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The Role of the Public in Prison Transformations of the 19th Century in Russia

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Abstract. *Introduction:* the article examines the circumstances that promoted the activity of social forces of the 19th century in improving prison life and re-socialization of persons released from prison. The article describes the areas of public activity aimed at the transformation of prisons in the Russian Empire and the impact of this activity on the improvement of the execution of sentences in the form of imprisonment. We analyze the activities of the Guardianship Society for Prisons, Patronage Societies and other non-governmental structures. We assess the role of the public in the development of domestic legislation and law enforcement practice and analyze errors and omissions that occurred. *Methods:* the study is based on the axiological approach. Finding a solution to the research problem was facilitated by the use of general philosophical principles of dialectics and special methods of cognition: systematic, formal-legal, sociological, etc. *Results:* the ideas of the Age of Enlightenment contributed to the manifestation of social activity, in the public consciousness there emerged a thought about the necessity to abandon the cruelty of punishment. The organization of patronage is a necessary condition for the transformation of prisons. *Discussion:* it is noteworthy that in the works of different historical periods, we can find common views and negative assessments of the activities of non-governmental entities of the pre-revolutionary period associated with the prison department. *Conclusions:* the activity of the public in the field of transformation of correctional institutions cannot be considered faultless. However, the number of its critical assessments is so large that there is no need to increase it; anyway, this cannot change anything. From an axiological point of view, it is much more important to identify what is valuable for social practice: it stimulated the development of public initiative in addressing the issues related to punishment and its execution, the establishment of new public formations that aimed their activities at providing assistance to those released from prison, organizing the execution of sentences against minors, the removal of children of convicts from prisons and the establishment of shelters for them, etc.

Keywords: Public; Enlightenment era; Guardianship Society for Prisons; patronage societies; societies for agricultural colonies and craft shelters; academic community; prison; prison transformations; prison reform; prisoners; rehabilitation; juvenile offenders; international congresses

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Introduction

It is known that prison transformations in

Russia in the 19th century began during the judicial reforms. The transformations were not

spontaneous. They were prepared and brought to life by the efforts of the public, which long before the reforms took steps to “improve prisons”, as they said at the time [16, p. 79].

The Guardianship Society for Prisons that was founded in Russia in the first quarter of the 19th century brought to life a system of previously unknown legal relations, which marked a new stage in the development and activity of the Russian prison. With the emergence of the Guardianship Society for Prisons, a social element appeared in their life, which was new for Russian reality.

It is generally believed that the involvement of the public in the transformation of prisons in Russia is due to Walter Venning, who inspired Alexander I to establish the Guardianship Society for Prisons, which could provide assistance to persons who showed a desire for reformation [17, p. 204]. This is a historical fact that Venning actually inspired the Emperor to do so. And in this interpretation, it looks like “a wizard suddenly appeared” and wrote out a prescription for improving prisons, which were actually in a deplorable state [43, p. 14–16].

However, if we take into account that social life, in all its manifestations is a versatile and continuous process, we will find that Venning’s suggestions to the Russian tsar are just an episode that could have certain implications, provided that there is an appropriate environment for this. Otherwise, even the will of the tsar would not have been able to set the social forces in motion. And we must admit that in Russia by this time such an environment was formed, which was facilitated by the spirit of the Enlightenment era.

Materials and methods

The analysis of the organizational and legal features of civic participation in the preparation and implementation of prison reforms in the Russian Empire was carried out on the basis of normative legal acts regulating such activities and contained in the *Complete Collection of Laws of the Russian Empire*: collection one (1649–1825), collection two (1825–1881), collection three (1881–1913).

The range of sources we used in the study is quite diverse: these are documents deposited in the State Archive of the Russian Federation (f. 122, 123); official materials (departmental orders and instructions, reports); scientific works: monographs, textbooks, articles published in scientific and specialized journals of different periods, and materials presented in the mass media of the period under consideration.

We analyze research materials on the basis of the well-known principles of scientific historical cognition.

