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Law of July 13, 1913: Organizational and Legal Aspects of Forming the Prison Staff Training System in Tsarist Russia

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Abstract

Introduction: the article discusses various approaches to improving the level of professional training of prison guards in tsarist Russia, including those who guarded female convicts. The role of heads of the Main Prison Administration in initiating professional training of prison employees is noted, the specifics of activities in this area and the complexity of solving issues requiring diverse knowledge are described. *Purpose:* to show the origins of professional penitentiary education, the role of the law of July 13, 1913 ("On the establishment of the school to train candidates for the positions of a senior prison warden in Saint Petersburg and the school to train candidates for the positions of a female prison warden in Moscow"), to disclose its legal provisions fixing the competence of the Saint Petersburg School for the Training of Senior Prison Female Wardens and the Moscow School for the Training of Female Wardens. An order of enrollment in schools, a legal status of students, financial support for the educational process, teachers, students, and their official position after training are considered. The article uses *methods* of comparative analysis, analogy, idealization, generalization, formalization, and concretization. *Results:* the article reveals approaches to the stages of professional training of prison employees and describes achievements of individual scientists (I.F. Foinitskii, N.F. Luchinskii) and heads of the Main Prison Administration of Tsarist Russia (M.N. Galkin-Vraskoi, S.S. Khrulev) in proving the importance of effective performance of penitentiary institutions. *Conclusions:* the law of July 13, 1913 on the establishment of schools in Saint Petersburg to train candidates for the positions of a senior prison warden and in Moscow to train candidates for the positions of a female prison warden in the period of September 1, 1913 to December 31, 1915 is the first law that elevated penitentiary education to the rank of the state.

Keywords: Main Prison Administration; Saint Petersburg; Moscow; school; prison guards; training.

5.1.1. Theoretical and historical legal sciences.

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Introduction

Specialized education of employees of any law enforcement agency presupposes the availability of appropriate educational institutions. The origin of the solution to this issue is of particular interest to penal system employees, teaching staff, as well as to those who care about the history of the Russian state.

The question of the need to train specialists to serve in penitentiary institutions of the Russian Empire was raised by the heads of the Main Prison Administration (GTU) and scientists. Thus, in 1872, Professor Ivan Ya. Foinitskii, a well-known Russian prison researcher and one of the founders of penal law, published an article "Draft Basic Principles of a Prison Reform in Russia" in the Judicial Bulletin [1, p. 11], in which he also touched on educational topics. However, this did not immediately solve the long-standing problem. Professor Sergei V. Poznyshev noted a negative attitude of the Russian Empire government to the application of scientific achievements in the field of criminal punishment execution. The complexity, psychological difficulties, specifics of the organization of serving sentences in prison, importance of the prison sector for society and law and order were not taken into account. "No special penitentiary knowledge is required for simple purposes and primitive rudeness of this "dead" house. A strict and efficient supervisor, strong locks and bars, external discipline and the absence of escapes seemed enough ... for good management of penitentiary activities [2, p. 13].

I.Ya. Foinitskii, a professor at the Saint Petersburg University, was the first (1874) not only in Russia, but also in the world community to pay direct attention to prison education. He introduced a special course on prison studies for all law students and taught it for more than 20 years, until 1905. The course began with individual articles, such as "Prison Reform and Prison Studies (introductory lecture delivered on January 8, 1874)", "The Russian Punitive System" [1, p. 11], published by Ii 1874 in the Judicial Journal and Collection of State Knowledge. According to contemporaries, I.Ya. Foinitskii's articles and lectures "had outstanding scientific and practical significance" [1, p. 12].

Researchers associate training of penal system personnel with the creation of the Main

Prison Administration in the Russian Empire in 1874 [3; 4] and with its first head, Mikhail N. Galkin-Vraskoi [5; 6]. He headed the department from 1879 to 1896. In order to strengthen the training process and to inform employees about activities of the Main Prison Administration, Mikhail Galkin-Vraskoi initiated the publication of the Prison Bulletin journal in January 1893.

To train specialists for positions in the prison department, it was planned to establish special preparatory courses. In 1912, "the Main Prison Administration already submitted a draft law for the establishment of such courses.... According to the draft law, courses for training candidates for prison positions were to be called "Prison courses" and conducted at the Main Prison Administration under the direct supervision of the head of this department" [7, p. 1205]. However, the issue was not resolved at the legislative level. Therefore, the head of the GTU (Stepan S. Khrulev) decided to conduct systematic readings on prison studies at the department. "To organize the readings and manage them closely ... the Editor of the Prison Bulletin, Inspector of the Main Prison Administration, Acting State Councilor N.F. Luchinskii was appointed" [7, p. 1205].

