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On the Experience of Countering Riots in Russian Penitentiary Institutions at the Turn of the XIX–XX Centuries



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Abstract

Introduction: the article reveals measures taken by the administration and supervision of places of detention of the Russian Empire to combat riots among prisoners at the turn of the XIX-XX centuries. As for a chronological framework of the study, it includes a period of growth of the revolutionary situation in the Russian Empire at the turn of the XIX-XX centuries and the 1905-1907 revolution, as well as the intensification of riots and mass riots among prisoners caused by these events. Purpose: based on generalization of the experience of the administration and supervision of Russian places of detention in the period under study, to supplement and correct the ideas that have developed in the history of the penitentiary system. Methods: statistical and statistical-comparative methods, dialectical, logical methods, methods of synthesis and system-functional analysis. Results: the analysis of legal regulation and practical activities of the administration and supervision of places of detention of the Russian Empire shows that during the period under study, the regime of serving sentences in them was significantly violated, which resulted in riots and mass riots, accompanied by escapes and other serious crimes. In this regard, activities of penitentiary institution authorities aimed at strengthening discipline and professional training of personnel were important. Conclusion: functioning of Russian places of detention at the turn of the XIX-XX centuries was accompanied by riots among the continent, especially in 1905–1907, which greatly contributed to their reorganization. Countering riots in places of detention necessitated effective measures aimed at strengthening the regime of serving sentences and discipline not only among prisoners, but also among employees.

Keywords: the Russian Empire; penitentiary institutions; counteraction to riots; prisoners; terror.

5.1.1. Theoretical and historical legal sciences.

Jurisprudence 5

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Introduction

The novelty of the research is determined primarily by the comprehensive analysis of riots organized by prisoners in pre-revolutionary Russia, their causes, conditions and characteristics. Despite all the variety of literature related to prison studies, problems of the research topic are insignificantly covered. In the pre-revolutionary period, A. Vitashevskii [1], V. Kolosov [2], M. Konopnitskaya [3], G. Leiss [4], P. Yakubovich [5] and others considered it in politological and historical aspects.

During the Soviet period, history of domestic penitentiary institutions was presented in an ideologized and tendentious way. In the works of V. Bik [6], O. Vikker [7], F. Dantsskes [8], N. Petrov-Pavlov [9], M. Gernet [10] and others, serving sentences in places of detention in Tsarist Russia was unequivocally assessed as inhumane, and prisoners' opposition to the regime established in penitentiary institutions was considered mostly positive.

Modern works by R. Andriyanov [11], O. Koryukova [12], I. Strygina [13], N. Naryshkina [14], O. Berezina [15] and others are characterized by depoliticization and objectivity. In addition, they introduce new historical sources, including archival materials, into scientific circulation.

Problems of ensuring prisoners' rights, countering their escapes and terror against

penal system employees in Russia at the turn of the XIX-XX centuries became the object of research by A.E. Epifanov [16], E.M. Pavlenko [17], E.E. Krasnozhenova and S.N. Kulik [18].

In the mentioned works, issues related to the history of countering riots in penitentiary institutions of the Russian Empire at the turn of the XIX–XX centuries were not comprehensively studied.

The Main Prison Administration was aware of the unsatisfactory state of the penitentiary system, aggravated by the deteriorated composition of convicts. Overcrowding in most prisons hindered maintenance of the necessary regime and discipline. However, according to the department, it was the revolutionary situation in Russia that required its officials to responsibly fulfill their official duties.

The improvement of the punishment regime was called upon to correct the situation, including separation of prisoners according to the type of crimes committed, separation of repeat offenders, etc.; introduction of patronage for ex-prisoners and mandatory provision of work for them.

The dynamics of riots and related offenses among the inmates of Russian penitentiary institutions during the study period is presented in tables 1, 2.

