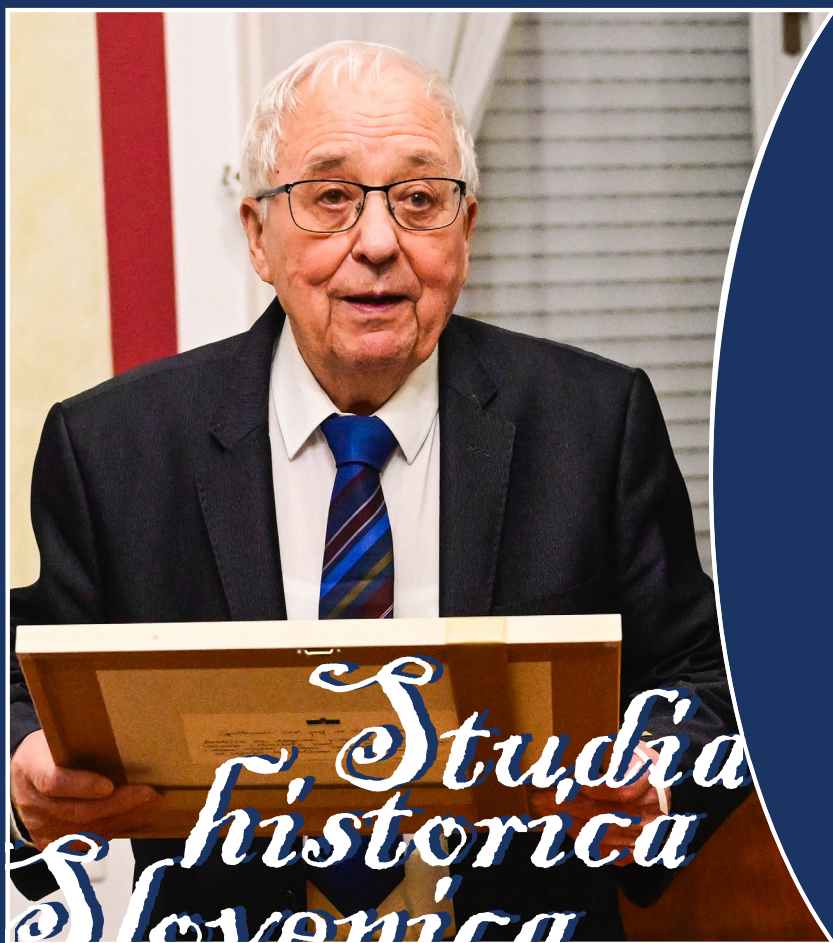


# *Studia Historica Slovenica*



*Časopis za humanistične in družboslovne študije  
Humanities and Social Studies Review*

2024

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# **S** *tudia* **H** *istorica* **S** *lovenica*

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*Humanities and Social Studies Review*

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## **Kazalo / Contents**

### **Jubilej / Anniversary**

- ALEŠ ARIH: Slavnostna akademija ob 90-letnici zaslužnega  
profesorja Univerze v Mariboru red. prof. dr. Elka Borka.....589

### **Članki in razprave / Papers and Essays**

- JERNEJA FERLEŽ und ALJA LIPAVIC OŠTIR: Alltag der Bewohner  
auf dem Poßruck/Kozjak Gebirge im Kontext der neuen  
Grenze nach dem Ersten Weltkrieg.....597  
*Prvine vsakdanjika prebivalcev pobočij severno od Drave  
v kontekstu novonastale meje po koncu prve svetovne vojne*
- GORAZD BAJC in VERONIKA MEŠIČ: Nekateri vidiki spolnega  
nasilja nad ženskami v Kraljevini Jugoslaviji v luči civilnega  
in kazenskega prava.....641  
*Some Aspects of Sexual Violence against Women  
in the Kingdom of Yugoslavia Considering Civil  
and Criminal Law*
- MIRA MILADINOVIĆ ZALAZNIK: Joseph Roth in Slovenci .....669  
*Joseph Roth and Slovenes*
- MATEJA ČOH KLADNIK and JELKA PIŠKURIČ: The World  
of Convicts: Conditions and Irregularities in Penal  
Institutions in Slovenia between 1945 and 1951 .....699  
*Svet kaznjencev: razmere in nepravilnosti v kazenskih  
ustanovah v Sloveniji med letoma 1945 in 1951*
- MARTA RENDLA in JANJA SEDLAČEK: Onesnaženost zraka  
v socialistični Sloveniji – vzroki in odzivi .....739  
*Air Pollution in Socialist Slovenia – Causes and Responses*

# **S** *tudia* **H** *istorica* **S** *lovenica*

MOJCA TANCER VERBOTEN: Comparative Analysis of University Staffing Autonomy .....	777
<i>Primerjalna analiza kadrovske avtonomije univerz</i>	

<b>Avtorski izvlečki / Authors' Abstracts</b> .....	801
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<b>Uredniška navodila avtorjem /</b> <i>Editor's Instructions to Authors</i> .....	807
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<b><i>Studia Historica Slovenica</i> /</b> <i>letnik / year 24 (2024)</i> .....	817
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**S** *tudia*  
**H** *istorica*  
**S** *lovenica*

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historica  
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# ***The World of Convicts: Conditions and Irregularities in Penal Institutions in Slovenia between 1945 and 1951***

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## ***Abstract:***

The article presents the system of penal institutions in Slovenia between 1945 and 1951; they were an important part of the repression apparatus through which the authorities dealt with their political opponents. After September 1945, penal institutions were under the aegis of the ministry of internal affairs, within which a special department was established to manage, coordinate and oversee work relating to them. The article presents the conditions in penal institutions and re-education work with convicts. In doing so, it highlights numerous irregularities in the treatment of convicts and shows in detail the results of an inspection of correctional facilities conducted in 1950. A series of events in the early 1950s signalled gradual change in penal policy.

## ***Keywords:***

penal institutions, 1945–1951, Slovenia, conditions in penal institutions,  
re-education of convicts, irregularities

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## Introduction

After the end of the Second World War, penal institutions were an important part of the repression apparatus through which the authorities could deal with actual and supposed political opponents. As is known, the Communist Party carried out a revolution during the Second World War and was preparing to seize power after the end of the war.<sup>1</sup> It used the time in the immediate aftermath of the war to quickly consolidate its authority and monopoly. It took over key elements of the legislative and executive powers and started to deal with actual and supposed political opponents. The period of the most severe repression lasted until the early 1950s. Cooperating with the Yugoslav Army, Department of National Security (*Oddelek za zaščito naroda – Ozna*) or, since the spring of 1946, the State Security Administration (*Uprava državne varnosti – Udba*)<sup>2</sup> and the People's Defence Corps of Yugoslavia (*Korpus narodne obrambe Jugoslavije*), the Party launched a process of "cleansing", i.e. eliminating actual and supposed political opponents from public life.<sup>3</sup>

The judiciary of the time<sup>4</sup> played an important role in this process, with criminal law legislation adopted after the war to set out punishments for each

<sup>1</sup> See, e.g.: Ljuba Dornik Šubelj, *Ozna in prevzem oblasti 1944–46* (Ljubljana, 2013) (hereinafter: Dornik Šubelj, *Ozna in prevzem oblasti*); Jera Vodušek Starič, *Prevzem oblasti 1944–1946* (Ljubljana, 1992) (hereinafter: Vodušek Starič, *Prevzem oblasti*); Jera Vodušek Starič, "Vzpostavitev komunističnega režima v Sloveniji in Jugoslaviji", in: *Totalitarizmi na Slovenskem v 20. stoletju*, edited by Damjan Hancič (Ljubljana, 2010), pp. 16–34; Vida Deželak Barič, "Preparations of the Communist Party of Slovenia for the Takeover of Power 1944–1945", in: *1945 – A Break with the Past: A History of Central European Countries at the End of World War II*, edited by Zdenko Čepič (Ljubljana, 2008), pp. 123–140.

<sup>2</sup> Serbian: Uprava državne bezbednosti; hereinafter we use the abbreviation Udba. On its organisation, working methods and operation, see, e.g.: Ljuba Dornik Šubelj, *Oddelek za zaščito naroda za Slovenijo* (Ljubljana, 1999); *Iz arhivov slovenske politične policije*, edited by Jože Pučnik (Ljubljana, 1996); Dornik Šubelj, *Ozna in prevzem oblasti*; Zdenko Zavadlav, *Iz dnevnih zapisov mariborskega oznočca* (Maribor, 1990); *Predpisi o metodah in sredstvih dela Udbe in Kosa = Propisi o metodama i sredstvima rada Udbe i Kosa: 1944–1990*, collected by Roman Leljak (Radenci, 2016); Ivan Rihtarič, *Delovanje UDV v okraju Gornja Radgona in Radgonskem kotu 1945–1950* (Pretnetec, 2018); Albert Svetina, *Od osvobodilnega boja do banditizma, Pričevanje Alberta Svetine* (Ljubljana, 2004), pp. 148–150, 181–183; *Udbovski učbenik, Osnovni tečaj, Strogo zaupno*, edited by Željko Oset (Šentjur, 2021).

<sup>3</sup> See, e.g.: Milko Mikola, *Rdeče nasilje, Represija v Sloveniji po letu 1945* (Celje, 2012) (hereinafter: Mikola, *Rdeče nasilje*), pp. 235, 236; Jera Vodušek Starič, "Prevzem oblasti po vojni in vloga Ozne – obračun", in: *Slovenija v letu 1945*, edited by Aleš Gabrič (Ljubljana, 1996), p. 93; Vida Deželak Barič, "Priprave in izvedba revolucionarnega prevzema oblasti na Slovenskem leta 1945", *Studia Historica Slovenica* 16, No. 2 (2016), p. 383.

<sup>4</sup> On the development of the judicial system and criminal justice in Slovenia after the Second World War, see, e.g.: Jelka Melik and Mateja Jeraj, "Slovensko kazensko sodstvo v letu 1945", *Studia Historica Slovenica* 16, No. 2 (2016), pp. 449–464; Mateja Jeraj and Jelka Melik, *Kazenski proces proti Črtomirju Nagodetu in soobtoženim, Študija in prikaz procesa* (Ljubljana, 2015) (hereinafter: Jeraj and Melik, *Kazenski proces proti Črtomirju Nagodetu in soobtoženim*); Mateja Jeraj and Jelka Melik, *Kazenski proces proti Črtomirju Nagodetu in soobtoženim, Epilog* (Ljubljana, 2017); Mateja Čoh Kladnik, "Narod sodi", *Sodišče slovenske narodne časti* (Ljubljana, 2020), pp. 49–109; Mikola, *Rdeče nasilje*, pp. 235–333; Dornik Šubelj, *Ozna in prevzem oblasti*, pp. 123–189; Žiga Koncilija, *Politično sodstvo, Sodni procesi na Slovenskem v dveh Jugoslavijah* (Ljubljana, 2015), pp. 158–199; Roman Ferjančič and Lovro Šturm, *Brezpravje, slovensko pravosodje po letu 1945* (Ljubljana, 1998); Tamara Griesser Pečar,

crime and to help deal with opponents of the new political system. Many convicts were political prisoners; the communist authorities themselves divided convicts into "political" and "criminal" categories.<sup>5</sup> In penal institutions, convicts served sentences of liberty deprivation, forced and reformatory labour and administrative measure of constraint in the form of community service. After the end of the war, sentences were first enforced based on a temporary instruction on sentence enforcement of September 1945,<sup>6</sup> the first act on sentence enforcement being passed only three years later.<sup>7</sup>

In designing the system of penal institutions and forced labour, the Yugoslav authorities followed different examples, from Yugoslav interwar prisons to Italian and German prisons and camps during the Second World War as well as the Soviet gulag. The penal institution system was not only a means of sentence enforcement but also played a major role in post-war economic recovery projects and the execution of the five-year plan. The enforcement of sentences was accompanied by physical and psychological violence, which "political" prisoners in particular were subjected to.

