequences of the subculture's impact on prisoners is the formation of a persistent

criminal identity, closely linked to a higher propensity for recidivism. In Kazakhstan, the post-incarceration recidivism rate reaches 70%, meaning 70 out of 100 released prisoners return to prison. This indicates that the penitentiary system operates on a "revolving door" principle due to insufficient rehabilitation opportunities. Criminal statistics confirm the strong connection between subcultural affiliation and the commission of repeat offenses [14].

The prison subculture reproduces behavior patterns based on dominance, overt masculinity, contempt for legal norms, and opposition to society. Inmates, especially those who have been isolated for extended periods, often perceive these values as personally significant. This process is not instantaneous but occurs through repeated interactions with a hierarchical system, participation in collective actions, and taking on subcultural roles. Over time, these values become part of the inmate's identity, leading to a distortion of their legal consciousness. Resocialization in such conditions is not seen as an opportunity to restore social ties but rather as a threat to the established order, accompanied by risks of social maladaptation, vulnerability, and loss of status. Returning to society requires abandoning subcultural attributes, while former cellmates and criminal authorities expect loyalty to the "rules" and adherence to criminal behavior models. This internal contradiction, often exacerbated by the lack of state or social support, creates strong resistance to reintegration.

Particular attention should be paid to cases where crimes are committed shortly after release. In some instances, former inmates return to criminal activity within weeks, not due to necessity, but to prove their belonging to the subculture. This is tied to the activation of the "honor code," where abandoning criminal activity may be seen as a betrayal of the community, leading to a loss of status in the eyes of the "brotherhood". Recidivism, influenced by the penitentiary subculture, is deeply institutionalized. It forms not only when committing a new crime but also during the entire adaptation process to the shadow system while serving the sentence. As a result, the inmate loses the ability to view law as a just and effective regulator of social relations, and the learned attitudes and behavior patterns are reproduced automatically, regardless of changes in the external environment.

For a thorough criminological assessment of the threat posed by subcultural practices and the development of effective countermeasures, it is useful to compare the experience of Kazakhstan with foreign prison management models. The penitentiary system in Russia, which is the most similar to Kazakhstan's in the post-Soviet space, sees significant influence from the inmate subculture on prisoners' behavior and the internal dynamics of institutions. Despite reforms, Russian correctional institutions still feature informal statuses, "overseers," a system of "victims," and caste divisions [15]. Attempts to neutralize informal influence through enhanced operational work and the isolation of leaders have not always been successful, as there is no systemic approach, and measures remain fragmented.

The experience of Georgia after the prison reforms of the 2010s is also relevant. These reforms included a program aimed at dismantling the prison subculture, such as eliminating the "thieves-in-law" and "zones" institutions. Legislative prosecution for affiliation with criminal hierarchies and the introduction of video surveillance significantly reduced the subculture's influence. However, this policy was criticized by human rights defenders for violating human rights [16].

At the same time, the most balanced approaches to penitentiary subcultures can be observed in the United States and Norway. In the U.S., where the prison system faces the formation of

persistent subcultures, programs have been developed to improve the cultural environment within institutions. For example, the "Restoring Promise" program in federal prisons helps create more humane conditions, contributing to a reduction in violence [17].

Norway has taken a completely different approach, with its prison policy based on the principle of "normalization," where imprisonment is viewed as a temporary restriction rather than a form of punishment. The concept of resocialization is actively applied, giving prisoners access to education, employment, and psychotherapeutic assistance to reintegrate them into society. This policy prevents the development of subcultures by creating conditions for personal responsibility. In Halden prison, for example, officers actively participate in the rehabilitation of inmates using dynamic security, which includes risk and needs assessments [18].

Comparative analysis shows that punitive measures without a comprehensive transformation of the penitentiary environment do not yield sustainable results. The experiences of the USA and Georgia demonstrate the importance of targeting criminal leaders and dismantling their influence infrastructure, while the Norwegian model confirms that preventing criminalization is possible through a complete reassessment of the philosophy of punishment. Kazakhstan, currently modernizing its penal policy, can take both positive and negative aspects of international experience into account, adapting them to national characteristics and legal realities.

The issue of subcultural influence in the penitentiary system affects not only internal order but also has long-term consequences, especially in the context of the threat of criminal consolidation. In such conditions, prisons become breeding grounds for organized crime. Research confirms that involvement in prison gangs increases the likelihood of recidivism, changing the social and human capital of inmates, and reinforcing commitment to a criminal lifestyle [19]. Prisoners involved in prison gangs face a higher risk of recidivism, contributing to the integration of prison structures into organized crime groups and increasing the spread of recidivism and shadow networks [20].