Methodological basis of our study is the axiological approach. Finding a solution to the research problem was facilitated by the use of general philosophical principles of dialectics and special methods of cognition: systematic, formal-legal, sociological, etc.

Discussion

The discussion of the issue of civic participation in working with prisoners in the imperial period of Russia is impossible to assess unambiguously. On the one hand, once it emerged, it was in the focus of attention of newspapers, magazines, scientific and memoir literature for almost a hundred years. The number of such sources is incalculable. Their flow stopped due to the events of 1917. And for a long period of time, this information “fell out” of the field of attention of the public.

Interest in the problem arose again in the modern times (M.G. Detkov (1994), I.V. Uporov (2004), I.N. Fedotova (2006), etc.).

It is noteworthy that in the works of different historical periods, there is a commonality of views and negative assessments of the activities of non-governmental entities of the pre-revolutionary period associated with the prison department. This is primarily a critical assessment related to the justification of conclusions about what was not done or what mistakes were made.

Among many works, it is worth highlighting those that belong to I.V. Uporov, who is distinguished by caution, reasonableness and objectivity of conclusions.

This suggests that the role and importance of the public in the transformation of Russian correctional institutions is not fully understood. This fact determines the relevance of the present study.

Reasoning

The issue related to reorganization of Russian correctional institutions arose in connection with the introduction of the Institution of the governorates [52, p. 380–469]. It is widely believed that the Empress’ work related to prison reform was significantly influenced by John Howard. Let us pay attention to M. Filippov’s view on this issue. He notes that Howard’s work was written in 1777, while the documents of Catherine the Great on the subject date back to an earlier period; Filippov also emphasizes that the principles of prison reform proclaimed

by Catherine the Great were a century ahead of the entire European legislation [54, p. 61–63].

During this period, under the influence of the philosophy of the Enlightenment, the idea of rejecting the cruelty of punishment arose in the public consciousness. In Article 27 of the draft Statute on Prisons, developed by Catherine the Great in 1787, it was explicitly prescribed: “Prisoners are to be treated with humanity” [54, p. 66–86]. Although the draft was not implemented, its appearance and content indicate the emergence of a new approach to the execution of sentences.

The Age of Enlightenment contributed to the formation and consolidation of the most enlightened and progressive social forces, striving for the improvement of social life. The Age of Enlightenment is characterized by an active social life: participation in clubs, scientific societies, study groups, the desire for joint activities and public discussion of problems, and a willingness to educate all segments of the population. In Russia, the philosophy of the Age of Enlightenment has found wide distribution, both in the upper strata of society, and among the bourgeoisie and the nobility. The French Revolution, with its ideas of humanism and justice, had a strong influence on public consciousness [6]. By the end of the 19th century, under its influence, the ideas of humane treatment of the criminal began to spread, which found a lively response in Russia [8, p. 192].

The ideas of the Age of Enlightenment contributed to the manifestation of social activity. This was expressed in very specific cases. For example, in 1797, the Department of the Empress Maria was established, which had its purpose not just to provide assistance to those in need, but to educate a new person who could transform Russian society on the basis of education [56].

In 1802, the Imperial Humane Society was established, which pursued the goal of helping anyone who found themselves in a difficult life situation [14; 31].

A little later, in 1812, there emerged the Women’s Patriotic Society [42; 45; 57]. This suggests that the Russian society was moving toward the development of social self-activity and participation in social transformations. The ideas of the enlighteners could not but touch upon the issues of prison life.

Here it is necessary to take into account the fact that quite recently the war with Napoleon ended with the victory of Russia. Russia is the winner. Its warriors, inspired by their own exam-

ple, were ready for transformation. The victory in such a brutal war undoubtedly contributed to the growth of national consciousness and aspirations for improvement and life change.

All this shows that Russia was already on the way to improving prisons, this was prepared historically, but the process was slow, and Venning seemed to accelerate it, acting as a kind of catalyst in this regard. It means that Russia was not so faceless and uninitiated that it could only deal with its own issues with the help of suggestions of others. But it is our long-standing tradition to ignore our own successes and bow down to those of others, even insignificant ones. This explains the fact that the names of many of our compatriots of that period, who invested in the transformation, including prison transformation, their funds, strength and soul, remained unknown or forgotten, and it is the stranger who lives on the pages of national history, overshadowing those who actually created the national history.