## **The penal institution system between the end of the war and 1951**

In May 1945, Ozná took over the camps for prisoners of war and civilians as well as all pre-war district and county prisons, many of which had been used by the occupation authorities during the war. Shortly after the war, the federal ministry of internal affairs in Belgrade launched efforts to take over the management of all camps and prisons from the military authorities and Ozná. In Slovenia, this happened in September 1945,<sup>8</sup> when the ministry of internal

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*Cerkev na zatožni klopi, Sodni procesi, administrativne kazni, posegi "ljudske oblasti" v Sloveniji od 1943 do 1960* (Ljubljana, 2005); Lovro Šturm, "Pravo in nepravo po letu 1941", in: *Žrtve vojne in revolucije*, edited by Janvit Golob et al. (Ljubljana, 2005), pp. 100–114; *Dachauski procesi, Raziskovalno poročilo z dokumenti*, edited by Martin Ivanič (Ljubljana, 1990).

<sup>5</sup> Mateja Čoh Kladnik and Jelka Piškurič, *Kazen naj obsojenca prevzgoji, Kazenske ustanove v Ljubljani in okolici 1945–1954* (Ljubljana, 2024) (hereinafter: Čoh Kladnik and Piškurič, *Kazen naj obsojenca prevzgoji*), pp. 10–12.

<sup>6</sup> Archives of the Republic of Slovenia (ARS), SI AS 1267 Republiški upravni organi in zavodi za izvrševanje kazenskih sankcij v Sloveniji, 1945–1984 (hereinafter: SI AS 1267), t. e. (technical unit) MNZ/1, a. e. (descriptive unit) 5, Navodilo o izvajanju kazni, 27 Sep. 1945; SI AS 1931 Republiški sekretariat za notranje zadeve Socialistične republike Slovenije, 1918–2006 (hereinafter: SI AS 1931), t. e. 1440, a. e. 3, Poročilo ministrstva za notranje zadeve LR Slovenije za leto 1947, p. 39.

<sup>7</sup> "Zakon o izvršitvi kazni", *Uradni list Federativne ljudske republike Jugoslavije* (FLRJ), No. 92 (1948).

<sup>8</sup> Vodušek Starič, *Prevzem oblasti*, pp. 242, 270, 271; Dornik Šubelj, *Ozná in prevzem oblasti*, pp. 158–189, 232–237; Milko Mikola, *Kazenske ustanove in zaporniki v Sloveniji 1945–1951* (Ljubljana, 2016) (hereinafter: Mikola, *Kazenske ustanove in zaporniki v Sloveniji*), pp. 25–34; Ljuba Dornik Šubelj, "Nastanek in razvoj organov za notranje zadeve republike Slovenije v obdobju 1945 do 1963", *Arhivi, glasilo Arhivskega društva in arhivov Slovenije* 16, No. 1–2 (1993) (hereinafter: Dornik Šubelj, "Nastanek in razvoj organov za notranje zadeve republike Slovenije"), p. 79.



Postcard showing the Correctional Facility Ljubljana, early 20th century (*dLib.si*)

affairs<sup>9</sup> took over the prisons in Ljubljana,<sup>10</sup> Novo Mesto and Maribor,<sup>11</sup> the prisoner camps in Bresternica, Studenci, Teharje and Kočevje and the judicial prisons in Maribor. At the time, 2,918 persons were incarcerated in the institutions mentioned above. In addition to these institutions, the ministry took over the camp in Kranj, which it allowed to be used by the Yugoslav Army, and the camp in Tezno, which was disbanded.<sup>12</sup>

For management, work coordination and oversight of the penal institutions taken over, a special prison administration was established at the ministry

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<sup>9</sup> In the continuation of the text, the term "ministry" or "ministry of internal affairs" refers to the Ministry of Internal Affairs of Federal Slovenia or the Ministry of Internal Affairs of the People's Republic of Slovenia.

<sup>10</sup> Jelka Piškurić, "Kazensko poboljševalni dom Ljubljana, 1946–1954", *Kronika, časopis za slovensko krajevno zgodovino* 72, No. 1 (2024), pp. 133–154.

<sup>11</sup> On the history of the Maribor prison, see, e.g.: France Filipič, "Moška kaznilnica v Mariboru od ustanovitve 1886 do osvoboditve", *Studia Historica Slovenica* 3, No. 2–3 (2003), pp. 283–362.

<sup>12</sup> ARS, SI AS 1931, t. e. 1440, a. e. 1, Poročilo o delu ministrstva za notranje zadeve 12. 5.–15. 10. 1945, pp. 9, 10; *Zgodovina organov za notranje zadeve v SR Sloveniji*, 1945, II/2 (Ljubljana, 1971) (hereinafter: *Zgodovina organov za notranje zadeve*, 1945, II/2), pp. 202–204.

of internal affairs, starting operation on 22 September 1945. Anton Krajšek<sup>13</sup> was its first head.<sup>14</sup> Until the early 1950s, both the ministry and the prison administration saw a number of changes in organisation and personnel.<sup>15</sup> The most significant of these occurred in 1946, when Udba became an integral part of the ministry.<sup>16</sup> At the time, Dr Viktor Turnšek, a lawyer, became the head of the prison administration,<sup>17</sup> staying in that post up until May 1962. In July 1949, the prison administration was reorganised as an administration, holding the number III in the ministry's organisational structure.<sup>18</sup>

Soon after the end of the war, camps for forced labour were organised in Kočevje, Bresternica, Studenci and Teharje, as the first penal institutions.<sup>19</sup> In mid-January 1946, the Ministry of Internal Affairs in Belgrade issued special instructions to rename these camps forced labour institutions (*zavodi za prisilno delo*), and the former prisons in Maribor, Ljubljana and Novo Mesto were renamed correctional facilities (*kazensko-poboljševalni zavodi*).<sup>20</sup> Thus,

<sup>13</sup> Anton Krajšek (1891–1969), lawyer, started collaborating with the Liberation Front in 1944 and joined the Partisan movement. When sections were established at the Presidency of the Slovenian National Liberation Council, he became a legal officer in the internal affairs section. After the war, he worked at the ministry of internal affairs, where he became the first head of the department for penal institutions in September 1945. In June 1951, he was elected a judge at the Supreme Court of the People's Republic of Slovenia, and in 1954 he became a judge at the federal supreme court in Belgrade. When the Constitutional Court of the Socialist Republic of Slovenia was established, he became its professional associate, i.e. advisor. See: Čoh Kladnik and Piškurič, *Kazen naj obsojenca prevzgoji*, p. 251.

<sup>14</sup> ARS, SI AS 1931, t. e. 1440, a. e. 1, Poročilo o delu ministrstva za notranje zadeve 12. 5.–15. 10. 1945, schematic; a. e. 2, Poročilo o delu ministrstva za notranje zadeve za leto 1946, p. 2; t. e. 1442, a. e. 5, Začasno ustrojstvo notranje uprave Federalne Slovenije; *Zgodovina organov za notranje zadeve*, 1945, II/2, pp. 14, 202.

<sup>15</sup> Čoh Kladnik and Piškurič, *Kazen naj obsojenca prevzgoji*, pp. 27–32.

<sup>16</sup> ARS, SI AS 1931, t. e. 1440, a. e. 2, Poročilo o delu ministrstva za notranje zadeve za leto 1946; *Zgodovina organov za notranje zadeve v SR Sloveniji*, 1946, II/3-b (Ljubljana, 1971) (hereinafter: *Zgodovina organov za notranje zadeve v SR Sloveniji*, 1946, II/3-b), p. 285; Brane Kozina, *Republiški upravni organi v LRS od 1945 do 1953* (Ljubljana, 1996), p. 123; Dornik Šubelj, "Nastanek in razvoj organov za notranje zadeve", p. 79.

<sup>17</sup> Viktor "Zmago" Turnšek (1904–1988), lawyer, first incarcerated during the Second World War and expelled to Serbia along with his family; he joined the Partisan movement in 1943. *Inter alia*, he worked for the agitprop of the Bela Krajina district, then for the command of the war theatre of Dolenjska and Bela Krajina and for the military court of the People's Defence Corps of Yugoslavia and OZNA for Slovenia. After the end of the war, he was first a legal officer in the investigation subsection in OZNA's central prisons, then the head of the prison administration at the ministry for internal affairs between May 1946 and May 1962. See: Čoh Kladnik and Piškurič, *Kazen naj obsojenca prevzgoji*, p. 266; "Dr. Viktor Turnšek – osmrtnica", *Delo*, 14 May 1988, No. 111, p. 13.

<sup>18</sup> *Zgodovina organov za notranje zadeve v SR Sloveniji*, 1946, II/3-a (Ljubljana, 1971), p. 68; *Zgodovina organov za notranje zadeve*, 1946, II/3-b, p. 266; ARS, SI AS 1931, t. e. 1440, a. e. 4, Poročilo ministrstva za notranje zadeve za leto 1949, p. 2.

<sup>19</sup> Mikola, *Rdeče nasilje*, pp. 119, 126–128.

<sup>20</sup> ARS, SI AS 1267, t. e. MNZ/1, a. e. 33, Izvrševanje kazni, 14 Jan. 1946; a. e. 43, Osnutek poročila za konferenco načelnikov oddelkov za izvrševanje kazni, p. 1; Mikola, *Kazenske ustanove in zaporniki v Sloveniji*, p. 65.

in the first half of 1946, Slovenia had correctional facilities in Ljubljana, Maribor, Novo Mesto and Begunje (for women) and forced labour institutions in Bresternica, Kočevje and Teharje; the latter institutions were abolished by the end of 1946. The correctional facilities in Ljubljana, Maribor and Novo Mesto also housed district prisons, and an additional 27 county prisons were part of the penal institution system in 1946.<sup>21</sup>

By the early 1950s, some organisational changes had occurred in the penal institution system. In 1949, when the number of administrative penalties increased significantly, labour camps, now called work groups for reformatory labour and work groups for enforcement of the administrative measure of constraint in the form of community service, were being established again. They mostly existed until 1951, when, with the adoption and coming into force of the comprehensive Criminal Code, the sentences of forced and reformatory labour as well as the administrative measure of constraint in the form of community service were abolished.<sup>22</sup>

When the ministry of internal affairs took over the penal institutions in September 1945, it also took over the responsibility for their security, which encompassed both the buildings of the penal institutions, later including external work sites, and convicts and detainees. To secure the penal institutions upon their takeover, militarily organised prison guards of the National Militia (*Narodna milica*) were established, reporting to the wardens of the penal institutions. Guard teams also incorporated some previous prison guards who had supported the Partisan movement during the war. At the end of 1945, 332 persons were employed in penal institutions and camps, 51 of which performed administrative functions, and 281 were guards. By the early 1950s, the number of guards had gradually increased.<sup>23</sup>

The department for penal institutions at the ministry of internal affairs was responsible for administrative staff and guards in the penal institutions. Krajšek, the department head, wrote in his report for 1945 that some "functionaries in the managements showed a lack of understanding for service in penal institutions".<sup>24</sup> As a result, there was significant turnover among the guards, and their discipline was reportedly lacking as well. Therefore, in selecting guards, the department for penal institutions followed the principle "that anyone not showing enough interest in the job should be returned to the National Militia,