Criminal consolidation begins with the establishment of a stable hierarchy, linked to the subcultural vertical. However, without adequate control, weak prevention, and passive staff, institutions become closed social spaces with illegitimate power. This creates conditions for the strengthening of criminal subcultures within institutions. Research shows that criminal subculture is the main source of violence among prisoners, and the transfer of informal power can cement illegitimate authority within institutions [21]. In such environments, new inmates are drawn into criminal structures, criminal experiences are transmitted, and ideologies are spread, reinforcing ties with the prison "brotherhood".

Ignoring these processes may lead to an institutional crisis, where the correctional system loses its functions, giving way to criminal structures and becoming part of shadow power. Therefore, it is essential to develop not only preventive policies aimed at curbing criminal influence but also long-term strategies that ensure the resilience of the penitentiary environment to internal criminalization and external radical pressures.

Conclusion

The criminological study conducted allowed for the generalization and conclusion of the work at this stage, confirming the validity of the statement that the penitentiary subculture in the Republic of Kazakhstan is a stable socio-normative phenomenon that significantly negatively

influences the dynamics of crime in places of detention. The analysis revealed that this informal system, rooted in the historical experience of the Soviet penitentiary system, possesses its own hierarchy, values, and norms, which effectively replace the official system of regulating the behavior of convicts. The results show that the penitentiary subculture actively contributes to criminal socialization, the formation of informal power structures ("overseers"), and hinders the process of resocialization, leading to an increase in recidivism. The study also uncovered the deep entrenchment of subcultural norms, their ability to adapt to modern conditions, including the use of digital communication channels.

Based on the results, it can be concluded that the scientific knowledge in the criminology of Kazakhstan's penitentiary system has evolved through a systematic analysis of the previously fragmented study of the impact of penitentiary subculture on in-system crime. This research justifies the need to view penitentiary subculture not only as a socio-cultural phenomenon but, above all, as a criminogenic factor determining the level and structure of crime in places of detention.

Further work can be directed at the following areas:

- The development and implementation of comprehensive programs aimed at neutralizing the influence of informal leaders and destructive norms of the penitentiary subculture, based on positive international experience, particularly from Georgia and Norway;
- Improvement of training and qualification systems for prison staff, focusing on methods to counteract the criminal subculture and create conditions for effective resocialization of convicts;
- Development of the penitentiary probation system and post-penitentiary support measures to reduce recidivism risks among those released from places of detention, considering the influence of internalized subcultural norms;
- Further criminological and sociological research to explore the mechanisms of functioning and transformation of the penitentiary subculture in the context of digitalization and the reform of the criminal-executive system;
- The study of the potential implementation of digital tools for monitoring and analytics to detect hidden forms of subordination and criminal influence within the prison system, as outlined in Kazakhstan's Legal Policy Concept.

Thus, this research contributes to the criminological understanding of the impact of penitentiary subculture on crime in places of detention in Kazakhstan and opens prospects for further scientific inquiry and the development of practical measures to improve the penitentiary environment and reduce recidivism.

The contribution of the authors

R.B. Turysbek – corresponding author, prepared the main content of the article, summarized previous research, and was responsible for the references, abstract, and author information. He conducted the primary analysis of theoretical and empirical materials, as well as developed the structure and argumentation of most of the article.

R. Khamidullina – contributed to the legal practice materials, the conclusion, introduction, and methodology. He provided academic guidance, helped formulate key concepts and methodological approaches, and critically edited the key sections of the work.

N. Poshanov – corresponding author responsible for preparing and formatting the article according to the necessary requirements, provides communication with the editorial board

and is responsible for submitting the article to the journal, as well as for making necessary corrections and changes to the text during the review.

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Пенитенциарлық субмәдениеттің бас бостандығынан айыру орындарындағы қылмыстылыққа әсерін криминологиялық бағалау

Аңдатпа: Бұл ғылыми зерттеу қылмыстық-атқару жүйесі (ҚАЖ) мекемелеріндегі қылмыс динамикасына пенитенциарлық субмәдениеттің ықпалының өзекті мәселесіне арналған. Жұмыстың мақсаты-осы әсердің дәрежесі мен механизмдеріне криминологиялық бағалау жүргізу, сондай-ақ деструктивті субмәдени факторларды бейтараптандыру бойынша ұсыныстар әзірлеу. Зерттеудің негізгі бағыттары пенитенциарлық субмәдениеттің мәні мен құрылымын талдау, оның Қазақстанда қалыптасуы мен дамуының тарихи алғышарттарын зерделеу, оның криминогендік жағдайға, криминалдық әлеуметтену процестеріне және рецидивтік қылмысқа әсер ету тетіктерін анықтау болып табылады. Негізгі идея-пенитенциарлық субмәдениет-бұл бас бостандығынан айыру орындарындағы құқықтық тәртіпке айтарлықтай теріс әсер ететін және сотталғандарды қайта әлеуметтендіру процесіне кедергі келтіретін тұрақты бейресми жүйе.

