



# CREATING A PENAL SYSTEM IN THE REPUBLIC OF LATVIA, 1919–1921

Aiga Bērziņa

## Abstract

The government of the Republic of Latvia began creating a penal system as soon as it took control of the territory it claimed. According to the international understanding, imprisonment was not only seen as the isolation of a person, but also included serious steps in 'correctional practices'. The article deals with the first stage of the creation of a penal system in Latvia, of which the end can be linked to the 'Instructions for Prison Employees', the first law regulating prisons in the Republic of Latvia, which was passed on 16 April 1921. This stage coincided with the period when Latvia switched to peacetime order after the end of the War of Independence. By presenting an overview of the creation of the state penal system, the author highlights the most important steps taken by the prison administration, and the conditions the state prison system faced.

KEY WORDS: criminal justice, corrections, penal system, incarceration, prisons, Latvian War of Independence.

105

## Anotacija

Kurti īkalinimo ir pataisų sistemą Latvijos Respublikos vyriausybė ėmėsi 1919 m., kai tik pradėjo perimti teritorijas, į kurias pretendavo, kontrolę. Įkalinimas, remiantis visame pasaulyje paplitusia praktika, buvo suvokiamas ne vien kaip asmens izoliavimas, bet ir kaip konkretūs jo „pataisos“ žingsniai. Straipsnyje nagrinėjama pirmoji pataisų sistemos kūrimo Latvijoje stadija, kurios sąlygine pabaiga gali būti laikomas 1921 m. balandžio 16 d. pasirodęs pirmasis teisės aktas „Instrukcijos kalėjimų darbuotojams“, reguliavęs kalėjimų veiklą Latvijoje. Pirmoji stadija sutapo su Latvijos perėjimu į taikos laikotarpį po Nepriklausomybės karo. Nagrinėdama valstybės pataisų sistemos kūrimą Latvijoje, autorė akcentuoja svarbiausius žingsnius, kurių ėmėsi kalėjimų administracija, ir sąlygas, su kuriomis susidūrė valstybės įkalinimo sistema.

PAGRINDINIAI ŽODŽIAI: baudžiamoji teisė, pataisos, pataisų sistema, įkalinimas, kalėjimai, Latvijos nepriklausomybės karas.

This article was prepared within the framework of the performance funding project of the University of Latvia No AAP2016/B060.

Aiga Bērziņa, mgr., research associate, University of Latvia, Institute of Latvian History, Kalpaka bulvāris 4, LV-1050 Rīgā, Latvia. Email: aigaberzina91@gmail.com.

When the First World War came to an end, it did not bring the long-awaited peace to the former Russian Empire, where military activity and struggles for power continued. Warfare also continued in Latvia, where at the end of 1918, new players emerged, taking into account happenings in the world such as the collapse of empires, national revivals and the establishment of new national states. The Republic of Latvia was also declared, causing the start of the Latvian War of Independence. During this time, along with state-building, the formation of Latvian military units, solving the issue of food and supplies, efforts to get international recognition for the Republic of Latvia, and many other urgent affairs by Latvia's Provisional Government, one of the tasks was to create the state's interior and justice policy. An important part of life and politics was, and always has been, a state penal system. In order to ensure public order, as well as to establish a legal state, in November 1918, the Ministry of Justice was formed. The main task of the ministry was to create a substantial and democratic justice system. In addition, the Latvian state prison system was put under the Ministry of Justice. According to the worldwide understanding,<sup>1</sup> imprisonment was understood not only as the isolation of a person, but included serious steps in correctional practice.

Places of incarceration and their administration started to work as soon as possible. A rush to start work was caused by the activities of many political opponents, as well as the rise of criminal activities caused by the many social problems. At the same time, the whole prison system was just in the process of creation. This made a rather controversial situation: on one hand, the work had already started, but on the other, the basic principles and the system itself were under development. Creating a penal system in the Republic of Latvia took place during the Latvian War of Independence, which was a turning point in history as Latvia fended off attacks from Soviet Russia and Germany. There was a series of military conflicts in Latvia. Similar processes also took place in neighbouring Lithuania and Estonia.

The first stage in creating the Latvian state penal system came to an end on 16 April 1921, when the first law regulating prisons in the Republic of Latvia 'Instructions for Prison Employees' was adopted.<sup>2</sup> This coincided with the time when the Latvian War of Independence came to an end, and Latvia switched to peacetime order.

<sup>1</sup> For more see: FOUCAULT, Michel. *Discipline and Punish. The Birth of the Prison*. New York, 1995; EMSLEY, Clive. *Crime, Police, and Penal Policy. European Experiences 1750–1940*. Oxford, 2007; KRIUKELYTĒ, Erika, *The Creation of Modern Prisons in the Russian Empire* (IISH-Research Papers, 48). Amsterdam, 2012.