Table 1 Information about incidents in places of detention in 1899–1908 [19, p. 698]

| | Types of incidents | | | | | | | | | |
|-------|--------------------|---|--|----------------------------------|---|---------------------------------|-----------|------------------|-------|---|
| Years | Riots | Murder of prison employees, administration and medical personnel by prisoners | Violent actions against the ranks of super- vision, manage- ment and guard | Murder of prisoners by prisoners | Wounding and beating each other by prisoners | Counter- feiting of coins | Sacrilege | Arson attacks | Fires | Suicide and attempted suicide of prisoners |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 1899 | 13 | _ | 9 | 2 | 12 | ı | ı | 1 | 6 | 11 |
| 1900 | 6 | - | 11 | 4 | 7 | - | - | 2 | 4 | 10 |
| 1901 | 51 | - | 34 | 17 | 24 | 4 | 3 | 1 | 7 | 24 |
| 1902 | 63 | _ | 30 | 20 | 26 | 5 | 3 | 2 | 12 | 20 |
| 1903 | 168 | 2 | 55 | 16 | 79 | 7 | 6 | 7 | 19 | 42 |
| 1904 | 140 | 3 | 49 | 22 | 74 | 5 | 21 | 3 | 11 | 42 |

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
|------|-----|----|-----|----|-----|----|----|----|----|-----|
| 1905 | 137 | - | 46 | 28 | 41 | 2 | 9 | 4 | 13 | 40 |
| 1906 | 133 | 11 | 85 | 42 | 122 | 2 | 2 | 7 | 27 | 42 |
| 1907 | 145 | 33 | 119 | 58 | 116 | 15 | 14 | 23 | 45 | 118 |
| 1908 | 43 | 5 | 36 | 42 | 72 | 6 | 9 | 9 | 23 | 103 |

A rapid increase in violent crimes that accompanied riots in Russian prisons is noteworthy. In 1907, 140 officials of the prison administration and supervision staff were killed and 169 wounded, including the head of the Main Prison Administration A.M. Maksimovskii.

Table 2
Number of murders and violence committed
by prisoners against prison officers and prisoners
[19, p. 698]

| Years | Total number | Indicators per 10,000 prisoners |
|-------|--------------|---------------------------------|
| 1899 | 23 | 3 |
| 1900 | 22 | 3 |
| 1901 | 75 | 9 |
| 1902 | 76 | 9 |
| 1903 | 152 | 16 |
| 1904 | 148 | 16 |
| 1905 | 115 | 14 |
| 1906 | 260 | 24 |
| 1907 | 326 | 23 |
| 1908 | 155 | 9 |

Full responsibility for maintaining order and the regime of serving a sentence in penitentiary institutions was assigned to their heads. Thus, according to the Circular of the Saratov provincial prison inspector No. 8346 of December 16, 1903, the head (caretaker) of the prison was declared the full owner and guardian of order in the entrusted institution. It was he who was entrusted with the full responsibility for preventing riots. In this regard, military officials in prisons were forbidden to take part in searches. When suppressing riots, they remained in full subordination to their military superiors and were guided by internal and garrison service statutes.

Intervention of the prison head in their actions was prohibited (State Archive of the Volgograd Region (SAVR). Archive 290. List 1. Case 14. Page 47).

In order to prevent riots among prisoners, the administration of penitentiary institutions established regular checks on warders' knowledge of the rules of use and handling of weapons, introduced systematic and particularly thorough inspections and searches in cells in order to detect unauthorized storage of things. Sometimes prisoners showed remarkable cunning and ingenuity when hiding prohibited items and weapons from prison supervision. So, in 1909, during the search of prisoner Kamalov in the Metekhi prison castle, a Browning pistol with two clips was found in his wooden leg [20, p. 948].

According to the established procedure, cells with prisoners were required to be locked. Transfer of prisoners from one cell to another was strictly prohibited. Curtains and fences that obstruct supervision of prisoners were strictly prohibited as well. Release of prisoners for walks, baths, latrines, etc. was allowed only in small gangs.

Prisoners were allowed to walk not in a disorderly crowd, but in a certain order (in pairs, in a circle, etc.) and under heavy escort. Besides, the Main Prison Administration instructed guards entering detention cells not to have weapons with them. When guards entered cells of particularly dangerous criminals, they were to keep the latter at gunpoint and, if necessary, use weapons to kill.

Despite strict instructions of the Main Prison Administration, a number of riots in places of detention grew. Audits of places of detention showed that many of them had no proper prison regime, without which maintaining order and discipline was unthinkable. While constant keeping of the prison cells locked was one of the necessary conditions for ensuring internal order, they remained open, creating conditions for prisoners to attack prison adminis-

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tration and supervision staff. Prisoners had the opportunity to move from cell to cell, wear their own clothes and store illegal items in the cells. In many cases, heads of places of detention showed weakness and lack of character, completely not caring about strengthening their own authority among both subordinates and convicts. In many cases, their assistants did not prepare warders for prison service, neglected monitoring of the quality of their official duties, and even ignored reports of supervisory authorities about violations of discipline and prison rules by prisoners. Consequently, prisoners did not show due respect to the supervision staff and prison guards did not care about their official duties.