The Emperor paid attention to Venning’s advice, but did it his own way: he accepted the idea, but implemented it based on his own understanding of the problem. In particular, he limited the powers of the newly created society in terms of the management of correctional institutions, which remained with the government. The decision made is evidence that there was an understanding of the problem. The tasks assigned to the newly created society were of a humanistic nature and were aimed at transforming not only prisons, but also their inmates by strengthening their moral principles and education. It could not be otherwise: the Russian Emperor was a child of the Age of Enlightenment.

The Guardianship Society for Prisons was established on July 19, 1819 [35, no. 27875] and began its work three months later. Its members, on the recommendation of the founder, included eminent and enlightened people. Among them were the Venning brothers: Walter (Vladimir) and Ivan, who lived in Saint Petersburg. The latter served as the Society’s treasurer [27, p. 49]. It is curious that Walter, being a member of the London Prison Society, systematically sent to it the reports on the activities of the Russian Guardianship Society for Prisons, as if it were part of the former [47, p. 24].

As such, the law did not establish any Rules for the Guardianship Society for Prisons. The law only expressed agreement with the proposal to establish the designated society and took into account the attached report of A. Golitsin and the notes of W. Venning. As follows from

the Note mentioned in the law, the purpose of the Society's activities should consist in moral rehabilitation of prisoners. Here, perhaps, for the first time, the goal of moral rehabilitation of prisoners is set. In the Rules for the Guardianship Society for Prisons attached to the Note, its main purpose is moral rehabilitation of prisoners, as well as improvement of the condition of people placed in prison for debts and due to other reasons. For this purpose, the Society was supposed to use five main means of reformation: constant supervision of prisoners; placing them according to the nature of crimes or charges; instructing them in the rules of piety and good morals; engaging them in decent exercises, placing those who committed prison offences in a secluded place [27, p. 45]. All this was new for Russian correctional institutions.

The rules provided for the structure, organization of the Society's activities, funds and their disposal, and office work.

In order to understand and evaluate the activities of the members of the Guardianship Society for Prisons, it would be important to consider the state of Russian prisons at that time. Archival materials show that it was terrifying even for that time [5, p. 31–34; 11, p. 356; 16, p. 7–55; 24, p. 6–90; 28, p. 7–8, 14–16; 33, p. 82–83, 85–87; 46, p. 181–224; 55, p. 359]. The information contained in these sources is significantly supplemented by the actual data obtained from the preserved archival materials, established and analyzed in detail by E.V. Borodina. The researcher drew attention to the conditions of detention of prisoners in remote correctional institutions [4, p. 215–230]. By the way, Russian prisons were in the same condition as Western ones [33, p. 89; 46, p. 181–224].

After visiting the prison, the members of the Society found that it is impossible to implement moral rehabilitation of prisoners who were kept in dilapidated buildings, cramped, without separation by age and gender, left to themselves, in the absence of a prison regime and any legal order. Attention was drawn to the fact that the main drawback was cramped conditions, the joint maintenance of prisoners and their utter idleness. Cramped conditions made it impossible to separate them not only by type or category of crime, but even by gender and age. This resulted in multiple disorders, and idleness is always accompanied by debauchery. There was no system and unity in the management, since it was divided between different departments, there were no unified plans [22, p. 10]. This meant it was necessary to start with the

organization of life in prison. Prisoners' nutrition was streamlined, clothing and shoes were made, workshops were established and work in them was organized, the premises were put in order as far as possible, and hospitals were arranged. To a certain extent, the issue of funding needed to improve prison life was resolved. These funds were replenished by contributions from members of the Society and benefactors.