<sup>2</sup> Instructions for Prison Employees, 1921 (valid until 1937). *Latvijas Valsts vēstures arhīvs (Latvian State Historical Archives, hereafter LVVA)*, 3275. f., 2. apr., 2. l.

## Institutional efforts to create an imprisonment and correctional practice

The Latvian penal system was not made in an empty space, but inherited its infrastructure and practice from the Russian Empire. Before the First World War, all places of incarceration in Latvia were under the jurisdiction of the Russian Empire's Governorates of Lifliandiia, Kurliandiia and Vitebsk Prison Inspectorate. During the First World War, the Province of Kurliandiia (western part of Latvia) was occupied by the German army, which took over places of incarceration and used them for its own purposes. After the collapse of the Russian Empire, different places of incarceration in Latvia changed hands, and came under a variety of military and political powers. Many, if not all of them, used incarceration not only to isolate criminal elements, but mostly as a political tool against their opponents.<sup>3</sup>

At the end of 1918, along with the formation of a justice policy in Latvia, the Latvian Prison Inspectorate (Cietumu inspekcija) was founded. It was based on the former Prison Inspectorate of the Russian Empire. The Prison Inspectorate was forced to end its activities in January 1919, when the army of the Latvian Socialist Soviet Republic took over the capital Rīga, and the Provisional Government of the Republic of Latvia and state institutions were forced to stop their work and evacuate to the west (Kurzeme).<sup>4</sup>

Only after the Bolshevik forces abandoned Rīga in the summer of 1919 did the Provisional Government and state institutions return to the capital. On 8 July 1919, a new Prison Administration was founded, with no apparent continuity from the previous Latvian Prison Inspectorate, for the last one never fully started its work. This was the Main Prison Board (Galvenā cietumu valde), which continued its work under this name until the year 1930, when it was renamed, but the changes were mainly formal, and did not make any important differences to the work.<sup>5</sup> The Main Prison Board was a state administrative institution under the Ministry of Justice, which implemented state policy in detention as a security measure, and the deprivation of liberty as a criminal or political punishment. It is important to understand that the Main Prison Board and administration of places of imprisonment did not investigate crimes or sentence people; its aim was to enforce sentences handed down by law officials, or more specifically, to isolate convicted people or those under investigation, while protecting the rest of society from them, as well as carrying out correction practices.

<sup>3</sup> VEITMANIS, Kornēlijs; MENĢELSONS, Aleksandrs. *Tieslietu ministrijas un tiesu vēsture, 1918–1938*. Rīga, 1939.

<sup>4</sup> Correspondence of the Ministry of Justice, 1919. *LVVA*, 1533. f., 1. apr., 8. l., 112. lpp.

<sup>5</sup> The name of the prison administration in interwar Latvia: the Main Prison Board (Galvenā cietumu valde; 1919–1930); Prison Department (Cietumu departaments; 1930–1938); Criminal-Political Department (Kriminālpolitiskais departaments; 1938–1940). Cf. ZELČS, Jānis. Ieslodzījuma vietu attīstība Latvijā pirmajos valsts pastāvēšanas gados. *Latvijas Arhīvi*, 2011, Nr. 1/2, 61.–62. lpp.

Like the Prison Inspectorate, the Main Prison Board was also based on what was taken over from the Russian Empire. An important role in the evolution of the field and in the work of places of imprisonment was played by the leaders of the Main Prison Board, as the need to make urgent and clear decisions was in great demand. Leading positions in the Main Prison Board, as well as in prisons, were filled by people who had worked in prisons before the war broke out. For example, Pēteris Vanags (1867–1941), the head of the Main Prison Board before the war, worked as director of a colony of juvenile offenders in Ropaži, and later served in the Ministry of Justice of the Russian Empire for more than 20 years, working in the prison sector in Rīga, Samar and Petrograd (St Petersburg).<sup>6</sup> All the people closest to Pēteris Vanags, two inspectors and a lawyer for the Main Prison Board, were experienced in penal policy due to their work in the Russian Empire. This shows the clear legacy of the empire, not only in the prison infrastructure, but also in the mentality.<sup>7</sup>

One of the first tasks of the Main Prison Board was to organise the takeover of places of imprisonment in areas controlled by Latvian forces, and to include them in a united and functioning state imprisonment system. The first were places of imprisonment in Rīga which were taken over from the German occupying forces.<sup>8</sup> After Rīga, the Main Prison Board sent its inspectors to the west (Kurzeme),<sup>9</sup> and afterwards to the north (Vidzeme), to take over places of imprisonment from local government, and finally also the east of Latvia (Latgale), in the spring of 1920, when it was liberated. The Main Prison Board took over around 30 places of imprisonment in total, closing some of them (such as Rūjiena and Limbaži detention houses), and making some branches of the main prison in the area (such as Liepāja and Valmiera detention houses), in order to save resources, because maintaining small places of imprisonment was too expensive.<sup>10</sup> In the summer of 1920, when the last prisons in Latgale were taken over, there were 19, and later in 1920, 17 places of imprisonment (prisons and detention houses) under the Main Prison Board.<sup>11</sup> In practice, prisons and detention houses

<sup>6</sup> Personal file of Peteris Vanags, 1922. *LWA*, 1933. f., 1. apr., 277. l., 2, 8. lpp.