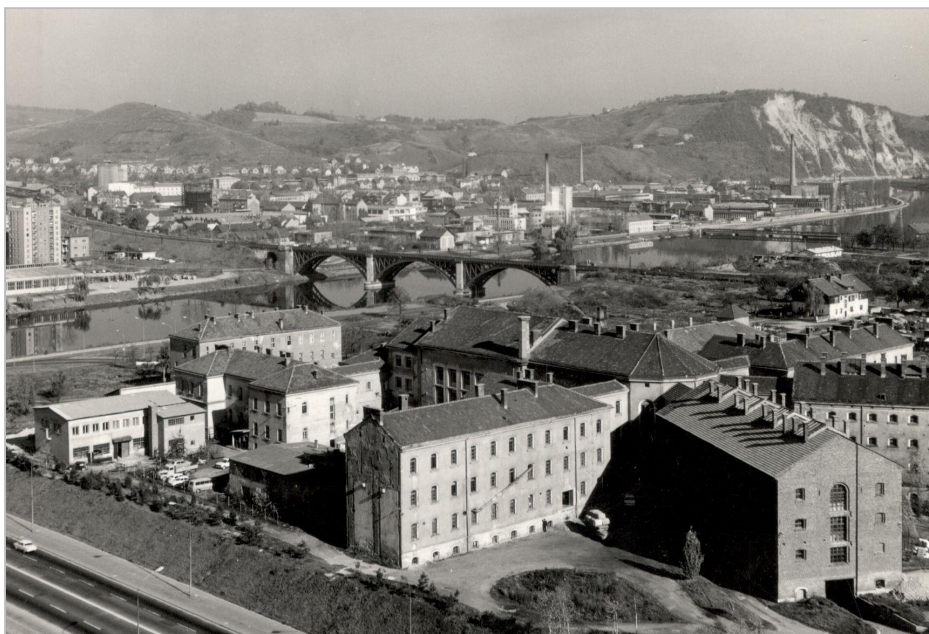
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<sup>21</sup> ARS, SIAS 1267, t. e. MNZ/13, a. e. 618, Delovno poročilo za leto 1947, 3 Jan. 1948, pp. 10, 11; *Zgodovina organov za notranje zadeve*, 1946, II/3-a, p. 34; *Zgodovina organov za notranje zadeve*, 1946, II/3-b, p. 273.

<sup>22</sup> Čoh Kladnik and Piškurić, *Kazen naj obsojenca prevzgoji*, pp. 50–54, 81–90, 270–279.

<sup>23</sup> *Zgodovina organov za notranje zadeve*, 1945, II/2, pp. 87, 117, 118; *Zgodovina organov za notranje zadeve v SR Sloveniji*, 1951, II/8-a (Ljubljana, 1971), p. 33.

<sup>24</sup> *Zgodovina organov za notranje zadeve*, 1945, II/2, p. 204.



Correctional Facility Maribor, 1969 (PAM, SI\_PAM/1889, t. e. 49, Nr. 1969a)

from which the new guard personnel was recruited. As regards the old guard personnel, few reliable members of the OF [Osvobodilna fronta, Liberation Front] were admitted".<sup>25</sup>

The biggest problem in terms of penal institutions' security was an insufficient number of guards. Due to irregularities in performing guard service, guards were frequently replaced, and their work was also severely hindered by the exceedingly large number of detainees, "whom public prosecutors keep in prisons for months on end, without questioning them and without the possibility for the managements of the prisons and institutions to find out how dangerous these persons under investigation are and to what extent particular attention is needed".<sup>26</sup> A number of times, the ministry urged the republic's public prosecution to accelerate its procedures but was unsuccessful.

The first detailed instructions for performing guard duty in correctional facilities and district and county prisons are documented in mid-July 1946;<sup>27</sup>

<sup>25</sup> Ibid., p. 203.

<sup>26</sup> *Zgodovina organov za notranje zadeve*, 1946, II/3-b, p. 280.

<sup>27</sup> ARS, SI AS 1267, t. e. MNZ/1, a. e. 12, Navodila za službo paznikov v zavodih za izvrševanje kazni, v okrožnih in okrajnih zaporih, 18 July 1946.

they were prepared by the prison administration. The main task of guards was to keep the penal institution secure. They oversaw solitary confinement and disciplinary cells, kept convicts secure and oversaw them when they worked in the institution's workshops and external work sites. In addition, they were to ensure close adherence to house rules, speaking to inmates in a kind but strict and decisive manner:

Foremost, guards are to ensure that convicts and detainees are securely incarcerated, that all sections, rooms and halls, workshops and walk paths are securely locked. They are never to lose hold of their keys or leave them in locks. They are to look after their keys even when the prisons are empty. It is forbidden to take keys out of the institution or prison; they must be handed over to the commander or their deputy. /.../ Guards are forbidden from punishing detainees or convicts arbitrarily. /.../ It is strictly forbidden to verbally abuse prisoners and speak to them rudely. Tackling a convict or detainee is allowed only in case of self-defence or to prevent an escape attempt.<sup>28</sup>

In the following years, the prison administration noted a number of times that the militia members who provided security in penal institutions, especially correctional facilities, were not specifically trained for the job.<sup>29</sup> Only in 1952, more serious steps to established special militia units to provide security in penal institutions, especially correctional facilities, can be discerned: in May 1952, Turnšek, the head of prison administration, prepared a proposal on the number of guards and a plan of the internal structure for correctional facilities.<sup>30</sup>

The ministry estimated that the shortage of guards, their lacking professional competence, indiscipline and negligent service, poor security in penal institutions and, to a lesser extent, conditions in the field were the main reasons for escapes from correctional facilities, external work sites and prisons.<sup>31</sup> The number of escapes gradually increased after 1945, rising sharply in 1949. Turnšek estimated that the number of escapes in 1949 and 1950 was as high

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<sup>28</sup> Ibid.

<sup>29</sup> See, e.g.: ARS, SI AS 1931, t. e. 1492, a. e. 33, Zapisnik konference načelnikov uprav in oddelkov Ministrstva za notranje zadeve LRS, 29 Dec. 1950, p. 3.

<sup>30</sup> ARS, SIAS 1931, t. e. 1492, a. e. 42, Pravni grupi MINOT-a, 27 May 1952.

<sup>31</sup> Čoh Kladnik and Piškurič, *Kazen naj obsojenca prevzgoji*, pp. 66–69; ARS, SI AS 1931, t. e. 1440, a. e. 4, Poročilo ministrstva za notranje zadeve za leto 1949, p. 29; *Zgodovina organov za notranje zadeve v SR Sloveniji*, 1948, II/5-a (Ljubljana, 1971) (hereinafter: *Zgodovina organov za notranje zadeve*, 1948, II/5-a), p. 66; *Zgodovina organov za notranje zadeve v SR Sloveniji*, 1948, II/5-b (Ljubljana, 1971) (hereinafter: *Zgodovina organov za notranje zadeve*, 1948, II/5-b), pp. 162, 163; *Zgodovina organov za notranje zadeve v SR Sloveniji*, 1950, II/7-b (Ljubljana, 1971) (hereinafter: *Zgodovina organov za notranje zadeve*, 1950, II/7-b), p. 156.

as it was because there were many small work sites, with almost 75 percent of the convicts working there, and because guards did not do their job properly.<sup>32</sup> The ministry adopted a number of measures to reduce the number of escapes. It intensified oversight of sentence enforcement and increased the number of guards; more guards received disciplinary or judicial sanctions for negligence at work.<sup>33</sup>

The rules of living in penal institutions in the entire territory of Yugoslavia were set out in a special regulation on house rules in penal institutions,<sup>34</sup> which was adopted in the spring of 1947. According to this regulation, convicts served sentences in correctional facilities and in district and county prisons. The regulation set out in detail the procedure after convicts' entry into penal institutions, prescribed rules on the hygiene (e.g. state of health and walks), diet, work and behaviour of convicts and detainees, i.e. those in a remand prison. It set out that healthy convicts fit for work were to work; illiterate ones were to be educated. Convicts also had the opportunity to train for certain professions. The regulation also set out disciplinary sanctions for persons breaching its provisions, which included reprimand, limiting or withholding the right to correspondence, limiting or withholding the right to receive visitors and packages, limiting the right to handle money, isolation in a cell for up to fourteen days and transfer out of the facility or prison. The regulation also set out that women were to serve their sentences separated from men and that juvenile convicts were not to have contact with adult convicts. In addition, contacts between suspects for the same crime were forbidden so that the investigating procedure would not be hindered or impeded.<sup>35</sup>

## Conditions in penal institutions and re-education of convicts

Penal institutions where the number of incarcerated people significantly exceeded their capacity were characterised by extremely poor living conditions and an inadequate care for prisoners in the immediate aftermath of the

<sup>32</sup> ARS, SI AS 1931, t. e. 1492, a. e. 33, Nekaj problemov s področja izvrševanja kazni (referat za konferenco načelnikov uprav in oddelkov), p. 15; *Zgodovina organov za notranje zadeve v SR Sloveniji*, 1949, II/6-b (Ljubljana, 1971), p. 151.

<sup>33</sup> See, e.g.: *Zgodovina organov za notranje zadeve*, 1948, II/5-a, p. 66; *Zgodovina organov za notranje zadeve*, 1948, II/5-b, p. 162; *Zgodovina organov za notranje zadeve v SR Sloveniji*, 1949, II/6-a (Ljubljana, 1971), p. 55; *Zgodovina organov za notranje zadeve v SR Sloveniji*, 1950, II/7-a (Ljubljana, 1971), p. 64; ARS, SI AS 1931, t. e. 1440, a. e. 6, Poročilo ministrstva za notranje zadeve za leto 1951, p. 9; SI AS 1267, t. e. MNZ/2, a. e. 132, Stražarska služba, 2 July 1951.

<sup>34</sup> "Pravilnik o hišnem redu v kazenskih poboljševalnih zavodih ter v okrožnih in okrajnih zaporih v Federativni ljudski republiki Jugoslaviji", *Uradni list FLRJ*, No. 23 (1947).

<sup>35</sup> Ibid.

war. Many inmates of prisons and camps after the Second World War lived in appalling conditions for months; they were physically exhausted and in a poor state of health due to maltreatment and other burdens, with insufficient food.<sup>36</sup> In terms of health, the conditions were poorest in the Ljubljana, Teharje and Kočevje, where "doctors do not care much about the health of detainees".<sup>37</sup>

The premises of penal institutions were mostly unfit for wintertime as the buildings had been heavily damaged during the war or its immediate aftermath (Maribor, Novo Mesto, Ljubljana, Teharje). In certain locations, detainees were incarcerated in barracks with no stove. Fuel supply in winter months was problematic. Moreover, accommodation capacities were insufficient for such a large number of prisoners.<sup>38</sup> After 1948, their number rose sharply, which only exacerbated the living conditions. The institutions' managements strove for as many prisoners as possible to live and work in external work sites.<sup>39</sup>

Food supply was a major problem of penal institutions every year in the aftermath of the war. There were great shortages in the country in general, so food was rationed. Institutions did not receive the food they had ordered on time and in the full quantities ordered; the supply of certain products was irregular as stocks were low. The diet of convicts and persons under investigation was based on food coupons for rationed foods. A part of food was produced by convicts in the institutions' agricultural estates. The produce was primarily intended for the nourishment of convicts or guard staff.<sup>40</sup>

The medical care of detainees and convicts and the hygiene and cleanliness in institutions' premises were poor. Some information suggests penal institutions had their own medical offices with professional nursing staff as early as 1946.<sup>41</sup> It is certain that correctional facilities and district prisons had medical offices and in-house hospitals in 1947. Tuberculosis patients and patients

<sup>36</sup> See, e.g.: Čoh Kladnik and Piškurič, *Kazen naj obsojenca prevzgoji*, pp. 69–78, 114–123, 151–177; Mikola, *Rdeče nasilje*, 69–114; Jelka Piškurič and Neža Strajnar, *Skozi čas preizkušenj. Politična zapornica Jelka Mrak Dolinar* (Ljubljana, 2017), pp. 27–31; Miha Drobnič, "Delovanje taborišča Šentvid", *Dileme, razprave o vprašanjih sodobne slovenske zgodovine* 2, No. 2 (2018), pp. 94–112.

