

Humanization of the Siberian prison and power: lessons from the imperial period of Russian history

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Abstract. In 2020, the implementation of the 10-year concept for the development of the penal system, aimed at the humanization of prisoner welfare, was ended. The article examines the political result of a closely related reform – the gradual humanization of the Siberian prison in the 19th - early 20th century. The authors believe that the outcome of the prison reform in Russia, in contrast to Europe, was characterized by a weakening of the state power. Given the poverty of the Russian people, their disenfranchisement and unemployment, the material conditions in the reformed prisons were often better than those of law-abiding citizens at liberty. On the one hand, this hindered the reduction of crime rates, but, on the other hand, caused misunderstanding in Russian society, exacerbated the sense of injustice and projected it onto the state authorities.

1 Introduction

The relevance of the research is related to the completion of the concept for the development of the penal system of 2010-2020, which has already had analogues in the history of Russia. In the past centuries, Russia also studied the prison experience of different European countries, trying to implement it on its basis, but eventually gave up on this idea. At the present time, this concept has been used in cooperation with Norway, which is considered to have the most humane prison system in the world. An analysis of contemporary and historical experience has shown: "Breivik syndrome," which emerged under the conditions of Norway's modern law enforcement system, is also observed in Russia, and for the first time it appeared after the humanization of West Siberian prisons in the 19th and early 20th centuries. A study of the historical aspect in the context of Russian reality will help assess the results of contemporary prison reform.

Purpose of the study: to identify the relationship between the humanization of European-style imprisonment and sustainability degree of imperial power in Russia in the 19th and early 20th centuries based on Siberia examples.

The scientific novelty of the study lies in a new approach: the study of the problem of humanization of the prison through correlation with the level of trust in the imperial power.

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For the first time in Russia, the problem of humanization of punishments was touched upon in the works of the contemporaries of the events, that is, penitentiary scholars of the 19th century – S.P. Poznyshev, I.Y. Foinitsky, A. Pasek and others. Studying the European experience and, later, analyzing the results of prison reforms in Russia, they could not draw a correlation between the humanization of prisons and the decline of the tsar's authority, which was explained by the political and ideological conditions of imperial Russia. Despite the disagreement on specific issues, all specialists in "prison affairs," both theorists and practitioners, were united in their common approach: the Russian penitentiary system needed to be reformed and detention conditions for prisoners should not only be improved, but there should be reform practices introduced through the opening of prison schools, churches, etc. How this would relate to the living standards of the Russian population, and whether humanization would lead to an increase in crime rates among the poorest and most marginalized segments of the population, in order to get into a reformed prison – all those issues were not discussed among penitentiary specialists. In the USSR, research on the European experience was conducted only during the Khrushchev Thaw, while during other periods the emphasis was placed on domestic principles of penitentiary organization. It is only since the 1990s that the attention of scientists again has been turned to the study of penitentiary systems in Europe and the United States, and, in the last decade, to the experience of Norway, despite the high-profile case of A. Breivik. Thus, the topic of the study has not yet been reflected in the historiography, and the appeal to the historical experience became an overdue necessity.

2 Materials and methods

The article uses a comparative and historical method of research, which allows for a comparison on several parameters: first, the state of the penitentiary system at different stages of its operation; second, the material conditions of the prisoners and the Russian people; third, the danger level in which the Tsarist government was at different stages of humanization of the prison.

Source base of the study: materials collected and published by researchers and witnesses in the 19th-20th centuries, in particular by D.I. Mendelev, as well as archival documents of the State archives of the Tyumen, Tomsk and Omsk regions (the main materials are in the Tobolsk branch of the Tyumen archive). These sources contain normative acts and record documents, which make it possible to identify the stages of humanization of imprisonment and the mechanism of its implementation in West Siberian prisons.

3 Results and discussion

The study revealed the following pattern: the deeper and more extensive was the humanization of the Russian penal system, the greater was the danger to the state power, and it came from the society. This pattern is revealed in the analysis of the penitentiary policy of Russian emperors and social and political events of these periods (Table 1). The table reflects only those emperors who were not simply interested in foreign penitentiary experience, but tried to introduce its humanistic principles on Russian basis. Due to the considerable volume of archival materials that gave grounds for the correlation, we consider it rational to refer not to them, but to the relevant pages of the doctor's thesis of the first author of the article.