<sup>7</sup> For more, see: BĒRZIŅA, Aiga. Galvenā cietumu valde Neatkarības kara laikā: struktūra, personāls un galvenie darbības virzieni. In *Letonika, diaspora un starpkultūru komunikācija: Latvijas Universitātes 76. starptautiskā zinātniskā konference. Vēstures, Arheoloģijas un Etnogrāfijas sekcijas referātu tēzes, 2018. gada 16. februārī*. Sast. Ilze BOLDĀNE-ZEĻENKOVA. Rīga, 2018, 8. lpp.

<sup>8</sup> After the Soviet army retreated, the first to enter Rīga on 22 May 1919 were German occupying forces who took over government institutions, including the prisons. After liberating Rīga, the German occupying forces started the 'White terror', which included the incarceration of a large number of suspected Bolshevik supporters, and that led to even worse prison conditions than before.

<sup>9</sup> Several problems in taking over places of incarceration and making a decision on what to do with the administration of every prison also emerged after the takeover process in some areas was thought to be finished. For example, in the autumn of 1919, places of incarceration in Kurzeme (which were already under the Main Prison Board) were occupied by Bermont's Army, which set all prisoners free. After pushing out Bermont's Army, the Main Prison Board had to take back all the places of incarceration and restart their work.

<sup>10</sup> Correspondence of the Main Prison Board, 1919. *LWA*, 3275. f., 2. apr., 267 l., without page numbers.

<sup>11</sup> List of places of incarceration in Latvia, 1920. *LWA*, 1533. f., 1. apr., 11. l., 21. lpp.

worked without any significant differences, and the name was mostly a tradition from previous years rather than definition of a type of place of incarceration.

## Legislation of the Russian Empire and reaching for democracy

State officials in the Republic of Latvia had no experience of government or public administration, and were at the crossroads of the old world of the Russian Empire and the new one of a democratic and free republic. It led to a situation where the main basis of the newly created state's penal system (especially in terms of the prison infrastructure and judicial system) were the legacy of the Russian Empire, the First World War and the complicated military-political situation caused by the Latvian War of Independence. But on the other hand, it was characterised by efforts to establish a system based on the democratic values of western states and their experience.

In order to ensure the continuity of the law, and to create a state based on legal rights, at the time when there was no national legislation, the Provisional Government decided to adopt the legislation of the Russian Empire.<sup>12</sup> This is also true of the law regulating the work of places of imprisonment and the justice system. This means that at the beginning of national politics, the penal system was based on that of the Russian Empire.

The main law regulating criminal offences adopted from the Russian Empire was the criminal code of 1903,<sup>13</sup> which was never fully put into effect in the Russian Empire, but was later adopted by the German occupying forces in Kurzeme. Apart from the criminal code of 1903, several other laws were officially adopted: the prison regulations of 1890, the exile regulations of 1909, the regulations of convoy service of 1907, the law on early conditional release of 1917, and others.<sup>14</sup>

The adoption of Russian legislation was not enough. As the Republic of Latvia was to be a democratic state, the adoption of imperial laws, although it helped to avoid a breakdown of law and order in the state, led to the serious question of how to introduce them into the democratic system. This discussion created a system whereby a series of different corrections, additions, prohibitions and other changes in the law by state officials, the head of the Main Prison Board, and other people in authority, were created and put into operation on a daily basis.<sup>15</sup>

<sup>12</sup> *Latvijas tiesību vēsture (1914–2000)*. Red. Andrejs Dītrihs LĒBERS. Rīga, 2000.

<sup>13</sup> *1903. gada 22. marta sodu likumi. Tulkojums ar paskaidrojumiem*. Rīga, 1930; the new Latvian penal code was adopted only in 1933, and it was created on the basis of the Criminal Code of 1903 and the practice of Western countries like Italy and Germany. The penal code of 1933 was valid until 25 November 1940.

<sup>14</sup> ZELČS, J. Ieslodzījuma vietu attīstība Latvijā..., 60. lpp.