<sup>37</sup> ARS, SI AS 1931, t. e. 1440, a. e. 1, Poročilo o delu ministrstva za notranje zadeve 12. 5.–15. 10. 1945, p. 9.

<sup>38</sup> Ibid., pp. 9, 10.

<sup>39</sup> Čoh Kladnik and Piškurič, *Kazen naj obsojenca prevzgoji*, pp. 145–150.

<sup>40</sup> See, e.g.: ARS, SI AS 1931, t. e. 1440, a. e. 3, Poročilo ministrstva za notranje zadeve za leto 1947, pp. 41, 42; t. e. 1440, a. e. 5, Poročilo ministrstva za notranje zadeve za leto 1950, p. 14; SI AS 1267, t. e. MNZ/13, a. e. 618, Delovno poročilo za leto 1947, p. 8; a. e. 619, Letno poročilo za leto 1948, p. 17, and Mesečno delovno poročilo za čas od 1. VII. do 30. VII. 48, 4; t. e. MNZ/14, a. e. 621, Poročilo za I. polletje 1950, p. 7; *Zgodovina organov za notranje zadeve v SR Sloveniji*, 1947, II/4-b (Ljubljana, 1971) (hereinafter: *Zgodovina organov za notranje zadeve*, 1947, II/4-b), p. 140; *Zgodovina organov za notranje zadeve*, 1950, II/7-b, p. 156.

<sup>41</sup> ARS, SI AS 1931, t. e. 1440, a. e. 2, Poročilo o delu ministrstva za notranje zadeve za leto 1946, p. 9; *Zgodovina organov za notranje zadeve*, 1946, II/3-b, p. 277.



Toilet bucket in the corner of a prison cell, Correctional Facility Ljubljana, 1962 (ARS, SI AS 1549, IV/36)

treated for sexually transmitted diseases had dedicated rooms. There were also dedicated rooms for patients suffering from other contagious diseases. Convicted patients were cared for by attendants, who performed their job under the oversight of contracted doctors. The latter came to correctional facilities on specified days and when necessary. County prisons had small first-aid offices; assistance was provided by local doctors when necessary. Correctional facili-

ties and district prisons had washrooms.<sup>42</sup> Even so, many prisoners could not obtain the medical care they required.<sup>43</sup>

For penal institutions, the re-education of convicts, which they started to engage in soon after the end of the war, was a higher priority than living conditions. The authorities saw "re-education efforts leading to the convict recognising their delusions, condemning the act they have been convicted for in their own heart as a crime against the nation, thus achieving the correct attitude to society, the state and community", as the focus of the work of penal institutions.<sup>44</sup> The purpose of a sentence was fulfilled if the convict proved with their behaviour while serving the sentence that they could "successfully integrate into the new labour community".<sup>45</sup>

In line with the view mentioned above, penal institutions implemented re-education measures. Lectures on current political topics, various classes and the viewing of political educational films were an important means of re-education. Convicts were to engage in cultural and educational activities. Institutions marked important events and anniversaries with cultural performances featuring convicts, who took part in choirs, acting groups and orchestras. Convicts could read daily newspapers and periodicals, and institutions also housed libraries. Chess was popular among prisoners. Sports activities did not go according to plan as there was a shortage of guards to oversee their implementation. Moreover, convicts were tired from work and were in no mood for exercise.<sup>46</sup> Convicts made wall newspapers; each institution also issued a monthly meant to reflect "the real and unadulterated life of the entire institution".<sup>47</sup> In later years, political education also took the form of listening to radio programme. For that purpose, speakers were installed in the correctional facilities in Ljubljana, Maribor and Rajhenburg (now Brestanica) in 1950.<sup>48</sup>

The main means of re-education, however, was manual labour. From the very beginning, prisoners had been used for labour: "All convicts are used for

<sup>42</sup> ARS, SI AS 1931, t. e. 1440, a. e. 3, Poročilo ministrstva za notranje zadeve LR Slovenije za leto 1947, p. 41; SI AS 1267, t. e. MNZ/1, a. e. 43, Osnutek poročila za konferenco načelnikov oddelkov za izvrševanje kazni.

<sup>43</sup> ARS, SI AS 1267, t. e. MNZ/1, a. e. 112, Izveštaj o pregledu kazнено-popravnih domov na teritoriju Narodne republike Slovenije, p. 1; Angela Vode, *Skriti spomin* (Ljubljana, 2005), pp. 164, 165.

<sup>44</sup> See, e.g.: ARS, SI AS 1931, t. e. 1440, a. e. 2, Poročilo o delu ministrstva za notranje zadeve za leto 1946, p. 10.

<sup>45</sup> Ibid., p. 11.

<sup>46</sup> Ibid., pp. 1, 10, 11; ARS, SI AS 1931, t. e. 1440, a. e. 3, Poročilo ministrstva za notranje zadeve LR Slovenije za leto 1947, pp. 43–45; a. e. 4, Poročilo ministrstva za notranje zadeve za leto 1949, p. 30; a. e. 6, Poročilo ministrstva za notranje zadeve za leto 1951, p. 9. For comparison, see: Martin Previšić, *Zgodovina Golega otoka* (Ljubljana, 2021) (hereinafter: Previšić, *Zgodovina Golega otoka*), pp. 415–424.

<sup>47</sup> ARS, SI AS 1931, t. e. 1440, a. e. 2, Poročilo o delu ministrstva za notranje zadeve za leto 1946, p. 10.

<sup>48</sup> ARS, SI AS 1931, t. e. 1440, a. e. 5, Poročilo ministrstva za notranje zadeve za leto 1950, p. 15.

community service work or in undertakings, where they receive the same wages as other workers.<sup>49</sup> In particular, convicts were meant to work for in-house needs and for state and cooperative companies, only secondarily for external clients. With a view to increase production, institutions organised various crafts and other classes and workshops, such as shoemaking, tailoring, knitting, sewing, woodworking, locksmithing, wickerwork, carpentry, masonry, casting/metalwork, auto repair and bookkeeping.<sup>50</sup>

For the purpose of food supply and putting convicts to work, penal institutions, except the one in Teharje, acquired a number of consolidated estates from agrarian commissions in 1946. They thus established state-owned agricultural estates; in 1947, these were in Rogoza near Maribor, Begunje, Ig near Ljubljana, Graben near Novo Mesto and Podbrezje in Gorenjska.<sup>51</sup>

In addition to re-education, putting convicts to work definitely had an economic reasoning. As cheap labour, they were often used for projects of post-war reconstruction and for achieving the five-year plan.<sup>52</sup> They often had to perform the heaviest work, and high productivity was expected from them, as also highlighted in reports.<sup>53</sup>

## Irregularities in penal institutions

As early as 1945, the ministry of internal affairs drew attention to various irregularities allegedly caused by functionaries in penal institutions' managements and by guards. For example, Krajšek, the head of the prison administration, highlighted two problems: "fraternising and drinking" with detainees and smuggling letters out of penal institutions.<sup>54</sup> In his opinion, old guards did not introduce new ones to the job, withholding their knowledge instead.<sup>55</sup> As revealed by a report of the ministry of internal affairs, the main problem lay in

<sup>49</sup> ARS, SI AS 1931, t. e. 1440, a. e. 1, Poročilo o delu ministrstva za notranje zadeve 12. 5.–15. 10. 1945, p. 9.

<sup>50</sup> ARS, SI AS 1931, t. e. 1440, a. e. 2, Poročilo o delu ministrstva za notranje zadeve za leto 1946, pp. 9, 10; a. e. 5, Poročilo ministrstva za notranje zadeve za leto 1950, p. 15; a. e. 6, Poročilo ministrstva za notranje zadeve za leto 1951, p. 9; *Zgodovina organov za notranje zadeve*, 1946, II/3-b, p. 277.

<sup>51</sup> Ibid.; *Zgodovina organov za notranje zadeve*, 1946, II/3-b, pp. 273, 277; *Zgodovina organov za notranje zadeve*, 1947, II/4-b, pp. 127, 144–146.

<sup>52</sup> Cf.: Zdenko Zavadlav, *Sužnjeposestniško kapitalistično gospodarstvo Udbe za Slovenijo, Prispevki za raziskovanje* (Ljubljana, 2005); Zdenko Zavadlav, *Partizani, obveščevalci, jetniki: iz dosjeja Zavadlav 1944–1994* (Ljubljana, 1996); Mikola, *Rdeče nasilje*, p. 121; Milko Mikola, *Delo kot kazen, Izrekanje in izvrševanje kazni prisilnega, poboljševalnega in družbeno koristnega dela v Sloveniji v obdobju 1945–1951* (Celje, 2002), pp. 8, 9; Previšič, *Zgodovina Golega otoka*, pp. 353–380.

<sup>53</sup> For more details, see: Čoh Kladnik and Piškurič, *Kazen naj obsojenca prevzgoji*, pp. 183–225.

<sup>54</sup> *Zgodovina organov za notranje zadeve*, 1945, II/2, p. 207.

<sup>55</sup> Ibid.

the relations between "administrative and executive operations", i.e. the issue of relations between the penal institutions' managements and guards.<sup>56</sup>

Conditions in penal institutions were described picturesquely by Franc Kutin, a controlling officer at the ministry of internal affairs, after he inspected them in 1947; at a conference for department heads on 15 September 1947, he reported there were two worlds in penal institutions, "the world of convicts and the other world, i.e. the one supposed to control them".<sup>57</sup> He noted that wardens, their assistants and guard commanders were unfamiliar with the conditions in penal institutions. Among irregularities, he highlighted that external guards wore no identification marks. These should have been provided by the warden of the institution to the guard commander, but the warden had not done so due to "his isolation": "Every person is a world unto themselves; there are strange tense relations between them".<sup>58</sup>

Among major organisational errors, Kutin highlighted the following: guards did not know the house rules and the National Militia Act; they responded too late in the event of an escape; convicts wore civilian clothes; the allocation of convicts to cells was incorrect; hygiene conditions were poor; oversight of the institution's security was not implemented; new convicts could talk to old ones. Convicts who worked in offices could take the keys to these offices to their cells. Kutin also highlighted that the warden had an inappropriate attitude towards convicts, that there was inadequate control over packages and that this offered many opportunities "for contact with the outer world".<sup>59</sup> As noted by Kutin, guards carried their weapons unconcealed; the warden did not attend political lessons; the flag and wall newspaper in the room for political lessons had no red stars. The security of convicts in external work sites and agricultural estates was poor as well. In addition to the above, Peter Zorko<sup>60</sup>, an assistant to the minister of internal affairs, highlighted beatings of prisoners and insufficient care for the prisoners as the two biggest irregularities at the conference for the heads of the departments at the ministry of internal affairs on 29 September 1947.<sup>61</sup>

The problem of guards in penal institutions was also tackled by Turnšek, the head of the prison administration. On the occasion of a major escape of

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<sup>56</sup> ARS, SI AS 1931, t. e. 1440, a. e. 5, Poročilo ministrstva za notranje zadeve za leto 1950, p. 15.

<sup>57</sup> *Zgodovina organov za notranje zadeve*, 1947, II/4-b, p. 171.

<sup>58</sup> Ibid.

<sup>59</sup> Ibid., p. 172.

<sup>60</sup> *Peter "Urb" Zorko* (1913–1986) worked for the Security and Intelligence Service of the Liberation Front and for Ožna. After the end of the war, he was first employed at Ožna for Slovenia; in 1947, he became an assistant to the minister of internal affairs. In the following years, he held different posts at the ministry of internal affairs. In 1958, he was elected member of parliament in the Slovenian state, and he later served as the secretary of the Slovenian assembly. See: Čoh Kladnik and Piškurić, *Kazen naj obsojenca prevzgoji*, p. 268.