Members of the Society were forced to deal with economic issues, without which it was impossible to think about any changes in the life of prisons. And this entailed control over the activities of prison officials and the expenditure of funds, which caused displeasure, opposition and confrontation. This, in turn, affected the nature of the Society's activities and the relationship with the Police Department, which was responsible for state control and supervision of correctional institutions. Since neither party had a clear legal regulation of the powers, in practice this led to the fact that they interfered with each other, duplicating functions and competing with each other. The situation of the time and the accumulated experience led to the decision to adopt the *Charter of the Guardianship Society for Prisons* (November 7, 1851) [35, no. 27875].

Gradually, religious and moral education was introduced, for which churches were arranged, where services were held on Sundays and holidays. Libraries were formed and readings with prisoners were arranged, which had never happened before.

The members of the Society were enlightened and humanistic people. In their activities, they carried out the ideas of humanity. Accordingly, they strongly opposed the ill-treatment of prisoners and the use of chains, heavy shackles, collars and other special means used at that time. Over time, these issues were dealt with.

A number of security issues were resolved. In particular, measures have been taken to prevent the entry of prohibited items, including alcohol, into places of detention; internal regulations have been established: the time of work, study, rest, relatives' visits, etc. Measures were taken to ensure that the prisoners did not move around the city on foot in any weather. For this purpose, carriages, which were equipped according to the season, were hired.

D.V. Krainskii points out that there was not a single aspect in the life of prisoners, where members of the Society would not have penetrated. This contributed to the fact that the situation in the prison became different [16, p. 89–92].

We agree with I.V. Uporov who notes that it was the Society that drew attention to the need for moral correction of prison inmates [50, p. 163].

From the first years of its work, the Society prepared annual reports on its activities, although sometimes they were compiled late or not in full. Nevertheless, they helped to spread the ideas of humanity, practical experience, and attract the attention of the authorities and ordinary people to the problems of prison transformations.

Special attention was paid to minors in prisons. These were children with parents who were placed in prison for crimes or misdemeanors, and children who committed crimes. Both were kept together with adults without any distinction.

First of all, the issue of funding for children's nutrition from the treasury was resolved [13, p. 14].

Realizing the perniciousness influence of the prison on innocent children held there, the members of the Society began to work on the establishment of shelters for the children of prisoners. This issue was being resolved for an extremely long time. Only in 1843 was it possible to establish such a shelter. In it, the children studied, twice a week they were brought to the prison to their parents. Gradually, the circle of children who were placed in shelters expanded: they were children of convicts; children brought in by the police; children of parents who had gone missing; children left behind at the request of parents who had served their sentences. The purpose of keeping children in such shelters was to educate them and remove them from the criminal community [42, p. 17, 40]. In places where there were no such shelters, children were placed in private homes with trustworthy people or in institutions of Public Charity Departments (*Prikazy*), where they were kept at the expense of the Society. For example, in Vologda, the merchant Gudkov used his own funds to rent an apartment for the shelter and maintenance of 26 children.

The Society took measures to separate convicted minors from adults and to establish literacy and craft training. Over time, a temporary department for juvenile convicts was established in Saint Petersburg. However, this did not solve the problem. Therefore, measures were taken to create special institutions for minors who have committed crimes. Some of these institutions were established with the direct participation of the Guardianship Society for Prisons (Saint Petersburg), and local prison committees (Astrakhan, Krasnodar, Saratov).

The general public in Russia sympathized with the ideas concerning the protection of

children from the harmful influence of prison, and increased their participation in the establishment of correctional institutions for minors. There were Societies for Agricultural Colonies and Craft Shelters, which were the founders of such institutions. In general, they arranged their work on the example of educational institutions for children, but they had their own specifics. What these institutions had in common was that they all abandoned prison trappings [1].

The members of the Society were imbued with the understanding that no improvement of prison life would deter a person from re-offending if he/she does not find support and help in organizing life upon release. This led to the fact that members of the Society began to prepare prisoners for release and help the released with employment, food, clothing, etc. To provide shelter for those released from prison, a Sanctuary for the Temporary Shelter of the Released was arranged.

As it turned out, this work was so extensive that it brought to life independent societies focused specifically on providing assistance to those released from prison (patronage) [2]. They were called differently: Societies for the Protection of Persons Released from Prison; Societies for the Benefit of Persons Released from Prison; Patronage Societies [2, p. 122–136].