They started on March 1, 1912. The program included a professionally focused range of issues of interest to prison officials, such as "1) principles of criminal law and a punishment doctrine, especially a brief history and comparative analysis of various penitentiary systems; 2) basic concepts of psychology and neuropsychiatry; 3) an outline of the state structure in Russia with more detailed explanations regarding the organization of judicial and prison units; 4) readings combined with practical exercises on various branches of prison management and economy, such as construction, prison hygiene, food and clothing supplies for prisoners, prison work, prison statistics and reporting, etc." [7, pp. 1,205-1,206]. On May 10, 1912, the reading at the GTU ended. The editorial "The experience of systematic readings on prisons at the Main Prison Administration" of the Prison Bulletin for 1912 was devoted to the breadth of tasks and their complexity requiring a variety of professional knowledge. Nikolai Luchinskii wrote, "An ideal prison head should combine all kinds of professions: a soldier and an adminis-

trator, a quartermaster and an architect, a technician and a merchant, and even a psychiatrist and a lawyer" [8, p. 6].

Thus, the scientific community emphasized the need to create a prison staff training system and to issue a special legislative act regulating the creation of such educational institutions.

Research

On July 13, 1913, a law highly approved by the State Council and the State Duma was adopted. It fixed the following: "1. To establish from September 1, 1913 to December 31, 1915 1) a school in Saint Petersburg to train candidates for the positions of a senior prison warden and 2) a school in Moscow to train candidates for the positions of a female prison warden on the basis of the Provisions of these schools" [9; 10].

The significance and uniqueness of this legislative act lay in the fact that it was the first document of this level [11; 12], which started prison education on September 1, 1913. It included logistical, financial, educational, social, pension, and organizational provisions. They established the legal status of schools, students, and graduates, as well as the competence of managers and a special council (commission). The provisions attached to the law allowed, in the course of comparative legal research, to establish certain differences in the organization of activities and the status of these two schools.

1. Training of candidates for the position of a senior warden was organized at the school located in Saint Petersburg prisons. It admitted 30 junior prison guards who had served for at least two years. Special attention was paid to the selection of candidates for local studies. This is evidenced by the instruction of the Acting Head of the GTU G.F. Boetticher. "In view of the extremely serious requirements placed on persons who hold positions of senior prison guards in terms of service duties and who are their closest supervisors in this regard, but often even in charge of certain branches of management in places of detention as assistants to the prison governor, the selection of persons who will take the course at the designated school should be carried out with special care and prudence" [13, p. 964]. In addition to the above, it was recommended to pay attention to the level of education, age, state of health, moral (lack of addiction to alcohol) and service

qualities (execution of orders from superiors) [13].

The free training course lasted four months, twice a year – from January 15 to May 15 and from August 15 to December 15. Junior prison guards who were sent to study in accordance with the procedure determined by the head of the GTU received an allowance that included the cost of a third-class railway ticket for travel from the duty station to Saint Petersburg and back, plus thirty kopecks for every day they were on the road. All students received the salary set by him at their former place of service, used an apartment and food in kind. Upon completion of the training, graduates who passed tests received a special certificate and the right to take advantage of their appointment to the position of a senior warden.

We should mention another objective decision (of July 26, 1913) fixed in the instructions of the acting head of the State Technical University. So, "due to a short period of time left for the opening of the school in Saint Petersburg... this year, only junior guards serving in European Russia can be trained, which is why these rules will not apply to guards serving in other localities until the beginning of 1914" [13, p. 965].

1.1. During this period, a school was also established at the Moscow Female Prison to train female candidates for the position of a female prison warden. Its capacity was twenty-five people and the training period was six months from September 1 to March 1. Female persons were accepted for training solely on their own request, were at least 21 years old and were capable of serving in prison guards due to their state of health. Candidates had to have any education or pass the admission test. The longer period of study, compared to the Saint Petersburg school, was explained by the lack of female experience in the prison system. The training was free and an allowance of fifty kopecks per day was provided.

Female graduates, as well as junior guards, received a special certificate that gave them the advantage of holding the position of a female prison warden. After the graduation they were obliged to serve in prison for at least three years. In case of non-fulfillment of the obligation, they had to return the amount of money they received as a school allowance.

2. The Saint Petersburg school was managed by the head of the school, appointed by the head of the Main Prison Administration. He was authorized to carry out administrative, economic and educational activities. A special committee was created at the school and the provincial prison inspector was its chairman. The committee included a head of the school and teachers, as well as two elected members of the Saint Petersburg Charitable Committee. The competence of the school committee was extremely limited: general supervision of teaching; taking measures that could contribute to successful training of students; discussion of issues related to administrative and economic activities.