<sup>61</sup> *Zgodovina organov za notranje zadeve*, 1947, II/4-b, pp. 172–174.



Future members of the National Militia in training, May 1947 (National Museum of Contemporary History of Slovenia, photo: Božo Štajer)

convicts from the correctional facility in Maribor in September 1947, he noted that guard commanders and the institution's militia kept insufficient control over the convicts and conditions in the institution. Moreover, there was poor control over the conditions in the institution's crafts workshops as well as over the tools. In Turnšek's opinion, the management, militiamen and other employees in the institution had no "sense of responsibility"<sup>62</sup> for their work: cabinets holding convicts' files were left unlocked and thus accessible to those who cleaned the rooms. During the escape, the guard in the watchtower had not watched the events in the institution. In Turnšek's opinion, the reason for poor work performance lay in deficient oversight by the management. Like Kutin, Turnšek assessed the training of guards as very deficient; they knew neither the house rules of the penal institution nor the National Militia Act.<sup>63</sup>

Zorko, the minister's assistant, also responded to the event by calling a meeting on 15 October 1947, when he said he had reviewed the guard staff in correctional facilities and found that the situation was

<sup>62</sup> Ibid., p. 129.

<sup>63</sup> Ibid., pp. 129, 130.

terrible. I had the impression as if someone had picked the worst people on purpose, people of whom many would be more fit for imprisonment than for the militia. Perhaps every sixth one would do, while all the others are British, German soldiers, Carabinieri, former Yugoslav gendarmes etc., and it's actually odd that there haven't been more escapes.<sup>64</sup>

Zorko ordered Turnšek and the staff section of the militia administration to act the same day and

review this list and fire people who are definitely foreign agents from the KPZ [kazensko-poboljševalni zavod, correctional facility]. Next and importantly, there is no time to waste in searching for replacements. In 2–3 days, it's necessary to find the best people and send them to vacated posts. /.../ The criterion should be that the person is not a foreign agent or a man who has only been in the German army and then served in Germany in various factories.<sup>65</sup>

Zorko forbade penal institutions from posting convicts to work in small groups because this practice required more guards, who were stretched thin as it was. He said the practice of allocating guards in such a way that "only Party members" served in some places, and "only non-members" in others, was incorrect.<sup>66</sup>

According to the prison administration, wardens of correctional facilities did not "quite understand" the issue of the regime in institutions either: "All the wardens of institutions viewed the vast majority of convicts as 'crooks' and worked with convicts based on this view."<sup>67</sup> As a result, the prison administration organised a number of conferences for wardens of institutions, where they presented the operation of their institutions and the problems they faced and received guidance on consistent adherence to house rules, provision of security and employment of convicts.<sup>68</sup>

For better oversight of conditions in penal institutions, a section for general records was established at Udba for Slovenia in early February 1948. *Inter alia*, its tasks were "intelligence/operational processing of convicted anti-national elements who served sentences in different correctional facilities and work sites"<sup>69</sup> and cooperation with the prison administration. As a result, special

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<sup>64</sup> Ibid., p. 131.

<sup>65</sup> Ibid., p. 131.

<sup>66</sup> Ibid., p. 126.

<sup>67</sup> *Zgodovina organov za notranje zadeve*, 1948, II/5-b, p. 159.

<sup>68</sup> Ibid.

<sup>69</sup> ARS, SIAS 1931, G–10–9, *Zgodovina organov za notranje zadeve*, UDV–48–49, I/4-b, p. 616.

offices of the Udba section for general records were to be established in all correctional facilities. Due to personnel issues, in 1948 offices were organised only in the correctional facilities in Ljubljana, Maribor and Rajhenburg.<sup>70</sup> In this way, Udba monitored "hostile activities of convicts".<sup>71</sup> Such activities included opinions hostile to the authorities, fraternising among the convicts within penal institutions, attempting to contact the world outside and hostile propaganda. In Udba's estimation, the latter was the most widespread form of convicts' hostile activities and was "to a large extent carried out by convicted intelligentsia and priesthood".<sup>72</sup> In 1948, Udba also detected hostile convict activities relating to the Cominform resolution. Another supposed form of hostile activity was convicts illegally sending to their families various objects they made for themselves and their families.<sup>73</sup>

Another form of hostile activity dealt with by Udba was escapes from penal institutions; some from correctional facilities but most from work sites. In its estimation, escapes from work sites were the result of guards' carelessness and the poor operation of the intelligence network among convicts in work groups. As can be discerned from documents, escapes mostly took place with "the convict moving away from the group with the guard's permission and never coming back".<sup>74</sup>

### **Inspection in correctional facilities in Rajhenburg, Maribor and Ljubljana in 1950**

Between 15 and 23 April 1950, the chief controlling officer of the federal ministry of internal affairs in Belgrade, Anton Čamernik,<sup>75</sup> conducted an inspection of adherence to house rules in three correctional facilities in Slovenia, namely in Rajhenburg, Maribor and Ljubljana. He carried out this inspection in collabo-

<sup>70</sup> Ibid.

<sup>71</sup> Ibid., p. 622.

<sup>72</sup> Ibid., p. 623.

<sup>73</sup> Ibid., pp. 623, 624.

<sup>74</sup> Ibid., p. 621.

<sup>75</sup> *Anton Čamernik* (1907–1995), employed at the judicial prisons in Ljubljana in the interwar period, later becoming the supervisor of guards. He remained in that post even after the Italian occupation. He worked with the resistance movement, due to which he was arrested in September 1942 and sent to Italy for confinement. After the capitulation of Italy, he made his way to Yugoslavia through Bari. In May 1945, he became the supervisor of Ozna's prisons at the federal ministry of internal affairs. In November 1945, he was demobilised and relieved of supervisor duties, but he stayed at the federal ministry, where he performed the jobs of senior inspector, chief controlling officer, head of penal institutions and senior administrative officer for sentence enforcement. See: Čoh Kladnik and Piškurić, *Kazen naj obsojenca prevzgoji*, p. 240.

ration with Karel Mejak,<sup>76</sup> the chief controlling officer of the republic's ministry of internal affairs. Čamernik summarised his findings in a report that the federal ministry sent to the republic's ministry on 19 May 1950.<sup>77</sup> Mejak and Turnšek provided written comments on the report. To a large extent, the comments of both emphasise that Čamernik relied mostly on statements of isolated convicts who were to be under a special regime due to disciplinary sanctions. Both also highlighted that these were past irregularities already addressed by the time of the inspection.<sup>78</sup>

The inspection of the correctional facilities took place in the presence of their wardens. At the very beginning of his report, Čamernik highlighted the probability of convicts mostly not daring to point out irregularities in their treatment, claiming they feared retaliation from militiamen. He emphasised the case of eleven convicts unjustifiably incarcerated in solitary confinement for no less than eight months, with only one of them daring to report irregularities.<sup>79</sup> Čamernik's competence covered only supervision of adherence to house rules. Convicts, especially those in isolation, mostly did not respond to his inquiries about infringements of house rules; others responded only with additional urging and promises that they would not be punished, which Mejak confirmed in his comments on the report.<sup>80</sup> According to Čamernik and the present wardens, it was especially militiamen who behaved arbitrarily towards convicts, with wardens' assistants also doing so in some cases.<sup>81</sup> It is again worth highlighting the fact that the inspection of correctional facilities took place in the presence of their wardens, who could shift the responsibility for irregularities to militiamen and their assistants, minimising their own roles. Mejak, too, noted in his comments that some convicts indeed feared retaliation, but not necessarily from militiamen; he claimed militiamen worked arbitrarily only in sporadic cases due to insufficient control by the management, as well

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<sup>76</sup> *Karel Mejak* (1910–1994), lawyer, worked for Ozna/Udba for Slovenia between 1945 and 1951. In 1946, he was an officer in Section 3 and then the chief controlling officer at the Slovenian republic's ministry of internal affairs. In 1951, he became a judge at the Slovenian republic's supreme court. From 1953 onwards, he was appointed a member of the Slovenian republic's Commission for Religious Issues several times. Following his reappointment in 1974, he was elected president of the administrative disputes department. – *Ibid.*, p. 255.

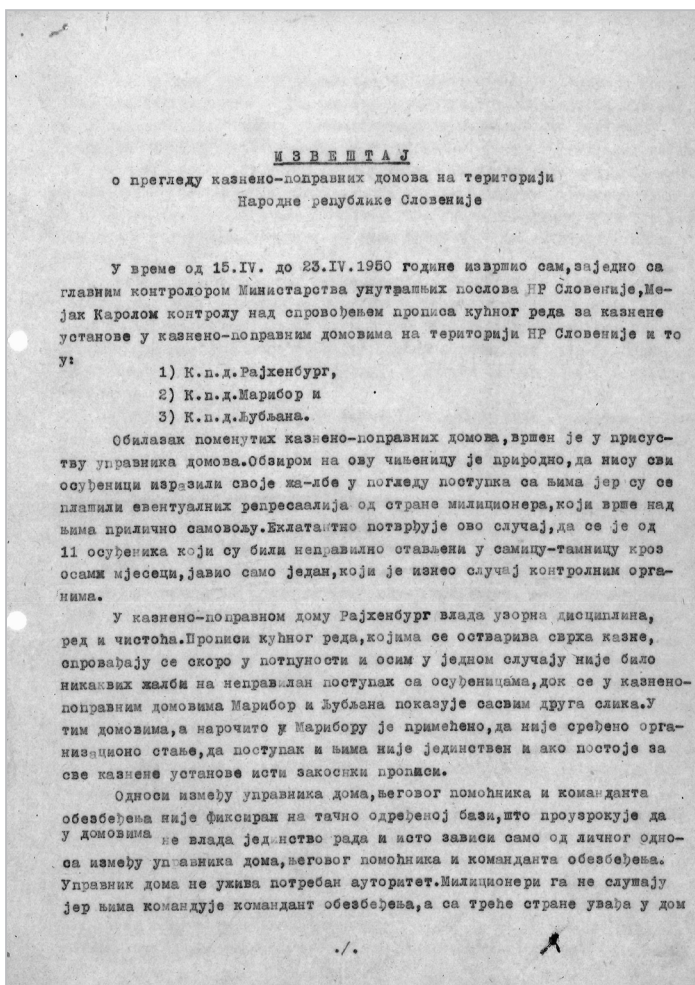
<sup>77</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Izveštaj o pregledu kazneno-popravnih domova na teritoriju Narodne republike Slovenije, p. 1.

<sup>78</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Poročilo tov. g. kontrolorja MUP – FLRJ – pripombe, 8 June 1950; Pripombe k poročilu gl. kontrolorja Minot FLRJ tov. Čamernika o pregledu kazenskih poboljševalnih domov v LRS, 15 June 1950.

<sup>79</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Izveštaj o pregledu kazneno-popravnih domova na teritoriju Narodne republike Slovenije, p. 1.

<sup>80</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Poročilo tov. g. kontrolorja MUP – FLRJ – pripombe, 8 June 1950, p. 1.

<sup>81</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Izveštaj o pregledu kazneno-popravnih domova na teritoriju Narodne republike Slovenije, p. 1–2.



Report by Anton Čamernik on the implementation of the house rules in the penal institutions in Ljubljana, Maribor and Rajhenburg, June 1950 (ARS, SI AS 1267, t. e. 1, a. e. 112)

as where a special regime for isolated convicts had been established.<sup>82</sup> On the other hand, Turnšek emphasised that it was wardens who gave instructions to assistants and guard commanders and that as such, they were the only people responsible for house rules infringements and other irregularities.<sup>83</sup>

According to Čamernik, the inspection showed house rules were respected in most cases in Rajhenburg, and there were exemplary discipline, order and cleanliness in the institution. The situation in the other two facilities, however,

<sup>82</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Poročilo tov. g. kontrolorja MUP – FLRJ – pripombe, 8 June 1950, p. 1.