<sup>15</sup> Summary of circulars from the Main Prison Board, 1919–1921. *LVVA*, 675. f., 1. apr., 1. l.; Second summary of circulars from the Main Prison Board, 1921–1923. *LVVA*, 675. f., 1. apr., 2. l.

Often, as the circulation of information was slow, and many other urgent issues were under review, the prison administration and workforce adopted laws and followed orders according to their own understanding, making differences and often complications in the work of separate places of imprisonment. Only at the end of 1919 was the Main Prison Board able to provide some form of explanation of the regulations and control enforcement of the law. Some practical problems also appeared in the adoption of the laws of the Russian Empire. First, the Main Prison Board and the Ministry of Justice were unable to collect all necessary copies of laws and later to provide access to them. Second, the translation of laws and regulations into Latvian turned out to be a problem as well, especially in the use of specific terms. Prison staff, especially guards who used to work in prisons before the war, used the Russian language for a long time to communicate and to describe events in prisons.<sup>16</sup>

110

An important step in the development of legislation was the adoption of the previously mentioned 'Instructions for Prison Employees' in April 1921.<sup>17</sup> This was an adapted version of Russia's 'General Prison Instructions' of 1912. Many parts of it from 1921, if not all of them, were already introduced into prison life before the official adoption by different orders from the Main Prison Board. The 'Instructions' regulated all aspects of prison life, starting with the income of inmates, inmates' activities in prison (sanitary, work, food, clothes, education, correctional practices, etc), and finally the release of the inmate, and also defined the tasks of prison staff.

Although the adoption of the 'Instructions' in 1921 finally introduced some clarity and certainty into prison life, it did not stop discussions about penal law and the creation and introduction of a new system more suitable for a democratic state and in line with modern principles. All the interwar period saw efforts to change the system and search for new correctional and penal practices. This caused discussions and some minor changes to the law and infrastructure, but efforts to improve the penal system never stopped.

## The prison infrastructure and conditions

At the time when efforts to find and secure legislation can be observed, the prison administration faced a series of urgent issues to resolve. These included the complicated, and in many ways inappropriate, prison conditions. The conditions were created by war damage and many changes in the prison administration.

<sup>16</sup> Comments on the Criminal Code of 1903 from the Main Prison Board, 1922. *LVA*, 1533. f., 1. apr., 277. l.; Correspondence between the Main Prison Board and the Ministry of Justice, 1920. *LVA*, 1533. f., 1. apr., 229. l.

<sup>17</sup> Instructions for Prison Employees, 1921. *LVA*, 3275. f., 2. apr., 2. l.

When the Main Prison Board took over places of imprisonment, a devastating picture emerged. First, the evacuation of prisons during the First World War had left an absence of equipment, including beds and sheets, tableware, clothes and workshop equipment. Prison stocks were totally empty, and many necessities were gone, leaving just empty prison cells.<sup>18</sup>

Second, as the war continued, many prisons were destroyed: prison cells and entire buildings were destroyed in the fighting, and others were demolished as a result of poor management. Many buildings had lost all their windows and doors, the walls were demolished (inside and out), and heating and security systems were broken and needed urgently to be fixed. Many rooms and prison premises were not suitable for inmates. For example, when the Main Prison Board took over the Latgale prisons in 1920, officials wrote: 'Back yards are full of filth, service buildings and even residential buildings have been turned into stables. Toilets and waste pits are overflowing, and living quarters are often used for this purpose instead.'<sup>19</sup> These conditions made it impossible to use any more than a part of the building on the first floor of Daugavpils prison. While the inmates were held in a small section of the building, the prison administration worked to put the other parts in order, and slowly but steadily were able to occupy more and more rooms.<sup>20</sup> The problem of filthy and demolished rooms was not just in Latgale, but also to a greater or lesser degree in all Latvian places of incarceration. From the very first days, the Main Prison Board and local prison administrations had to organise major repair work, mainly by using penal labour.<sup>21</sup>

The third problem causing unhealthy, and in some cases unbearable, living and working conditions was overcrowded prison cells. It was found that prisons were overcrowded in the summer of 1919, when the first prisons in Rīga were taken over, as a result of the 'White terror' by German occupying forces and Baltic German *Landeswehr*. On 5 July 1919, the press wrote: 'Around 1,700 Rīga citizens are still in Rīga prisons.'<sup>22</sup> However, the exact number of prisoners in 1919 is still unknown.

There is a similar picture in all the prisons and detention houses in the Republic of Latvia during the War of Independence. Continuing the trend in the First World War, prisoners spent relatively short periods in prison (from one day to a period of slightly longer than a year), and a rapid change in the prison population was observed. It was also found that many people were imprisoned repeatedly. Inmates in Latvian prisons

<sup>18</sup> VEITMANIS, Kornēlijs. *Ieslodzījuma vietas 1918–1938*. Rīga, 1939, 21. lpp.