Жұмыстың ғылыми маңыздылығы пенитенциарлық субмәдениеттің ҚАЖ-дағы қылмысқа әсерін тұтас криминологиялық зерттеуді жүргізу болып табылады. Практикалық маңыздылығы зерттеу нәтижелерін ҚАЖ органдарының, прокуратураның, Ішкі Істер Министрлігінің қызметінде, сондай-ақ қайталама қылмыстың алдын алу бағдарламаларын әзірлеу кезінде пайдалану мүмкіндігінен тұрады.

Негізгі нәтижелер мен талдаулар пенитенциарлық субмәдениеттің кеңестік пенитенциарлық жүйеде тарихи түрде қалыптасқан өзіндік иерархиясы, құндылықтары мен нормалары бар

тұрақты әлеуметтік-нормативтік құбылыс екенін көрсетеді. Зерттеу субмәдениеттің сотталғандардың мінез-құлқына айтарлықтай әсер ететінін, қылмыстық әлеуметтенуге, бейресми иерархияның қалыптасуына және қайталанатын қылмыс деңгейінің жоғарылауына ықпал ететінін анықтайды. Халықаралық тәжірибемен салыстырмалы талдау сотталғандарды ұстау жағдайларын ізгілендіруге және белсенді қайта әлеуметтендіруге бағытталған кешенді реформалардың қажеттілігін көрсетеді.

Жүргізілген зерттеудің құндылығы Қазақстандағы бас бостандығынан айыру орындарындағы пенитенциарлық субмәдениеттің қылмысқа әсерін жүйелі криминологиялық талдауда жатыр, бұл отандық ғылым үшін жаңа болып табылады. Жұмыс қорытындыларының практикалық маңыздылығы жүйеішілік қылмысқа қарсы іс-қимыл шараларын әзірлеу және жетілдіру, қайта әлеуметтендіру бағдарламаларының тиімділігін арттыру және бас бостандығынан айыру орындарынан босатылған адамдар арасында рецидивизм деңгейін төмендету үшін ғылыми негізделген базаны ұсыну болып табылады.

Түйін сөздер: пенитенциарлық субмәдениет, қылмыс, бас бостандығынан айыру орындары, криминологиялық бағалау, түзеу мекемелері, қайта әлеуметтендіру, сотталғандар.

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Криминологическая оценка влияния пенитенциарной субкультуры на преступность в местах лишения свободы

Аннотация: Данное научное исследование посвящено актуальной проблеме влияния пенитенциарной субкультуры на динамику преступности в учреждениях уголовно-исполнительной системы (УИС). Целью работы является проведение криминологической оценки степени и механизмов этого влияния, а также разработка предложений по нейтрализации деструктивных субкультурных факторов. Основными направлениями исследования являются анализ сущности и структуры пенитенциарной субкультуры, изучение её исторических предпосылок становления и развития в Казахстане, выявление механизмов её влияния на криминогенную обстановку, процессы криминальной социализации и рецидивную преступность. Ключевая идея заключается в том, что пенитенциарная субкультура представляет собой устойчивую неформальную систему, оказывающую значительное негативное воздействие на правопорядок в местах лишения свободы и препятствующую процессу ресоциализации осуждённых.

Научная значимость работы заключается в проведении целостного криминологического исследования влияния пенитенциарной субкультуры на преступность в УИС. Практическая значимость состоит в возможности использования результатов исследования в деятельности органов УИС, прокуратуры, Министерства внутренних дел, а также при разработке программ профилактики повторной преступности.

Основные результаты и анализ показывают, что пенитенциарная субкультура является устойчивым социально-нормативным феноменом с собственной иерархией, ценностями и нормами,

исторически укорененным в советской пенитенциарной системе. Исследование выявляет, что субкультура оказывает значительное влияние на поведение осуждённых, способствует криминальной социализации, формированию неформальной иерархии и повышению уровня рецидивной преступности. Сравнительный анализ с международным опытом подчеркивает необходимость комплексных реформ, направленных на гуманизацию условий содержания и активную ресоциализацию осуждённых.

Ценность проведенного исследования заключается в системном криминологическом анализе влияния пенитенциарной субкультуры на преступность в местах лишения свободы в Казахстане, что является новым для отечественной науки. Практическое значение итогов работы заключается в предоставлении научно обоснованной базы для разработки и совершенствования мер противодействия внутрисистемной преступности, повышения эффективности программ ресоциализации и снижения уровня рецидивизма среди лиц, освободившихся из мест лишения свободы.

Ключевые слова: пенитенциарная субкультура, преступность, места лишения свободы, криминологическая оценка, исправительные учреждения, ресоциализация, осужденные.

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