2.1. The Moscow School for the Training of Female Wardens due to objective conditions was managed by the head of the Moscow Female Prison and his assistant. Their direct activity consisted in solving educational and administrative issues. A wider range of issues, along with educational and administrative issues, included the following:

- establishment, with the approval of the head of the State Technical University, of the school's teaching program and the procedure for conducting practical classes for students. As in Saint Petersburg, trainees could be assigned to temporarily serve as female prison guards in the Moscow Female Prison and the female department of the prison hospital. In this case, for temporary use, they received official uniforms in accordance with the established form;

- inviting teachers;

- admission to and graduation from school.

This issue was decided by the council formed at the school. Its chairman was one of the headmistresses of the Moscow Ladies' Charity and Prison Committee (elected by it). The council included the Moscow provincial prison inspector (participated in the council as a deputy chairman of the council during her absence), one headmistress of the Moscow Ladies' Charity and Prison Committee, the head of the Moscow Female Prison, his assistant, and teachers of the school. In addition to the above, the council established the internal regulations of the school. Special instructions were approved by the Moscow governor.

At the Saint Petersburg School, the functions of setting internal regulations and appointing teachers were fulfilled by the head of the State Technical University. He also established the teaching program and the procedure for conducting practical classes. Thus, for objective reasons, the competence of the Moscow school council was broader than that of the Saint Petersburg committee.

3. Due to objective circumstances (number of students, frequency, duration of study), the Saint Petersburg School introduced an independent position of the head. He received 1,200 rubles a year – 600 rubles of monetary allowance and 600 rubles for food products. An apartment at the school was provided.

3.1. As we have already indicated, the Moscow School was headed by the head of the Moscow women's prison and his assistant.

The originality of the law of July 13, 1913 also consisted in the fact that it specifically outlined the goals of funds allocated from the state treasury. The law stipulated that the amount of loans required for the rental of premises for the Saint Petersburg School, for the rental of apartments for the head and barracks for students and for food for the latter, as well as for the establishment or rental of premises for the Moscow school, would be determined from 1914 in an estimated manner.

4. For the maintenance of the Saint Petersburg School, it was planned to allocate 3,400 rubles for 2 years starting from 1914, including: a) 1,200 rubles for the maintenance of the head of the school; b) 600 rubles for stationery and the purchase of textbooks. To illustrate the costs of purchasing textbooks and the cost of individual publications, we provide the following data: the annual subscription price of the Prison Bulletin with delivery and forwarding was 7 rubles; c) hiring of school teachers was 1,600 rubles.

4.1. As for the Moscow School of that period, it was planned to allocate 3,350 rubles per year, including: a) 900 rubles for salaries; b) 2,250 rubles for the provision of allowances to students at school; c) 200 rubles for office expenses and the purchase of textbooks. The total cost for both schools was 6,750 rubles a year.

5. In 1913, it was planned to allocate 2,766 rubles from the State Treasury to the Saint Pe-

tersburg School, of which: a) 400 rubles for the maintenance of the head of the school; b) 200 rubles for office expenses and the purchase of textbooks; c) 533 rubles for the hiring of teachers; d) 833 rubles for renting premises for schools, apartments for the head and barracks for students; e) 880 rubles for food for students.

5.1. The costs for the Moscow School in the specified period of time amounted to 1,616, including: a) 300 rubles for salaries; b) 750 rubles for the provision of allowances to students; c) 66 rubles for office expenses and the purchase of textbooks; d) 500 rubles for the rental of premises for the school.

The costs for both schools amounted to 4,382 rubles, with the expense attributed to the expected savings from appointments according to the State Expenditure List for 1913.

Based on individual materials published in the Prison Bulletin journal, both GTU heads and individual representatives of prison science (N.F. Luchinskii) perceived the creation of schools as an opportunity to improve the professional level and prestige of prison officers in tsarist Russia.

Conclusion

For objective reasons (gender, age, length of study, lack of prison service experience), the legal status of the Moscow School for the Training

of Female Wardens and the Saint Petersburg School for the Training of Senior Prison Female Wardens had differences. The provisions on schools were fixed by law.

The law of July 13, 1913 "On the establishment of the school to train candidates for the positions of a senior prison warden in Saint Petersburg and the school to train candidates for the positions of a female prison warden in Moscow" served as a prerequisite for the subsequent purposeful education of employees of the penitentiary system. The experience of tsarist Russia in this area was successfully used afterwards.

During the period of the Provisional Government, a legal expert A.A. Zhizhilenko was appointed head of the Main Prison Administration (he leaved the post of professor at the Saint Petersburg University). On March 17, 1917, he signed Order No. 2 on the creation of penitentiary courses for retraining prison staff to work "in conditions of the renewal of the state system and free public life".

Educational institutions of the USSR borrowed and improved the experience of training schools of prison wardens of the Russian Empire, for example, in conducting practical classes, introductory practices, internships in positions directly in the context of upcoming practical activities after graduation.

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