Table 1. Correlation of the degree of humanization of Russian prisons and the sustainability of state power

| Emperor | Assessment of the penitentiary policy in Siberia | Presence of a threat to imperial power (result) |
|--------------|---|---|
| Catherine II | Borrowing external aspects of humanization of the prison in accordance with European models, but with the preservation of the former inquisitorial nature of the penitentiary system (example – Tobolsk prison castle built according to European models) [1: 91-93]. | There was no threat. |
| Alexander I | Starting the humanization of imprisonment in Siberia (construction of new prisons, introduction of a wide network of halting and semi-halting prisons for overnight and rest of transient prisoners, the official abolition of torture, reducing the weight of shackles, the first attempts to introduce spiritual assistance to prisoners, etc.). Only the first one was fully implemented [1: 40, 79]. | The Decembrist revolt. |
| Alexander II | Prison reform of 1879: improvement of prisoners' detention conditions, introduction of schools and spiritual institutions in prisons, expansion of charity, appearance of production workshops, etc. As a result, the penitentiary system in Siberia has changed dramatically in terms of humanization [1: 224-297]. | Killing the Emperor. |
| Nicholas II | Late 19th century: establishment of Prison Inspections, whose task was to broaden the humanization of imprisonment, ensuring prisoners' rights, improving detention conditions, including food, recreation, etc. The turn of the 19th and 20th centuries – continuation of the Prison Reform of 1879, interrupted during the counter-reforms of Alexander III. An example of the peak of humanization is the Tobolsk prison castle [1: 112-126; 224-297]. | The collapse of the Russian Empire, the murder of the emperor and his family. |

The peak of humanization is reflected in the testimony of D.I. Mendeleev, who in 1899 visited his hometown of Tobolsk, where he was invited on a tour of the local prison castle. His assessment of what he saw reflected the entire Russian society's perception of the humanized prison. The scientist was shocked by what he saw: convicts were provided with all they needed, labor was optional, delicious dinners were prepared, hot flavored bread, "which would be the envy of many in European Russia," etc.: "Among the prisoners there are those who are sentenced for seven murders. They would have been hanged or guillotined in another country, but here they are placed in a comfortable, clean, one-story light building... The main, daily method of influence is the work. As far as possible, it is not forced: unwillingness or even indisposition to work is taken into account, and such are left in the holding cell; we saw a lot of them there... The humanized treatment with convicts struck me so much that I cannot find the words to express it. Inside there was a severe doubt in the usefulness of such a mild attitude to the villains" [2: 433-434]. In the Tobolsk Historical and Architectural Museum-Reserve, the interior of convict cells of that period is preserved, and visiting them by excursionists causes the same reaction at the present time. Let us note that D.I. Mendeleev did not belong to the poorest classes of the population, whose standard of living was much lower. Therefore, the perception of a humanized prison by the poor and legally unprotected Russian people, forced to work 10, 12 hours or more every day, exacerbated the sense of social injustice.

Modern studies do not contradict the results obtained. In the sphere of the historical aspect of the problem, it is necessary to note the work on the penitentiary ideas of Catherine II [3], which were not implemented, except for partial reorganization of certain experimental prisons, such as Tobolsk prison in Siberia. These conclusions are consistent with the findings, confirming that Catherine II did not seek to introduce humanization along European model; accordingly, there was no danger to her throne. A study of the penal colonies for juveniles that functioned in Eastern Siberia under Nicholas II also shows a high level of humanization [4]. Historical events related to the humanization of prisons in the 19th century have been

reviewed in previous articles by the authors, where the problem is analyzed through the prism of Russian mentality and culture [5], including the conditions of the Soviet penitentiary system. It is noted that the humanization of imprisonment under N.S. Khrushchev was accompanied by a decline in his authority, which is not directly related to the reform of the penitentiary system, but reflected the liberalization of the state course in general [6]. Historians of the penitentiary system focus on the analysis of the regulatory framework, the practice of the Siberian penal colony [7-10], touching on the problem of humanization and emphasizing the incompleteness of reforms, which corresponds to the conclusions in this article.

The majority of scientists investigate the current state of the issue and are unanimous in their main conclusion: if Russia has to borrow the European penitentiary experience, it must be accompanied by adaptation to Russian realities, a serious, well thought-out theoretical approach and an appropriate implementation mechanism [11-13], as well as consideration of historical experience [14].

4 Conclusions

The humanization of the penal system in Europe was formed under completely different historical and legal conditions, which were absent in Russia. First, the reform was preceded by the period of the Medieval Inquisition, so the degree of humanization of prisons was manifested with the same force, but with the opposite content. Second, the reform was carried out under the conditions of the formation of legal and political culture, and it was fully in line with this culture. Third, in Western Europe, the serfdom had already been abolished, capitalism was developing, and the population's standard of living was rising, so even the humanized prison continued to play a preventive role. In Russia, these conditions had not taken shape, so prison reforms began to undergo a deformation, which intensified at each stage and eventually merged with other social and political contradictions, playing a role in the fall of imperial power. The trend we have considered shows that the borrowing of European experience must be accompanied by well-considered solutions and take into account Russian reality.

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