There was a number of unacceptable drawbacks in maintaining order and discipline in places of detention. Thus, afraid of open riots, prison authorities did not punish prisoners for violating prison rules. Thus, they preferred to put up not only with a lack of regime and discipline in prisons, but even with obvious violations of basic requirements of prison legislation.

The Main Prison Administration considered this situation intolerable. In this regard, prison employees were called upon to find the courage to resist illegal harassment of prisoners and apply appropriate penalties to them, regardless of their categories and classes. It is worth mentioning that in many cases, prison administration, supervision staff and convoy showed courage and bravery in the performance of their official duties. So, on August 1, 1907, a non-commissioned officer of the Riga convoy team, Zlobin, as its chief, accompanied a column of 31 prisoners. Suddenly, the prisoners were surrounded by the public, who, contrary to the convoy's actions, began to hand them notes and flowers. During the ensuing scuffle, Zlobin was wounded by a blow to the head with a stick, but, despite the injury, bleeding profusely, he managed to disperse the crowd and deliver all the prisoners to their destination. For his courage and dedication, the non-commissioned officer was awarded the personal praise of the Emperor [21, p. 33].

As it turned out, the causes of riots and gross violations of discipline and regime in places of

detention often lay in the absence of necessary prison management and supervision by provincial authorities. Often, the latter were not aware of the existing prison procedures, and when difficulties in the proper maintenance of prisoners arose, they informed the Main Prison Administration about them and did not take necessary measures to eliminate them. There was also no sufficient concern to replenish personnel of the prison administration and supervision staff. Moreover, provincial authorities allowed illegal contacts of prisoners with the outside world, including with underground organizations that provided assistance to political prisoners [22, p. 734].

Some governors allowed their authorities to significantly deviate from the established order of detention of prisoners, including leaving cells unlocked. Political prisoners were allowed visits without valid reasons and not through bars. Transfer of prohibited items and provision of illegal benefits were also possible.

On September 29, 1907, in order to ensure state order and public peace, the Minister of Internal Affairs issued a circular No. 114,153, stipulating that heads of the local administration shall take necessary measures to prevent riots among prisoners and shall not transfer management of penitentiary institutions exclusively to provincial prison inspectors [22, p. 733].

In order to suppress violent opposition of prisoners, prison guards were granted the right to use armed force and in extreme cases to resort to the assistance of troops to pressure unrest in prisons [23, p. 809]. The use of firearms as a measure of extreme necessity against prisoners was allowed not only by prison guards, but also by police and gendarmerie teams involved in restoring order in prisons. According to the instructions approved by the Ministry of Internal Affairs on April 23, 1908, the need for the use of weapons was determined by the senior police superiors who were in charge at the scene of the riots. The appropriate order could be given only if all means to pacify the disobedient had been exhausted. It was allowed to use weapons only after the disobedient were loudly warned of it three times. The use of firearms was allowed to break up the disobedient crowd that prevented the team from advancing; against prisoners attacking it, as well as those who commit personal violence, violent destruction of property, arson and murder in the presence of the team. Shooting into the air or with hollow cartridges was prohibited (SAVR. Archive 6. List 1. Case 88. Page 313). As noted by the Main Prison Administration, in the vast majority of cases, the investigation showed absolute legality of the prison administration's use of weapons [21, p. 28].

According to the circular of the Main Prison Administration No. 31 of November 20, 1907, in addition to the requirement (of 1906) to use weapons to stop illegal songs and speeches of prisoners, it was prescribed to open fire on prison windows if convicts attempted to spoil frames, throw out any things or negotiate with outsiders. It was prescribed to use weapons during violence, disorder and resistance of prisoners [24, p. 698].

According to the established procedure, the decision on the use of weapons was within the competence of a prison head or a senior official of the prison administration or the guard. If they were not present at the scene of an emergency, weapons could be used without their knowledge and permission. At the same time, the choice between cold steel or firearms remained with its owner. In any case, its use was allowed only to defeat. A protocol describing circumstances of the case was immediately drawn up on each case of the use of weapons by prison administration officials. The prison staff was to know these instructions. Moreover, according to the circular No. 31 of November 20, 1907 issued by the Main Prison Administration, the department monitored all cases of the use of weapons by prison administration officials and supervisors for awarding persons who showed special resourcefulness and efficiency in preventing lawlessness with weapons in their hands [22, p. 729].