<sup>19</sup> Letter to the Ministry of Justice from the Main Prison Board, 1920. *LVA*, 3275. f., 2. apr., 60. l., 17. lpp.

<sup>20</sup> BĒRZIŅA, Aiga. Prisons in Latgale during the Initial Period of Activities of the Main Board of Prisons, 1920–1921. In *Proceedings of the 60th International Scientific Conference of Daugavpils University*. Part C: *Humanities*. Daugavpils, 2018. p. 51.

<sup>21</sup> BĒRZIŅA, Aiga. Ieslodzīto nodarbinātība Latvijas Republikas Tieslietu ministrijai pakļautajās ieslodzījuma vietās, 1919–1921. *Jauno vēsturnieku zinātniskie lasījumi*, 2017, 2. sēj.: *Starpdisciplināri pētījumi Latvijas vesture*, 36.–37. lp.

<sup>22</sup> Rīgas cietumi. *Jaunākās Ziņas*, 1919, Nr. 33.

represented almost all groups of Latvian society: both sexes, different ages (some of the youngest female prisoners were ten years old, and the oldest was 91 years old), and different nationalities, professions and faiths, with different material security.<sup>23</sup> From the numbers and diversity of inmates, it is clear that the prison administration was unable to separate groups of incarcerated persons, as the law demanded. For example, convicts were held in prison cells together with suspects under investigation, political prisoners with criminals, juveniles with adults, and often even separating male and female inmates was a problem, due to the lack of space.

Overcrowded prisons caused serious infectious diseases. In the summer of 1919, more than 300 inmates in Rīga prisons were infected by typhus, and the infection also threatened to spread outside the prison.<sup>24</sup> These conditions required quick action from those in charge. In order to resolve them, medical personnel were hired, prison hospitals reopened, and the Main Prison Board looked for ways to obtain medicines and other supplies, as well as food, blankets, fuel and other basic necessities. The action was successful, and by the autumn of 1919, no typhus was found in Latvian prisons.

Another important decision made by the Provisional Government was to form an Amnesty Commission in the summer of 1919, in order to look through inmates' files and issue amnesties. In the first three days of its work, as is shown in the press, around 300 inmates were set free.<sup>25</sup>

According to information provided by the Latvian State Statistical Bureau, on 1 January 1920, there were 1,612 inmates in Latvian prisons (not counting Latgale). In total, during 1920, 683,874 days were spent in prison.<sup>26</sup> On 1 January 1921, thanks to the better use of prison buildings and improving investigation work, as well as joining Latgale to the state prison system, the number of inmates had risen to 2,242, and a total of 1,034,172 days were spent in prison that year.<sup>27</sup> In February 1921, the Main Prison Board issued a regulation that decreed that inmates should be held in single or shared cells; inmates in single ones must have no less than 18.43 cubic metres of space, and shared ones no less than 11.06 cubic metres.<sup>28</sup>

However, the issue of overcrowded prisons was never fully resolved. In the summer of 1920, 1,861 inmates were incarcerated in 19 Latvian prisons under the Main Prison Board,<sup>29</sup> although the capacity of the prisons was much lower. For example, during the Latvian War of Independence, up to 150 people were incarcerated

<sup>23</sup> BĒRZIŅA Aiga. Latvijas Republikas cietumos ieslodzītās sievietes, 1919–1921. gads: ieslodzījuma raksturojums, ieslodzīto skaits un sociālais portrets. *Latvijas Arhīvi*, 2016, Nr. 1/2, 132.–133. lp.

<sup>24</sup> VEITMANIS, K. Op. cit., 29. lpp.

<sup>25</sup> Rīgas cietumu tīrīšana. *Jaunākās Ziņas*, 1919, Nr. 38.

<sup>26</sup> *Latvijas Statistiskā Gada Grāmata 1920*. Rīga, 1921, 69. lpp.

<sup>27</sup> *Latvijas Statistiskā Gada Grāmata 1921*. Rīga, 1922, 88. lpp.

<sup>28</sup> Regulation by the Main Prison Board, 1921. *LVA*, 3277. f., 3. apr., 6. l., 18. lpp.