<sup>83</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Pripombe k poročilu gl. kontrolorja Minot FLRJ tov. Čamernika o pregledu kazenskih poboljševalnih domov v LRS, 15 June 1950, p. 1.

was completely different, especially in Maribor. Čamernik highlighted that the two facilities were inadequately organised and that their procedures of treating convicts differed, even though the same regulations applied to all penal institutions. One reason for this situation was the relation between the facility's warden, their assistant and guard commander, which was not defined clearly and depended on their interpersonal relationships. The facility's warden supposedly did not have the necessary authority as militiamen reported directly to the chief of security and not to the warden. In addition, the warden's assistant introduced their own system of work by isolating and launching investigating procedures against particular convicts or groups of convicts. This was particularly marked in Maribor, where this working method of the warden's assistant had acquired such a scope that Čamernik wrote the facility had two separate parts with different systems of sentence enforcement. In the part led by the facility's warden, the legal procedure of treating convicts was usually followed, whereas in the part that the warden said was under the control of his assistant, convicts were deprived of almost every right guaranteed by legal provisions.<sup>84</sup> Čamernik added that such a disorderly organisation was the result of the irresponsible work of management employees in the correctional facilities, as well as of the ministry's own prison administration, which supervised the work of its subordinate bodies inadequately and thus enabled infringements of legal provisions or was, in some cases, even the instigator of infringements. He generally noted that the implementation of house rules in correctional facilities and the treatment of convicts depended on the warden, as well as individual employees, members of the militia and bodies of the state security administration, who, according to Čamernik, did not report their procedures of treating convicts in detail. This was reflected especially in the implementation of those house rules that guaranteed convicts their rights and human dignity.<sup>85</sup>

In his comments on the report, Mejak added that the wardens of all inspected correctional facilities expressed the view that a dedicated guard service, a special militia subordinated to the management, should be introduced. As this was not the case, the wardens did not have full control over guards; they complained in particular that their suggestions about the personality traits of militia guards and their transfers were ignored, that it was also sanctioned guards, i.e. those who were not successful in the field, who came to correctional facilities, that militiamen claimed they had different instructions from their direct superiors about guard service. As regards relations with their assistants, in Mejak's opinion the wardens were stereotypical in their answers, saying

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<sup>84</sup> ARS, SIAS 1267, t. e. 1, a. e. 112, Izveštaj o pregledu kazнено-popravnih domova na teritoriju Narodne republike Slovenije, pp. 1, 2.

<sup>85</sup> Ibid., p. 2.

that certain matters were the assistant's responsibility, or that the assistant had "instructions from above" in certain matters.<sup>86</sup> Turnšek, however, considered

it is true that there are very strong tendencies among the assistants and guard commanders to act about the implementation of house rules and secure correctional facilities independently of the wardens, with the first group claiming they have received instructions through the bodies of Udba for Slovenia, and the second through ULM [Uprava Ljudske milice, People's Militia Administration],

adding that prison administration countered this consistently and that these were only isolated cases.<sup>87</sup> Moreover, he explained that the claim that prison administration was even the instigator of certain infringements referred to a special regime in Maribor imposed in April and May 1948 by the federal ministry of internal affairs for a group of about 40 convicts, "against whom special disciplinary measures had to be applied due to their extremely active hostile agitation among convicts serving sentences".<sup>88</sup> The convicts in question from all correctional facilities were concentrated in Maribor and isolated, i.e. strictly separated from other convicts. All the rights that they had as convicts under the house rules, such as the right to receive visitors, packages, post and to write letters, were taken away. Turnšek had escorted them on the way from Ljubljana to Maribor. It was one of these convicts, Dr Bogdan Stare,<sup>89</sup> who drew Čamernik's attention to the irregularities, Turnšek added.<sup>90</sup>

Čamernik believed that employees in the managements of correctional facilities were aware of the irregularities as they had tried to cover them up before the inspection. For example, new straw pallets had been installed in solitary confinement cells, and it was clear they had not yet been used by convicts. Convicts themselves noted that in solitary confinement, they had to sleep on the bare floor (hardwood), with no bed linen and in a number of cases with no blankets, regardless of the time of year. Two convicts who had been in soli-

<sup>86</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Poročilo tov. g. kontrolorja MUP – FLRJ – pripombe, 8 June 1950, pp. 1, 2.

<sup>87</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Pripombe k poročilu gl. kontrolorja Minot FLRJ tov. Čamernika o pregledu kazenskih poboljševalnih domov v LRS, 15 June 1950, p. 1.

<sup>88</sup> Ibid.

<sup>89</sup> *Bogdan Stare* (1907–1987), born in Ljubljana, geodesist, married, father to three children. Arrested in June 1947 and sentenced in the Nagode Trial to seven years of liberty deprivation through forced labour and two years of being deprived of political rights. Among those sentenced in that trial, he was the only one who served his sentence in full, which some believe was due to personal grudges; he was released in 1954. See: Jeraj and Melik, *Kazenski proces proti Črtomirju Nagodetu in soobtoženim*, pp. 65, 66.

<sup>90</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Pripombe k poročilu gl. kontrolorja Minot FLRJ tov. Čamernika o pregledu kazenskih poboljševalnih domov v LRS, 15 June 1950, pp. 1, 2.

tary confinement for eight months and beaten by militiamen throughout this time were relocated for the inspection so that they could not complain.<sup>91</sup> Mejak confirmed this in his comments. He wrote that the straw pallets in the solitary confinement (underground bunkers) were brand new, with fresh straw,

obviously installed only on the day of the inspection. When two convicts described a procedure involving 11 convicts – fugitives in the underground bunkers – Comrade Čamernik stressed it seemed odd that the other 10 had not complained. The following day, after all cells had been inspected, he ordered all the mentioned convicts to be brought before him. It was apparent that we did not find two of them in the cells as they had been relocated (put away) during the inspection. Exactly those two were heavily mistreated at the time.<sup>92</sup>

Mejak added, however, that many irregularities were "from the recent as well as distant past" and did not occur any longer; moreover, prison administration strictly required legal handling of convicts, he claimed.<sup>93</sup> He said similar statements were provided by the wardens, with Mejak highlighting the statement of the warden of the correctional facility in Maribor, Franc Plos, who allegedly said: "It has taken me a year of great struggle to achieve what you've seen just now – but imagine what it was like in 1946 and 1947. ..."<sup>94</sup>

### **Identified infringements of house rules in the correctional facilities in Maribor and Ljubljana**

In his reported, Čamernik pointed out concrete examples of irregularities in implementing house rules, most of which apply to the penal institution in Maribor, and some also to the one in Ljubljana.

In a number of cases, convicts were not allowed to freely report requests and complaints. This is because wardens rarely received convicts for reports, or militiamen arbitrarily did not report their requests and complaints to the warden.<sup>95</sup> In his comments, Turnšek dismissed the claims that wardens rarely received convicts for reports. In Maribor and Rajhenburg, such reports took place every day, and in Ljubljana at least once a week, he said. He explained

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<sup>91</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Izveštaj o pregledu kazнено-popravnih domova na teritoriju Narodne republike Slovenije, p. 2.

<sup>92</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Poročilo tov. g. kontrolorja MUP – FLRJ – pripombe, 8 June 1950, p. 2.

<sup>93</sup> Ibid.

<sup>94</sup> Ibid.

<sup>95</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Izveštaj o pregledu kazнено-popravnih domova na teritoriju Narodne republike Slovenije, pp. 2, 3.

that wardens did not receive each convict personally but they did receive written reports, "which are resolved without sending for the convicts personally because they are often about matters that can be put in order without a face-to-face interview with the convict."<sup>96</sup> He acknowledged, however, that in Maribor the warden did not receive isolated convicts, "who complained about the specific re-education measures undertaken against them. It is exactly to statements of these convicts that the finding of Comrade Chief Controlling Officer about reports refers to".<sup>97</sup> In addition, in the first half of 1949, requests for conditional release had not been forwarded to the ministry in cases where the warden considered that the convict did not meet the conditions for such a release.<sup>98</sup>

Irregularities allegedly also took place with post. Convicts could write home once a month, with no more than 12 lines on a postal card. Some convicts told Čamernik that in case they wrote more lines, the militiamen tore up their cards and did not allow them to write new ones. They also complained that they could not always buy postal cards and that they did not regularly receive post from home, even though their visitors told them they had sent something.<sup>99</sup> In his comments, Mejak wrote that the irregularities in question were based on numerous statements by convicts,<sup>100</sup> whereas Turnšek claimed the provisions of house rules were not infringed. He explained this was a measure enacted in order to facilitate the censorship of postal cards in correctional facilities due to staff shortages. He said convicts were notified of this measure as well as of the fact that there would be disciplinary sanctions in the form of losing the right to write for the given month if they did not comply with the measure. According to his data, the convicts in Maribor, which Čamernik's findings mostly referred to, received 3,591 letters and sent 5,193 postal cards in the first quarter of 1950.<sup>101</sup>

Considering that Correctional Facility Maribor /.../ had 800 convicts on average and that  $\frac{1}{3}$  of convicts do not write at all because they do not want to or have nobody to write to, we see that convicts have sent more than one postal card per month from this prison. It follows that they have been allowed to buy postal cards in the facility at least once a month,<sup>102</sup>

<sup>96</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Pripombe k poročilu gl. kontrolorja Minot FLRJ tov. Čamernika o pregledu kazenskih poboljševalnih domov v LRS, 15 June 1950, p. 2.

<sup>97</sup> Ibid.

<sup>98</sup> Ibid.

<sup>99</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Izveštaj o pregledu kazneno-popravnih domova na teritoriju Narodne republike Slovenije, p. 3.

<sup>100</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Poročilo tov. g. kontrolorja MUP – FLRJ – pripombe, 8 June 1950, p. 2.

<sup>101</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Pripombe k poročilu gl. kontrolorja Minot FLRJ tov. Čamernika o pregledu kazenskih poboljševalnih domov v LRS, 15 June 1950, p. 2.

<sup>102</sup> Ibid., pp. 2, 3.

he added. He did allow for the possibility of mistakes being made "due to employees' unconscientious performance of duties, which is, however, understandable given the vast number of letters received and sent".<sup>103</sup>

The next irregularity was more serious as convicts were apparently refused medical aid. Čamernik notes that this was a source of complaint particularly in Maribor, where the job of a doctor was allegedly performed by a convict. Convicts complained to Čamernik that their treatment was rough and inhumane and that the doctor even threatened them with disciplinary sanctions. Even though the convicts often had toothaches, they complained that dental treatment received almost no attention. Visits of specialist doctors at the convicts' expense, which were envisaged under the house rules, were not allowed. In Maribor, ill patients allegedly lay in rooms together with healthy convicts, even though the facility's hospital had enough free beds. It even happened that tuberculosis patients shared rooms with healthy convicts. In Maribor, the maltreatment of Catholic priests serving sentences there was particularly highlighted. Čamernik notes that they were subject to a special procedure, that medical aid was withheld from them altogether. He cites examples of two priests who were not granted transfers to the facility's hospital in spite of multiple requests. They were transferred only just before their deaths.<sup>104</sup> Even though Turnšek dismisses Čamernik's claims, his comments reveal that he was aware of the case of the priests in Maribor.<sup>105</sup> In his comments, Mejak notes that the treatment of priests in Maribor was described both by convicts transferred to Ljubljana and the ones who stayed in Maribor. However, in his opinion the irregularities in providing medical aid and the poor hygiene conditions had been resolved by the end of 1949.<sup>106</sup>

Convicts cited different examples of poor hygiene conditions. They highlighted infrequent changes of clothes and bathing. Čamernik noted in his report that convicts did not change clothes or bathe for months at a time, and the worst case was an isolated convict in Maribor whose clothes had not been changed for a year. Convicts reported that there were fleas and bedbugs in the rooms. In Maribor, convicts did not receive adequate food. They also cited cases when ill convicts had to scrub floors and clean rooms. In Rajhenburg, there was such an example of female convicts with syphilis, who received medication, and in Ljubljana there was an example of a male convict with open tubercu-

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<sup>103</sup> Ibid., p. 3.