Exact execution of the rules of the instruction on the use of weapons by the prison administration and guards was fixed on November 30, 1909 in the circular No. 57 of the Main Prison Administration. Besides, according to the document stated, in order to avoid unnecessary

bloodshed, the text of the instruction or a brief and intelligible statement of those violations of the prison regime that entail the use of weapons shall be posted in prison cells. In addition, the circular contained instructions to carry out explanatory work with prisoners on this issue and, if necessary, to make appropriate warnings [25, p. 1,131].

Taking into account the security interests of supervisory officers and guards, the external security of prisons was arranged in such a way as to exclude any possibility of mass riots in prison yards. So, in the Alexandrovsk convict prison, the prison yard was completely open to fire from watchtowers arranged along the perimeter so that sentries could shoot half of the rioters in a short time. In turn, this circumstance was intended to deter prisoners from participating in riots [22, p. 758].

Simultaneously with a rapid growth in the prison population since 1906, fundamental changes in its composition and character are noted. As a result, dangerous criminals prone to committing serious crimes were concentrated in large numbers in places of detention. Political prisoners caused a lot of problems for prison administration and supervision staff. Formally, they were subject to serving their sentences in conditions intended for ordinary prisoners. Some requirements for this category were presented in the rules on the procedure for keeping political prisoners in prisons of the civil department, approved by the Minister of Justice on November 16, 1904. In practice, a number of deviations were allowed in relation to political prisoners, which were not provided for either by the penal legislation or by the abovementioned rules. Thus, in violation of the latter, political prisoners were allowed visits not only with relatives and friends, but also with strangers, and at any time and in rooms without bars. Contrary to Article 286 of the Statute on Exiles (as amended in 1902), convicts held in prisons were not always shackled.

In the summer of 1906, the inspector of the Main Prison Administration revealed egregious violations of the regime of serving sentences during the audit of the Akatuevsk hard labor prison. Prisoners were kept in unlocked

cells and freely communicated with each other. They had large sums of money with them, their own shop and a shared kitchen. Their relatives and acquaintances had the opportunity to visit them in their cells, and they themselves could leave the prison for neighboring villages. Such an order did not correspond at all to the established requirements and the nature of hard labor as the gravest of criminal penalties [26, p. 298].

The easing of the regime to complete licentiousness and self-will of prisoners in the Akatuevsk hard labor prison. In their own words, they lived there like at home. According to reviews of the Irkutsk Governor-General and the Prosecutor of the Chita District Court, the Nerchinsk penal servitude, which included the named prison, was in an extremely unsatisfactory state until the beginning of 1907. This concerned not only dilapidation and technical imperfection of prison buildings, but also a lack of proper discipline among prisoners and deviations from regime requirements allowed by the prison administration. Thus, prison authorities did not interfere with communication between women held in the Akatuevsk hard labor prison and other political prisoners. They formed a tight-knit community that actually ran the prison. Political prisoners had their own kitchen and set up a shop. Contrary to the established procedure, political prisoners used ordinary prisoners as servants, wore their own clothes and underwear (during the search, money and fake passports were found). Political prisoners were not subjected to searches, and they were freed from their shackles. Relatives and acquaintances visited them freely in their cells. In addition, these prisoners flatly refused to comply with the administration's orders aimed at restoring the prison regime. Meanwhile, those convicted of the most dangerous state crimes, including terrorists and persons whose death penalty was replaced by hard labor, were concentrated in the Akatuevsk hard labor prison. Restoring proper order in the prison required the application of not only strict disciplinary measures, but also the intervention of the military escort team. For weakening of the regime, which entailed grave consequences, the prison governor, his

assistant and one of the guards were put on trial [27, pp. 421–428].

For violating the order in correctional detention units with aggravating circumstances (persistent disobedience, rioting or walking in a crowd, etc.), on the basis of Article 397 of the Statute on Exiles, a convict could be held in a dark or light punishment cell was allowed for up to a month. According to Article 396, a straitjacket could be put on prisoners who were raging in the punishment cell. Convicts who were not exempt from corporal punishment could be subjected to 50 strokes of the rod as an alternative to the punishment cell.