<sup>29</sup> VEITMANIS, K. Op. cit., 33. lpp.



in Valmiera prison, which was meant to hold up to 65 inmates.<sup>30</sup> The problem of overcrowded prisons lasted all the interwar period. For example, in 1932, Latvian prisons were officially able to hold around 3,000 inmates, but in reality 4,500 people were incarcerated in them.<sup>31</sup>

The Main Prison Board was unable to prevent many of the problems mentioned, including the overcrowded prisons, due to a shortfall in finances. In order to stabilise the situation and maintain places of incarceration, prison administrations were often forced to look for innovative ways to keep the system going. For example, to resolve the problem of the lack of food, the Main Prison Board officially allowed inmates to have food brought in from outside by visitors. Prohibiting extra food in the case of disobedience by an inmate was also used as a punishment. For example, in May 1920, inmates were prohibited 45 times to receive food from outside.<sup>32</sup>

The fourth issue is the question of prison staff itself. The problem of forming prison staff appeared on two levels: it was hard to find administrators, managers and other employees. The reasons were various: many men had been called up for military service, others had left Latvia as refugees and had not returned or were lost during the war. Others were not suitable for prison work, for mental or physical reasons. Prison work was also unpopular in society.<sup>33</sup> This led to a rapid turnover of prison staff (especially among guards), and a high rate of disciplinary action. For example, in 1920, the head of Valmiera prison took disciplinary action against prison guards 19 times, such as reprimands, dismissal or incarceration. Disciplinary action was taken for violations like sleeping on duty, delayed return from vacation, leaving a post without permission, brutality against colleagues, having conversations with inmates, and not obeying orders.<sup>34</sup>

As the Main Prison Board and prison staff were busy resolving urgent matters, correctional practices, the main goal of policy, had to be deferred. Despite this, by 1919 prison work had been arranged. The goal was not only to use work as a tool to teach inmates a craft and fill their time usefully, there were also practical reasons. Inmate labour was used to repair prison premises, to make places to sleep, to clean and keep back yards and rooms in order, to provide extra food by working in the garden, to ensure wood for fires, and other jobs.<sup>35</sup>

<sup>30</sup> Inmates Registered in Valmiera Prison, 1919. *LWA*, 3277. f., 1. apr., 1068. l.

<sup>31</sup> ZELČS, Jānis. *Ieslodzījuma vietas Latvijā (1918-1940): infrastruktūra un ieslodzīto sastāvs*. Maģistra darbs. Rīga, 2009, 30. lpp.

<sup>32</sup> Overview of the Prison Field, 1920. *LWA*, 1533. f., 1. apr., 10. l., 16. lpp.

<sup>33</sup> Correspondence between the Main Prison Board and the Ministry of Justice, 1920. *LWA*, 1533. f., 1. apr., 10. l., 2. lpp.

<sup>34</sup> Valmiera Prison Book of Orders, 1920. *LWA*, 3277. f., 2. apr., 91. l.

<sup>35</sup> BĒRZIŅA, A. Ieslodzīto nodarbinātība..., 36.-37. lp.

Other correctional practices were also introduced. Prison chapels were set up, and regular services took place. For example, by 1919, Orthodox, Protestant and Catholic priests visited Rīga Central Prison.<sup>36</sup> In every place of incarceration, libraries were formed, readings were organised, and educational discussions took place. In 1920, five prison schools started in the biggest Latvian prisons, Daugavpils, Liepāja, Rīga, Jelgava and Cēsis.<sup>37</sup>

Prison conditions improved over time thanks to the organised and purposeful work of the authorities. Also, the prison infrastructure was rebuilt and improved. Just a few weeks after taking over places of imprisonment in Rīga at the end of July 1919, the American Relief Administration acknowledged an improvement in prison conditions.<sup>38</sup> Despite this, and despite the importance of the state penal policy, problems were an everyday reality and seriously delayed the development of state penal policy.

## Concluding remarks

The Latvian penal system emerged out of the Russian Empire and the First World War. From the first, it inherited legislation, infrastructure and experience. From the second, it inherited unsuitable prison conditions and chaos, as well as the ability to act urgently in difficult situations and resolve complicated issues. The policy of appointing people in charge of the prison system was advisedly made by appointing experienced and educated individuals to key positions. This step by the Provisional Government and the Ministry of Justice can be judged as successful, for it helped to develop a penal policy in the state. Nevertheless, solving many other issues, including recruiting prison staff and improving prison conditions, remained slow and problematic.

Overcoming challenges and different obstacles was the main focus of the prison administration. Maintaining a prison system required an ability to take quick and clear decisions, leaving little time and resources for discussing new policies. State penal policy was created at a time of acute financial problems and an unsure military-political situation, which prevented it from achieving good results. However, during this time, an understanding of modern and effective correctional practices formed, which laid the foundations for further work, and brought the state closer to Western values.

<sup>36</sup> Correspondence of Rīga Central Prison, 1919. *LWA*, 3275. f., 2. apr., 43. l., 113. lpp.

<sup>37</sup> BĒRZIŅA, A.. Prisons in Latgale..., p. 51.