<sup>104</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Izveštaj o pregledu kazneno-popravnih domova na teritoriju Narodne republike Slovenije, p. 3.

<sup>105</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Pripombe k poročilu gl. kontrolorja Minot FLRJ tov. Čamernika o pregledu kazenskih poboljševalnih domov v LRS, 15 June 1950, p. 4.

<sup>106</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Poročilo tov. g. kontrolorja MUP – FLRJ – pripombe, 8 June 1950, p. 2.



Rajhenburg castle in November 1941, from 1948 the seat of correctional facility (National Museum of Contemporary History of Slovenia, photo: Veit)

lois. Buckets in tightly packed cells for convicted priests were cleaned once a day, but often only every two or three days, so they had to urinate in the container where they received water. They would get drinking water only once a day, both during the winter and summer. They were not allowed to wash private laundry (socks, towels and handkerchiefs) but did not get any provided by the state. For a while, they were allowed to shave only once a month, then every fortnight.<sup>107</sup>

Walks did not take place in line with the house rules provisions in any of the inspected correctional facilities,<sup>108</sup> which was also confirmed by Mejak and Turnšek, who attributed this to the shortage of guard staff. Turnšek added that the claims of convicts who had not been on a walk for up to a whole year refer to those in isolation.<sup>109</sup> This had been highlighted in the report by Čamernik,

<sup>107</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Izveštaj o pregledu kazнено-popravnih domova na teritoriju Narodne republike Slovenije, pp. 3, 4.

<sup>108</sup> Ibid., p. 4.

<sup>109</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Poročilo tov. g. kontrolorja MUP – FLRJ – pripombe, 8 June 1950, p. 3; Pripombe k poročilu gl. kontrolorja Minot FLRJ tov. Čamernika o pregledu kazenskih poboljševalnih domov v LRS, 15 June 1950, p. 5.

who added that convict maltreatment also took place in daily walks. In Maribor, priests were allegedly forced to run twenty circles, and those who could not run due to old age or illness had to hold their hands up in the middle of the circle.<sup>110</sup>

Irregularities in the attitude towards convicts, which occurred in all correctional facilities, were the result of militiamen's arbitrariness, wrote Čamernik. They beat convicts, tore up their postal cards, prevented them from reporting to the facility's warden, put them in solitary confinement or forced them to stand with their hands up for hours on end.<sup>111</sup> Mejak commented that only two fugitive convicts complained about beatings in 1949, whereas insults were the cause of complaints for isolated male convicts in Maribor (who were called bandits, and priests were called Antichrists and lazybones) and some female convicts from Ljubljana.<sup>112</sup> In addition, convicts complained there were irregularities in receiving visitors, which allegedly also depended on the mood of militiamen, and in receiving packages. In Maribor, convicts could receive two packages per month weighing up to seven kilograms. In addition, they could receive fruit and laundry. The convicts there complained that packages were delivered with a delay of up to ten days, which meant that the content of the packages often spoiled and that food, in, particular, had to be discarded. In Ljubljana, convicts could receive two packages of up to seven kilograms by post and one package of up to 14 kilograms during a visit.<sup>113</sup> Purchasing products in facilities' shops was poorly organised, too. Convicts complained that they could not buy cigarettes or postal cards for months.<sup>114</sup> Turnšek dismissed the notion that the correctional facilities were to blame for delays in handing over packages. He believed the delays occurred because the packages were held up at post offices for a long time. Post offices delivered packages to correctional facilities only twice a month.<sup>115</sup>

In his report, Čamernik also highlighted the treatment of isolated convicts who allegedly served their sentences in solitary confinement for an extremely long time, from three months to no less than three years. They had not even been interrogated for months. During isolation, they were deprived of all benefits guaranteed by legal provisions. They were denied the rights to write and

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<sup>110</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Izveštaj o pregledu kazнено-popravnih domova na teritoriju Narodne republike Slovenije, p. 4.

<sup>111</sup> Ibid.

<sup>112</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Poročilo tov. g. kontrolorja MUP – FLRJ – pripombe, 8 June 1950, p. 3.

<sup>113</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Izveštaj o pregledu kazнено-popravnih domova na teritoriju Narodne republike Slovenije, p. 4.

<sup>114</sup> Ibid., p. 5.

<sup>115</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Pripombe k poročilu gl. kontrolorja Minot FLRJ tov. Čamernika o pregledu kazenskih poboljševalnih domov v LRS, 15 June 1950, pp. 5, 6.

receive post, to receive packages and visitors, they were not given the option to walk outside or bathe, and they could not read books, watch films and cultural performances featuring convicts. Convicts in isolation could not take part in all cultural/educational or learning activities, including so-called self-education, regardless of whether they were under investigation or not. They had no nocturnal light in isolation.<sup>116</sup> Turnšek partly acknowledged this situation but mentioned that this applied to those isolated convicts for whom a special regime of serving sentences had been imposed.<sup>117</sup> In particular, Čamernik highlighted a case of twelve convicts who had been in disciplinary solitary confinement for eight months without any daylight or nocturnal light even though the facility's warden had not imposed any disciplinary sanction during their reports. During this time (at the end of 1948) they had no straw pallets, bed linen or blankets; then pallets and blankets were provided at last. For four months, all rights set out in the house rules were withheld, after which they were allowed to receive packages from home. Čamernik notes that this disciplinary sanction was against the law; the management registered it in the discipline book only as a sanction of isolation for 14 days. All this time, they received extremely poor food with a calorific value of less than stipulated as required for a person to stay healthy and alive, i.e. less than 1,200 Calories per day. During their isolation, two of the convicts were also beaten by militiamen. After serving their sentences, four convicts spent more than three months in the facility's hospital; one of them died.<sup>118</sup> This was the group of convicts from Correctional Facility Maribor that had been discovered during an attempt to escape in the autumn of 1948, explained Turnšek in his comments. The group had dug a tunnel from the locksmithing workshop to a garden outside the walls of the correctional facility and allegedly intended to flee across the national border. The convicts were punished with 14 days of isolation but then remained there for further investigation. The public prosecution for the Maribor district, which led the investigation, allegedly terminated it, and the convicts were only then supposedly transferred from solitary confinement to ordinary cells. Turnšek also rejected the claims that one of the convicts had died due to maltreatment.<sup>119</sup>

In general, disciplinary sanctions in solitary confinement were enforced on the bare floor or a hard bed, and convicts were not allowed to bring bed linen

<sup>116</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Izveštaj o pregledu kazнено-popravnih domova na teritoriju Narodne republike Slovenije, pp. 4, 5.

<sup>117</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Pripombe k poročilu gl. kontrolorja Minot FLRJ tov. Čamernika o pregledu kazenskih poboljševalnih domov v LRS, 15 June 1950, p. 6.

<sup>118</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Izveštaj o pregledu kazнено-popravnih domova na teritoriju Narodne republike Slovenije, p. 5.

<sup>119</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Pripombe k poročilu gl. kontrolorja Minot FLRJ tov. Čamernika o pregledu kazenskih poboljševalnih domov v LRS, 15 June 1950, pp. 6, 7.



Corridor with prison cells, Correctional Facility Maribor, 1945 (National Museum of Contemporary History of Slovenia, photo: Marjan Pfeifer)

and blankets, regardless of the time of year. Convicts were sent to solitary confinement even if the warden had not imposed any disciplinary sanction during their reports.<sup>120</sup> Turnšek said disciplinary sanctions in solitary confinement had been enforced on the bare floor only until October or November 1949 as the institutions had not had enough straw pallets and blankets. After 1950, all solitary confinement cells were equipped with straw pallets.<sup>121</sup> He said that very few disciplinary sanctions had been imposed, only nine during the first quarter of 1950 in Maribor, "so it is quite possible that the straw pallets in solitary confinement appear unused, leading to Comrade Čamernik assuming in his inspection that the straw pallets were only installed for the occasion of the inspection because they appeared unused".<sup>122</sup> On the other hand, Mejak admits that the situation in Maribor and Ljubljana was as described by Čamernik.<sup>123</sup> As regards the remark that convicts were sent to solitary confinement without being disciplinary sanc-

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<sup>120</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Izveštaj o pregledu kazнено-popravnih domova na teritoriju Narodne republike Slovenije, pp. 5, 6.

<sup>121</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Pripombe k poročilu gl. kontrolorja Minot FLRJ tov. Čamernika o pregledu kazenskih poboljševalnih domov v LRS, 15 June 1950, p. 7.

<sup>122</sup> Ibid.

<sup>123</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Poročilo tov. g. kontrolorja MUP – FLRJ – pripombe, 8 June 1950, p. 3.

tioned during their reports, both Mejak and Turnšek repeated that these were orders by wardens' assistants, mostly without the given warden's knowledge.<sup>124</sup>

Other irregularities mentioned by Čamernik referred to the duration of the working day for convicts and to slow investigating procedures. According to Čamernik, convicts in correctional facilities worked for more than ten hours per day, including Sundays. Overtime and exceeding the production norm were not rewarded as stipulated in the rules. The wardens of the correctional facilities and Turnšek allegedly explained that this was volunteer or shock work, which is why convicts were not entitled to a bonus.<sup>125</sup> In his comments to the report, Turnšek noted that the working day was only eight hours long but could be extended as a disciplinary sanction for convicts. In case they worked overtime, they were supposedly paid a bonus.<sup>126</sup> However, Čamernik was also bothered by the fact that a large number of convicts, around 100, had not been employed for more than three years, but when convict labour force was being mobilised to build the Road of Brotherhood and Unity, the correctional facilities reported that they faced labour shortages.<sup>127</sup>

In Ljubljana, Čamernik discovered a significant number of detainees who had been under investigation for a long time but not yet interrogated. He highlighted the case of a German who had been in detention for no less than four and a half years. In some cases, juveniles and adults or convicts and detainees were supposedly incarcerated together. There were also cases of militiamen interrogating persons under investigation without being mandated to do so and thus disrupting the investigation.<sup>128</sup> Claims about detainees who had been in detention for a long time were confirmed by both Mejak and Turnšek, who added that the situation had been reported to the competent public prosecutor a number of times, whereas they said the incarceration of juveniles and adults or detainees and convicts was limited to isolated cases. Moreover, Turnšek believed militiamen interrogated prisoners in line with instructions from the management during transfers.<sup>129</sup>

<sup>124</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Pripombe k poročilu gl. kontrolorja Minot FLRJ tov. Čamernika o pregledu kazenskih poboljševalnih domov v LRS, 15 June 1950, p. 8; Poročilo tov. g. kontrolorja MUP – FLRJ – pripombe, 8 June 1950, p. 3.

<sup>125</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Izveštaj o pregledu kazeno-popravnih domova na teritoriju Narodne republike Slovenije, p. 5.

<sup>126</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Pripombe k poročilu gl. kontrolorja Minot FLRJ tov. Čamernika o pregledu kazenskih poboljševalnih domov v LRS, 15 June 1950, p. 7.

<sup>127</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Izveštaj o pregledu kazeno-popravnih domova na teritoriju Narodne republike Slovenije, p. 5.