The Main Prison Administration required prison administration and supervision officials not to ingratiate themselves with prisoners in any case and not to allow any relaxation of the regime, except as expressly provided for by the relevant orders. For example, prison administration and supervision, along with repressive means of influencing offenders, were provided with such a measure to encourage conscientious prisoners as granting the right to smoke tobacco, provided that it would be socially safe and would not embarrass non-smoking prisoners. It was of a preferential nature and was allowed only for those convicts characterized by good behavior and diligence in their work. In case of disobedience and other offenses of the prisoner, this permission was subject to cancellation. Meanwhile, in many places of detention, contrary to the exact meaning of the Main Prison Administration circular No. 13 of August 24, 1905, tobacco smoking was allowed to all prisoners without exception. Thus, in one of the prisons, smoking was allowed even to a prisoner who, for his harmful influence on his comrades, was transferred from their common cell to a solitary cell [23, p. 810].

Officials of the administration and supervisory staff who allowed unauthorized communication with prisoners were subject to severe punishment. So, on April 19, 1902, the Prison Department of the Saratov Provincial Government, as an edification to all personnel of the entrusted places of detention in the region, distributed a circular stating that the junior warden of the Volsk prison Morgunov was administra-

tively dismissed for too close friendship with prisoners and complete unreliability (SAVR. Archive 290. List 1. Case 14. Page 151). Another warden of the same prison was dismissed in a similar manner for delivering 18 prisoners drunk from outside work (SAVR. Archive 290. List 1. Case 14. Page 171).

In many cases, mass riots in Russian penitentiary institutions were aimed at making escapes. For example, on April 29, 1908, bloody riots occurred in the Yekaterinoslav prison. During them, prisoners, mostly particularly dangerous criminals, including those sentenced to death, made an unsuccessful attempt to escape. The signal for starting riots was the explosion of a bomb planted in a mattress near the prison wall. After that, snatching revolvers received from the will and hidden earlier, shooting the guards who stood in the way, the prisoners rushed to free companions locked in the cells. During the ensuing exchange of fire, 21 prisoners were killed by sentries and guards. Four more prisoners were killed by guards in the cells after they tried to break down doors. Many prisoners were injured by prison guards and military guards, who chased them away from windows. The riots were stopped in a timely manner due to the arrival of cavalry and infantry military units at the scene [28, pp. 417–419].

In order to prevent escapes of prisoners, special precautions were taken in places of detention. Their list was not subject to extensive interpretation. A prisoner who escaped, as well as being convicted of an attempt or preparation for it, could be imprisoned in a separate cell and, moreover, with some exceptions, be shackled by the decision of a head of the place of detention agreed by the prosecutor [24, Article 407].

Taking into account a special danger of those sentenced to hard labor, according to Note 1 to Article 407 of the Statute on Detention, all prisoners of this category from the moment the court sentences entered into force and by the time they were sent to the place of exile were subject to mandatory shackling and shaving of a right side of the head (as required by Article 194 of the Statute on Exiles). Meanwhile, the Saratov provincial prison inspector,

for example, when inspecting some prisons in the region, found convicts without shackles and shaved heads, and therefore, on January 10, 1903, he issued a circular fixing that the prison authorities shall immediately restore order in this area (SAVR. Archive 290. List 1. Case 26. Page 4).

On March 5, 1904, the Prison Department of the Saratov Provincial Government, by its circular No. 1889, required mandatory shackling of vagrants (from the moment the court verdict came into force); male criminals, with the exception of minors and persons released from corporal punishment; persons sentenced to exile for serious criminal offenses (during their transfer to the place of serving their sentence) [29, p. 115].

The society was indignant at the use of such a variety of shackles as special warning bundles. According to the circular of the Main Prison Administration No. 7 of April 7, 1907, they were also used to counteract escapes. Handcuffs could be placed on transit prisoners to prevent escapes, in compliance with the rules established for the use of shackles [24, Article 410]. According to the established rules, a monetary reward was given for the capture of escaped prisoners [24, Article 415].

Conclusion

At the turn of the XIX–XX centuries, Russian penitentiary institutions experienced a significant surge in mass riots and violations of the punishment regime, accompanied by prisoners' numerous attempts to escape, especially during the First Russian Revolution of 1905–1907. In turn, an increased number of riots and unrest among prisoners had a significant impact on reorganization of places of detention in the Russian Empire.

This situation was facilitated by miscalculations of prison administrations and supervisory staff in ensuring the regime of serving sentences, negligent performance of their official duties, overcrowding of places of detention and an increase in the proportion of convicted dangerous criminals, including state ones. A number of the measures were aimed at countering riots in penitentiary institutions to strengthen the regime of serving sentences and discipline among both prisoners and prison staff.

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