<sup>38</sup> JĒKABSONS, Ēriks, *Latvijas un Amerikas Savienoto Valstu attiecības 1918.–1922. gadā*. Rīga, 2018, 323. lpp.

## List of previous studies quoted in the article

- BĒRZIŅA, Aiga. Calvenā cietumu valde Neatkarības kara laikā: struktūra, personāls un galvenie darbības virzieni. In *Letonika, diaspora un starpkultūru komunikācija: Latvijas Universitātes 76. starptautiskā zinātniskā konference. Vēstures, Arheoloģijas un Etnogrāfijas sekcijas referātu tēzes, 2018. gada 16. februārī*. Sast. Ilze BOLDĀNE-ZELENKOVA. Rīga, 2018, 8. lpp.
- BĒRZIŅA, Aiga. Ieslodzīto nodarbinātība Latvijas Republikas Tieslietu ministrijai pakļautajās ieslodzījuma vietās, 1919–1921. *Jauno vēsturnieku zinātniskie lasījumi*, 2017, 2. sēj.: *Starpdisciplināri pētījumi Latvijas vesture*, 28.–37. lp.
- BĒRZIŅA, Aiga. Latvijas Republikas cietumos ieslodzītās sievietes, 1919–1921. gads: ieslodzījuma raksturojums, ieslodzīto skaits un sociālais portrets. *Latvijas Arhīvi*, 2016, Nr. 1/2, 131.–163. lp.
- BĒRZIŅA, Aiga. Prisons in Latgale during the Initial Period of Activities of the Main Board of Prisons, 1920–1921. In *Proceedings of the 60th International Scientific Conference of Daugavpils University*. Part C: *Humanities*. Daugavpils, 2018. pp. 49–59-2.
- EMSLEY, Clive. *Crime, Police, and Penal Policy. European Experiences 1750–1940*. Oxford, 2007.
- JĒKABSONS, Ēriks, *Latvijas un Amerikas Savienoto Valstu attiecības 1918.–1922. gadā*. Rīga, 2018.
- FOUCAULT, Michel. *Discipline and Punish. The Birth of the Prison*. New York, 1995.
- KRIUKELYTĒ, Erika, *The Creation of Modern Prisons in the Russian Empire* (IISH-Research Papers, 48). Amsterdam, 2012.
- Latvijas tiesību vēsture (1914–2000)*. Red. Andrejs Dītrihs LĒBERS. Rīga, 2000.
- VEITMANIS, Kornēlijs. *Ieslodzījuma vietas 1918–1938*. Rīga, 1939.
- VEITMANIS, Kornēlijs. MENGĒLSONS, Aleksandrs. *Tieslietu ministrijas un tiesu vēsture, 1918–1938*. Rīga, 1939.
- ZELČS, Jānis. *Ieslodzījuma vietas Latvijā (1918–1940): infrastruktūra un ieslodzīto sastāvs*. Maģistra darbs. Rīga, 2009.
- ZELČS, Jānis. Ieslodzījuma vietu attīstība Latvijā pirmajos valsts pastāvēšanas gados. *Latvijas Arhīvi*, 2011, Nr. 1/2, 58.–85. lp.

## PATAIŠU SISTEMAS KĪRIMAS LATVIJOS RESPUBLIKOJĒ 1919–1921 METAIS

Aiga Bērziņa

Santrauka

Pataišu sistēma Latvijā bija kurama ant Rusijas imperijas ir Pirmojo pasaules kara palikumu pamatā. Iš Rusijas imperijas buvo paveldēti teisēs aktai, infrastruktūra ir su ika-linimo praktikomis susijusi patirtis. Siekdama uztikrinti teisēs teštinumā laikotarpiu, kai nacionalinē teisē dar nebuvo sūkorta, Latvijos laikinoji vyriausybē nutarē palikti galioti Rusijos imperijos ištatumus. Bet tuo pačiu metu imperiniai ištataimai buvo pritaikomi prie naujujų demokratijos sąlygų – tai buvo procesas, apėmęs daugybę Valstybės pareigūnų ištatumo, Kalėjimų valdybos vadovybės ir kitų ištatumų pataišų, papildymų, draudimų ir kitų pakeitimų. Kalėjimų infrastruktūra, taip pat perimta iš Rusijos imperijos, per daugelį metų buvo susidėvėjusi ir reikalavo skubaus remonto. Pirmojo pasaulinio karo palikimu