They developed most actively after 1909, when the law on conditional early release was adopted, which provided for the transfer of the released person to the supervision and care of the Patronage Society or the Guardianship Society for Prisons for the period of sentence not served [40, no. 32241].

A number of Patronage Societies were established to provide assistance to minors released from prison.

All of them carried out their activities with the assistance of Guardianship Society for Prisons. Their work consisted in preparing the prisoner to leave the correctional institution and in helping them to get used to life at large in order to prevent re-offending. Members of the patronage societies visited convicts, found out their intentions upon release, and, if necessary, provided assistance in establishing contact with the family, getting a job and residence, and acquiring necessary items for life.

The Guardianship Society for Prisons, having accumulated some experience, took measures to legally regulate prison life and the activities of the administration. With the active participation of the Society, an Instruction was developed for the keeper of the prison (1831), where

the accumulated experience was reflected. The instruction contained the rules of internal regime in correctional institutions. It regulated the activities of correctional institutions, the procedure and conditions for serving sentences by prisoners, methods of influencing them, rules of conduct for employees of the correctional institution, etc. Although it did not resolve many issues, a significant step forward was made, since it was a normative legal act that for the first time established the legal framework for the execution of a prison sentence [15; 51]. It is obvious that the mentioned Instruction formed the basis for further development of the legal framework in this area.

The society, carrying out the ideas of humanity and care for prisoners, extended its influence to all the cities of the Russian Empire, establishing provincial and district committees in them. However, it was not a quick thing to do, the process of forming them was slow and was going on for more than one decade. By 1851, the Society consisted of 52 men's committees in the provincial and port cities and 14 women's divisions and 268 county divisions [13, p. 4]. All of them submitted regular reports on their activities, which revealed what they did locally. So, for example, from the reports of the Saint Petersburg Prison Committee, it follows that until 1823, it collected funds in the amount of 263,488 rubles 53 kopecks; it opened bookbinding and shoemaking workshops, taught literacy and arithmetic to minors held in prison (347 people) (State Archive of the Russian Federation (SARF). F. 123. Op. 2. D. 4. L. 86). Of course, the possibilities, and hence the results of the committees operating in the capital, in large cities, and local territories were different. It was not always possible to organize the supply of prisoners with clothing and food and to establish workshops and hospitals [53, p. 147–150; 43, p. 13–14].

In 1851, the Charter of the Guardianship Society for Prisons was published, which expanded the scope of its activities [36, no. 25725]. In addition to the functions already known, provided for by the Regulation of 1819, the Society was to ensure the internal arrangement of correctional institutions with everything necessary for the health of prisoners, to keep correctional institutions in good condition, to take care of prison hospitals and organize the treatment of sick prisoners, to provide them with food, clothing, shoes, to build churches in those prisons where there were none, to take care of the speedy resolution of the fate of prisoners, to take care of the prisoners who are being sent to other places, to

buy out people who were held in prison for debts. All these areas were formed in the practical activities of the Society, starting from the day of its existence. That is, they were tested and now received legislative consolidation.

The Charter defined the structure and management of the Society, the composition and procedure for the activities of committees and departments, the formation and expenditure of funds, and the reporting rules. The Charter provided for the mandatory appointment of the chairperson of the committee – the governor, and the director of the committee – the vice-governor, the judge of conscience, the prosecutor, the chairman of the provincial offices, the mayor. In the districts (*uyezdy*), this could be: a district leader of the nobility, a judge, a lawyer, a district doctor, a dean, a mayor. Obviously, this strengthened the official character of the Society. On the one hand, this undoubtedly bureaucratized its activity, and on the other – gave it weight and increased its potential.

In the works of different periods, concerning the activities of the Guardianship Society for Prisons, it is invariably criticized and negatively evaluated. [7, p. 281–287; 10, p. 36–37; 48, p. 1–58; 55, p. 729]. Of course, from the point of view of those who have the opportunity to look back on the past, everything was wrong there. However, it must be remembered that the Guardianship Society for Prisons did not have a past. The Society was a pioneer in the organization of prison life. There was no knowledge, experience and understanding of how to handle certain issues. Nor did the Ministry of the Interior have such an understanding; it lacked the resources, too.