nuo pat karo veiksmu pradžios gali bŭti laikoma netinkamos ņkalinimo sŭlygos ir chaosas. ņvairios kasdienŕs realybŕs problemas stipriai stabdŕ valstybinŕs pataisŭ sistemos kaitŭ. Pirma, kalŕjimŭ evakuacija per Pirmŭj pasaulinŭ karŭ iŭstuŭtino kalŕjimŭ atsargas ir daug bŭtinaisŭ reikmenŭ trŭko. Antra, per karŭ nemaŭai kalŕjimŭ buvo sugriauta: vienŭ ņkalinimo kameros ir iŭtisi pastatai dingo vykstant karo veiksams, kitus nuniokojo valdŭios stoka. Trečia, po raudonojo ir baltojo terorŭ kalŕjimai buvo perpildyti ir tapo dideliais infekciniŭ ligŭ ŭidiniai. Kita vertus, iŭ karo patirties Latvijos pataisŭ sistema paveldŕjo gebŕjimŭ greitai reaguoti ņ sudŕtingas situacijas ir sprŕsti dideles problemas.

ņveikti iŭŭŭkiaus ir ņvairias kliŭtis buvo pagrindinis kalŕjimŭ administracijos ŭdavinys. Dŕl lŕŭ stokos Kalŕjimŭ valdyba nepajŕgŕ iŭsprŕsti daugelio ņvardytŭ problemŭ, ņskaitant ņkalinimo ņstaigŭ perpildymŭ. Valstybŕs pataisŭ sistemŭ reikŕjo kurti stipriai pasireiŭskusio finansinio skurdo ir nesaugios karinŕs bei politinŕs padŕties sŭlygomis, o tai neleido greitai pasiekti gerŭ rezultatŭ. Kita kliŭtimi tapo iŭsilavinusio ir patyrusio kalŕjimŭ personalo stoka. Buvo sudŕtinga rasti tiek tokiam darbui tinkamŭ vadovŭ ir kito aukŭtesniosios grandies personalo, tiek ir darbininkŭ. Tam darŕ ņtakŭ daugelis prieŭasŭŭ – daug vyrŭ vis dar ŕjo karinŕ tarnybŭ, kiti paliko Latvijos teritorijŭ kaip karo pabŕgŕliai, negrŭžo arba atsidŭrŕ toli nuo namŭ per karŭ, treti tiesiog nebuvo tinkami dirbti kalŕjimuose dŕl psichologiniŭ ar fiziniŭ savybiŭ, o ir toks darbas visuomenŕje nebuvo populiarus. Tai lŕmŕ, kad kalŕjimŭ darbuotojai (ypaŭ kaliniŭ sargybiniai) keisdavosi itin daŭnai, o vadovybŕ turŕjo imtis daugybŕs disciplinuojanŭŭ veiksmŭ.

Tuo metu, kai Kalŕjimŭ valdyba ir ņkalinimo ņstaigŭ darbuotojai buvo ŭŭsiŕmŕ neatidŕliotiniŭ klausimŭ sprendimu, pagrindinis ņkalinimo praktikos tikslas – kaliniŭ „pataisymas“ – liko nuoŭalyje. Siekiant iŭlaikyti kalŕjimŭ sistemŭ veiksnijŭ, turŕjo bŭti priimami greiti ir konkretŭs sprendimai, o tai paliko labai maŭai laiko ir erdvŕs diskusijoms apie naujŭ politikŭ. Nepaisant to, Latvijos karo dŕl nepriklausomybŕs laikotarpiu formavosi supratimas apie ŭiuolaikiŭskas efektyvias pataisŭ praktikas, o tai padŕjo pagrindus tolesnei veiklai priartinant valstybŕs ņkalinimo sistemŭ prie Vakarŭ vertybiŭ. Dar daugiau – kalŕjimŭ administracija ne tik sugebŕjo ŭŭtikrinti, kad potencialŭs, bet dar nenuteisti nusikaltŕliai bŭtŭ izoliuoti nuo kaliniŭ, bet ir pagerino ņkalinimo sŭlygas, valdŭiai organizuotai ir tikslingai ņvedus keletŭ naujŭ pataisŭ praktikŭ. Jau 1919 m. vasarŭ kalŕjimuose buvo ņvestas kaliniŭ darbas, ņkurtos kalŕjimŭ baŭnyŭŭ, kuriose reguliariai laikytos miŭios, pradŕta organizuoti edukacinius pokalbius. 1920 m. penkiuose didŭiausiuose Latvijos kalŕjimuose (Daugpilyje, Liepojoje, Rygoje, Jelgavoje ir Cŕsyje) pradŕjo veikti kaliniams skirtos mokyklos. Pirmosios pataisŭ sistemos kŭrimo Latvijoje stadijos sŭlygine pabaiga gali bŭti laikomas 1921 m. balandŭio 16 d. pasirodŕs teisŕs aktas „Instrukcijos kalŕjimŭ darbuotojams“, reguliavŕŭ kalŕjimŭ veiklŭ Latvijoje.