And the Society, in addition to the need to take care of the arrangement and facilitation of the life of prisoners, had to “make up for the lack of state funds allocated for the maintenance of prisons and prisoners with its own donations” [43, p. 5].

The Guardianship Society for Prisons was guided by the ideas of humanity, its life experience, and collective consciousness. And for all the critical, and sometimes rightly so, assessments, the general approaches to the transformation of prisons, developed by the Society, turned out to be effective. And what is most interesting, they have not lost their significance until now. It is worth noting that the Guardianship Society for Prisons, having taken on an unorganized business that had no foundations, contributed to the formation of the prison system and determined the directions in which re-

forms and transformations were to be carried out [16, p. 142–146].

New trends in the prison system were reflected in the organization of the activities of Saint Petersburg Correctional Prison, the activities of which were built in accordance with special rules. Under it, the Guardianship of prisoners was established, the goals of which were: a) organizing the work in prison; b) finding ways to actually achieve reformation of prisoners; c) proper supervision of prisoners related to their release from prison [30, p. 8].

It is worth emphasizing that the prison improvement program implemented by the Society was adopted as a basis for the further organization of prison affairs and its legislative regulation [16, p. 95]. At the time of the prison reform in 1879, the prison system in Russia was already formed, and the main directions of its further transformations were determined.

The study of the experience of civic participation in prison improvement issues reveals that the attempts of the Guardianship Society for Prisons to exercise control over the administration's activities caused a sharply negative reaction on its part, since the Society was not vested with such powers. But abuses on the part of prison officials, including financial abuse, required that certain actions should be undertaken. The prison reforms that began in 1879 were also aimed at improving the administration of correctional institutions. In an effort to ensure humane treatment of prisoners, strengthen internal discipline and eliminate abuse, the authorities adopted a resolution of the State Council on supervisory commissions, which were first introduced in correctional institutions in Saint Petersburg (SARF. F. 122. Op. 2. D. 460, 521, 523) [37, no. 2267; 38, no. 9598], then in Moscow (SARF. F. 122. Op. 6. D. 1902) [39, no. 11806].

Supervisory commissions were a new element in the Russian legislation and practice. They combined two principles: official and social forces. This was ensured by the composition of the commissions. They consisted of the following members: one or two members of the town council, or outsiders elected by the Saint Petersburg City Duma, a prosecutor, two directors of the men's prison committee, and up to five members appointed by the Minister of the Interior.

The commissions had the authority to monitor all aspects of the prison administration's activities, and there was absolutely no interference in the management of places of detention. The members of the commission could, at their

own discretion, inspect the places of detention, monitor the execution of orders, without any warning. All violations identified during the inspection were reported to the warden so that appropriate action could be taken. In other cases it was necessary to inform the head of the General Prison Department.

The supervisory commissions took part in the organization of prison work, moral and religious education, developed proposals for improving the activities of the administration, petitioned for pardons, commutation of sentences, and conditional early release.

Members of the commissions had the duty to accept applications and complaints of prisoners concerning the conditions of detention.

Members of the commissions had the task of organizing interaction between the committees and branches of the Guardianship Society for Prisons and other non-governmental structures on issues of care for prisoners upon release and children of prisoners. The supervisory commissions, despite the specifics of their composition, still represented a social element in the local prison system [32, p. 242–244].

The issues of prison life were covered by the developing mass media. In the first half of the 19th century, the main, often the only, information source was a provincial newspaper (*gubernskie vedomosti*). Editors often encouraged readers to send their materials to the newspaper. The informal part of the newspaper contained, among other things, notes on the activities of local committees and branches of the Guardianship Society for Prisons, articles and reports on their activities and problems [12; 26; 30; 34].

Newspapers were developing most actively in the second half of the 19th century. The readership engaged in lively discussions of the issues and problems of prison transformations, thus becoming their participant [49].

The growing public interest in the problems of improving social life and relations contributed to the development of journal activities. Issues related to prison transformations were considered by representatives of the scientific community and practitioners. Naturally, these issues were covered in detail on the pages of professional and departmental journals. The scientific community took part in discussions on the pages of journals such as *Zhurnal grazhdanskogo i ugolovnogo prava* (Journal of Civil and Criminal Law), *Yuridicheskii vestnik* (Legal Bulletin), *Vestnik Evropy* (Bulletin of Europe), and others. With the appearance of departmental journals, the most relevant issues of the

activities of the Guardianship Society for Prisons, the problems of prison transformation, and public participation in it were discussed on their pages. A lot of materials in this area are contained in *Zhurnal Ministerstva vnutrennikh del* (Journal of the Ministry of Internal Affairs) (1829–1861), *Tyuremnyi vestnik* (Prison Journal) (1893–1917), *Zhurnal Ministerstva yustitsii* (Journal of the Ministry of Justice) (1859–1868; 1894–1917). The materials contained in the journals were devoted to the study of international experience, analysis of national legislation and law enforcement practices in the area under consideration.

There emerged a large amount of scientific research on the organization of the execution of sentences in the form of imprisonment. The question of public participation in the transformation of prisons became the subject of independent research [9; 21].

With the beginning of prison reforms in Russia, there was a revival of the scientific thought aimed at studying prison-related issues and developing proposals for improving the functioning of places of detention, and the range of researchers and the number of publications on these issues was expanding. During that period, it was hardly possible to find a newspaper or magazine which did not touch on the issues of prison life, which provided a scientific basis for the transformations.

Broad social forces took an active part in the discussion of prison problems on the pages of newspapers and magazines, at professional meetings (pedagogical, legal, medical, hygienic, technical, etc.). That is, the problem of the execution of criminal penalties was discussed comprehensively. This showed an understanding of the connection between the prison and public life, the inevitability of their coexistence and the need for mutual understanding and mutual assistance.

Prison transformation issues began to attract public consciousness in the second half of the 19th century, when specialists and enthusiasts turned their attention to the issues of crime and realized how destructive the existing places of detention were. At the same time, countries and peoples found problems that were common to all. One of the problems was the implications of imprisonment: a huge number of repeat offenders who posed a great danger to society.

This led to the understanding that such problems can and should be solved by joint efforts. Representatives of different countries – scientists and practitioners – began to unite to dis-

cuss common problems and develop appropriate solutions and recommendations. To this end, the International Penitentiary Congresses were established; eight of them were held since 1872. Various issues of prison life and its impact on society were discussed there. Thus, the international community was involved in the development of prison transformation issues.

The topic of the role of the public in improving the execution of sentences in the form of imprisonment to some extent became the subject of attention at each congress. This was mainly related to the problems of educating juvenile offenders and providing assistance to persons who had served their sentences. Various non-governmental organizations were engaged in it everywhere [1, p. 51–57; 3, p. 235–259].

A significant contribution to the development of the issue of public participation in prison transformations was made at the Rome Congress (1885). The issues of the role of the public in the work of places of detention and the forms of such participation (supervisory commissions and civic councils) were discussed there. The Congress recognized the need for the establishment of supervisory commissions at each place of detention and recommended that their work be based on a number of rules concerning the composition, powers, and internal organization [18, p. II–III; 19, p. 1666–1667; 44, p. 248–249].

The accumulation of knowledge and the development of practice brought to life new questions and problems that consolidated scientific forces in the search for answers and solutions. Thus, the study of crime as a social phenomenon, its causes, and ways to combat it was concentrated in the International Union of Criminologists, which discussed these problems at its congresses, twelve of them were held, starting in 1889. The congresses considered issues that were also important for prison reforms: short-term detention and measures to replace it, recidivism, punishment and its execution, patronage of those released from prison, etc.

Over time, national teams were established in the International Union of Criminologists. In Russia, such a group appeared in 1897. I.Ya Foynitskii was elected its chairman. The Russian Group has developed two major issues related to prison reform in Russia: parole and the organization of patronage [2, p. 57–66; 3, p. 259–276]. The decisions of the congresses of the Russian Group of the International Union of Criminologists formed the basis of the Normal Charter of the Society for the Protection

of Persons Released from Prison (1908) [25, p. 657–666], the Law on Conditional Early Release (1909) [40, no. 32241], the Law on State Assistance of the Society for the Protection of Persons Released from Prison (1912) [23, p. 27–47, 56–66, 289–315; 41, no. 38585].

Public activities related to the provision of assistance to persons released from prison were developing intensively in many countries of the world. This was due to the understanding that the organization of patronage was a necessary condition for the transformation of places of detention. The development of the patronage gave rise to many questions of an organizational, legal, and pedagogical nature. The scientific community and enthusiasts found it necessary to discuss these issues at the International Congresses of the Patronage. There were five of them, starting in 1890. Their participants discussed topics related to the organization and activities of patronage societies, types and forms of assistance to those released from prison, the legal basis of this activity, the role and importance of patronage in combating crime, and the promotion of this activity in the media in order to involve the general public in the participation [2, p. 66–71].

It should be noted that in the last quarter of the 19th century, there was an increase in civic activity related to discussing and addressing the problems of transforming places of detention. It played an important role not only in improving places of detention, but also in the formation and development of new areas of criminal law science. Such ideas as conditional early release, social protection of persons released from prison, changing the legal proceedings against minors with the help of congresses and meetings were spread among the general public, and then transformed into legislation. Such large-scale events as international congresses and meetings stimulated the attention of governments to the issues that were considered there. The public that participated in those events forced the legislator to listen to the voice of scientific thought and take into account the conclusions and recommendations developed by collective efforts. Many of the resolutions of international and national forums served as guidelines for the implementation of reforms in different countries and formed the basis of relevant legislation [20, p. 362].

Conclusion

Public participation in the life of places of detention was dictated in the 19th century by the philosophy of the Age of Enlightenment concerning the social value of a person and the desire to

improve it. The first experience of such participation belongs to the Guardianship Society for Prisons, which included influential and highly educated people. It could not be otherwise: a certain social maturity was required to understand the existing problems and address the tasks set. The initiative to create such a society came not from the bottom, but from the top. It is also clear: enlightened people are needed for the implementation of large-scale projects. Personal authority and high social activity allowed them to attract new members to their ranks and establish contacts and interaction with state bodies.

The Society lasted almost a hundred years. Through its activities, it stimulated the development of public initiative in addressing issues related to punishment and its execution, the establishment of new public formations that aimed their activities at providing assistance to those released from prison, organizing the execution of sentences against minors, removing the children of prisoners from prisons and setting up shelters for them, etc.

The main problem associated with prison transformations was the lack of funding for places of detention. This lack was compensated, though not to the fullest extent, by all social formations.

One should not, of course, idealize civic influence and civic participation in prison transformations in Russia. There were many omissions, blunders, and mistakes in the activities of all non-governmental formations. But if we take into account that all of them started their activities in the absence of any experience, necessary funds, and clear legal regulations, then their achievements cannot but earn respect and recognition. The distance of two centuries allows us to understand that, in fact, all social formations were under experimental conditions. Despite all the mistakes and miscalculations, it was still a success. It was the efforts of the public that identified and prepared the areas in which the prison reform was carried out.

The scientific community made its contribution to the preparation of prison reforms and the development of legislation: it closely studied the activities of state and civic structures in the field of the execution of sentences and developed appropriate recommendations. It formed the scientific basis for the legal support of the imposition and execution of punishments.

Social forces promoted social activity in the transformation of places of detention, generalization, analysis of theoretical and practical experience, and its dissemination.

The practice of non-governmental associations developed forms of interaction with state bodies.

The work of the public related to the transformation of places of detention cannot be considered faultless. However, the number of its critical assessments is so large that there is no

need to increase it; besides, it cannot change anything. It is much more important to identify what is valuable for social practice from axiological positions. And here, great opportunities open up for researchers.

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