<sup>128</sup> *Ibid.*, pp. 5, 6.

<sup>129</sup> ARS, SI AS 1267, t. e. 1, a. e. 112, Pripombe k poročilu gl. kontrolorja Minot FLRJ tov. Čamernika o pregledu kazenskih poboljševalnih domov v LRS, 15 June 1950, p. 8; Poročilo tov. g. kontrolorja MUP – FLRJ – pripombe, 8 June 1950, p. 3.

## Changes in the early 1950s

At the end of 1950, there was a conference for the heads of administrations and departments at the ministry for internal affairs, with participants discussing problems in sentence enforcement.<sup>130</sup> Turnšek prepared a paper entitled "Some Problems in Sentence Enforcement".<sup>131</sup> He particularly highlighted that by the end of 1950, the prison administration had failed to realise the circular by the federal ministry of internal affairs about how security in correctional facilities should be provided by a special facility militia. He continued:

Irregular procedures towards convicts in correctional facilities are on the agenda exactly because of members of LM [Ljudska milica, People's Militia], who aren't trained to execute this special task, which is very difficult, requires specifically selected and committed staff and a great ability to assess the meaning and intention of a punishment.<sup>132</sup>

In Turnšek's opinion, members of the militia performing guard duty should have been specifically trained for this job, but their education followed the same programme as for other militia members. He deemed the practice of posting militiamen who "were unable to perform fieldwork due to their poor discipline" to correctional facilities as guards to be wrong. "Frequently even militiamen who were mentally retarded, half deaf or blind, epileptic etc. were posted to correctional facilities".<sup>133</sup> Interestingly, interventions by managements of correctional facilities and prison administration to remove militiamen and officers who were unable to perform their duties satisfactorily from service were completely unsuccessful. Based on the document, the underlying question causing irregularities and poor conditions was to whom guards and commanding officers of the militia were subordinated.<sup>134</sup> Irregularities were also a result of staff shortages.

The conference participants also discussed the system of security in county prisons, which differed from the one in correctional facilities. In prisons, internal security was provided by a civilian employee – turnkey or prison supervisor. Their task was to take care of the keys and administration, i.e. keep a book of detainees, a book of disciplinary sanctions and a food record. External security

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<sup>130</sup> ARS, SI AS 1931, t. e. 1492, a. e. 33, Zapisnik konference načelnikov uprav in oddelkov Ministrstva za notranje zadeve LRS, 29 Dec. 1950, p. 2.

<sup>131</sup> ARS, SI AS 1931, t. e. 1492, a. e. 33, Nekaj problemov s področja izvrševanja kazni (referat za konferenco načelnikov uprav in oddelkov), pp. 8–15.

<sup>132</sup> Ibid., p. 13.

<sup>133</sup> Ibid.

<sup>134</sup> Ibid.

in county prisons was provided by militia members, who were not supposed to have any contact with inmates. Guards were posted to prison security by the militia station where the prison was located. Turnšek estimated that employees in all prisons performed poorly:

The most common and grave errors in prisons were: poor handling of convicts / beatings, insults, isolation in cells with no beds or blankets for several days, withholding food for several days/ by investigating bodies and LM members, as well as turnkeys in some cases. Neglecting equipping the prisons with bedpans /buckets/, mess tins and blankets.<sup>135</sup>

In Turnšek's estimation, this situation was partly the result of not performing daily prison inspections, which were supposed to be done at different times of day by internal affairs commissions, of the poor professional competence of turnkeys, of infringements of the provisions of the criminal procedure act and other regulations on interrogating persons under investigation. In addition, turnkeys often handed their keys to guards, which enabled the direct contact of guards with detainees.<sup>136</sup>

In 1951, change was in store for both penal policy and the sentence enforcement system. A comprehensive Criminal Code and introductory act to the code were adopted and came into force,<sup>137</sup> abolishing the sentences of forced and reformatory labour as well as the administrative measure of constraint in the form of community service. This entailed the gradual abolition of work sites and camps, with convicts transferred elsewhere. A new act on sentence enforcement was passed, too,<sup>138</sup> and change in the judiciary and criminal law legislation was announced in a resolution on strengthening the judiciary and justice,<sup>139</sup> which was adopted by the central committee of the Yugoslav Party at its fourth plenary in June 1951. It was based on a paper by the minister of internal affairs and chief of the federal Udba, Aleksandar Ranković, entitled "For the Further Strengthening of the Judiciary and Justice".<sup>140</sup> The paper announced change in the operation of the repression and judicial authorities,

<sup>135</sup> Ibid., p. 12.

<sup>136</sup> Ibid., pp. 12, 13.

<sup>137</sup> "Uvodni zakon h Kazenskemu zakoniku", *Uradni list FLRJ*, No. 11 (1951); *Uradni list FLRJ*, No. 13 (1951).

<sup>138</sup> "Zakon o izvršitvi kazni, varnostnih ukrepov in vzgojnih poboljševalnih ukrepov", *Uradni list FLRJ*, No. 47 (1951).

<sup>139</sup> "Resolucija IV. plenuma CK KPJ o nadaljnji krepitvi pravosodja in zakonitosti", *Komunist*, March–May 1951, No. 2–3, pp. 1–4; "Resolucija o nadaljnji krepitvi pravosodja in zakonitosti", *Ljudska pravica*, 6 June 1951, No. 131, p. 1.

<sup>140</sup> "Za nadaljnjo krepitev pravosodja in zakonitosti", *Ljudska pravica*, 5 June 1951, No. 130 (hereinafter: "Za nadaljnjo krepitev pravosodja in zakonitosti"), pp. 1–4.

which was implemented very hesitantly in the following years.<sup>141</sup> In the paper, Ranković briefly reported on the conditions in prisons and the treatment of inmates, which he assessed as "humane":

The prisons housing our convicts are no death camps, as we are maligned by many countries, but rather workplaces of building socialism, where in addition to beneficial manual labour, detainees are enabled to enjoy a life of culture and education. Our measures are humane but also strict towards anyone transgressing the laws, interests of the people and state. This humaneness is also reflected in the fact that anyone who realises the error of their ways has the possibility of being released before the completion of their sentence.<sup>142</sup>

Based on Ranković's paper and the mentioned resolution, the prison administration at the ministry of internal affairs drew up a special report on this problem.<sup>143</sup> Its primary aim was to adopt measures to eliminate the irregularities relating to sentence enforcement that occurred in penal institutions. In the report, Turnšek first described the conditions in prisons, specifically stressing that beatings and other violence against persons under investigation and convicts in prisons were eliminated.<sup>144</sup> He also reported in detail on the situation in correctional facilities and made an observation similar to the one regarding conditions in prisons:

Inhumane handling of convicts as well as beatings and other kinds of mistreatment have been completely eliminated in correctional facilities; in the past few months, we have detected no such case. There are still cases of employees, especially guards, insulting convicts. Such cases are rare, however, and only arise in moments of frustration caused by individual convicts with their lack of discipline.<sup>145</sup>

Turnšek's paper was discussed at a conference for the collegium of the ministry of internal affairs, which took place on 12 June 1951, and a num-

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<sup>141</sup> "Za nadaljnjo krepitev pravosodja in zakonitosti", pp. 1, 3; Mateja Režek, *Med resničnostjo in iluzijo, Slovenska in jugoslovanska politika v desetletju po sporu z Informbirojem (1948–1958)* (Ljubljana, 2005), pp. 65–79.

<sup>142</sup> "Za nadaljnjo krepitev pravosodja in zakonitosti", p. 1.

<sup>143</sup> ARS, SI AS 1931, t. e. 1492, a. e. 35, Izvrševanje kazni glede na poročilo tov. Rankovića "Za nadaljnjo krepitev pravosodja in zakonitosti", 10 June 1951.

<sup>144</sup> Ibid., p. 3.

<sup>145</sup> Ibid., p. 6.

ber of decisions regarding sentence enforcement were adopted.<sup>146</sup> *Inter alia*, internal affairs commissions would have to be prevented from using persons under investigation as a cheap labour force working for their employees. It was declared illegal and irregular that militia stations had their own prisons; such prisons were not provided for in legislation, so they should not exist. All prisons should be under the competence of prison administration. Interestingly, there was a decision that interrogations should take place during daytime, only exceptionally or in emergencies at night. Another important decision was to completely "*abolish the practice of secret arrests. Every secret arrest amounts to an unlawful act*".<sup>147</sup>

## Epilogue

In the second half of the 1950s, the regime of serving sentences started to change gradually. The first open wards were established in Slovenia, specifically in 1956 in Brestanica for male convicts and in November 1957 in Ig for female convicts.<sup>148</sup> As apparent from a letter by the State Secretariat of Internal Affairs, in 1957 Yugoslavia still did not consistently

adhere to the principle of separating persons sanctioned in an administrative penalty procedure from convicts, but it is known that the law provides for a more lenient regime of serving sentences for persons punished for offences. For example, such persons are not required to work, they can bring their bed linen from home, can eat food from home, have the right to suspend their sentence in case of a death in the family or other justified reasons etc.<sup>149</sup>

There was indication of a need to build new, more modern penal institutions as sentence enforcement "in current circumstances due to the use of prisons inherited from the previous Yugoslavia requires certain deviations from existing regulations".<sup>150</sup>

<sup>146</sup> ARS, SI AS 1931, t. e. 1492, a. e. 36, Zapisnik konference kolegija Ministrstva za notranje zadeve LRS, 12 June 1951, p. 1.

<sup>147</sup> Ibid.

<sup>148</sup> Andreja Jankovič Deržič, "Grad Rajhenburg kot zapor po 2. svetovni vojni", *Kronika* 61, No. 3 (2013), pp. 582, 583; Ada Klanjšek, *Selekcija obsojenk za odprti kazenski poboljševalni dom na Igu* (Ljubljana, 1959), pp. 5–7, 11–19; ARS, SI AS 1267, t. e. MNZ/14, a. e. 630, Letno poročilo za 1957. leto, pp. 1, 5, 26; t. e. MNZ/15, a. e. 631, Kazensko poboljševalni dom Ig pri Ljubljani, Letno poročilo za 1957, 31 Jan. 1958, pp. 12, 13.

<sup>149</sup> ARS, SI AS 1267, t. e. MNZ/52, a. e. 1019, Velike opravke i izgradnja novih KPU, 30 Apr. 1957.

<sup>150</sup> Ibid.

More significant changes came in the 1960s. A major change occurred in 1967, when penal institutions returned to the competence of the ministry of justice, as the arrangement had been before the war.<sup>151</sup> The regime of serving sentences and the view of re-education work with convicts started to gradually change in that decade, and there were the beginnings of social work and modern penological approaches. An important milestone was the "Logatec Experiment", carried out between 1967 and 1971 in the youth correctional institution in Logatec. It showed that it was possible to have a more permissive attitude towards inmates and a more humane practice in prisons. A similar practice was tested in Ig in 1975.<sup>152</sup>

**Mateja Čoh Kladnik in Jelka Piškurić**

**SVET KAZNJENCEV: RAZMERE IN NEPRAVILNOSTI  
V KAZENSKIH USTANOVAH V SLOVENIJI  
MED LETOMA 1945 IN 1951**

POVZETEK

Prispevek obravnava sistem kazenskih ustanov v Sloveniji med letoma 1945 in 1951, razmere v kazenskih ustanovah in prevzgojno delo z obsojenimi. Pri tem izpostavlja številne nepravilnosti pri ravnanju z obsojenci, še zlasti pa predstavi rezultate pregleda kazensko poboljševalnih domov iz leta 1950.

Kazenske ustanove so bile pomemben del povojnega represivnega aparata, preko katerega je oblast lahko obračunavala z dejanskimi in domnevnimi

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<sup>151</sup> Dornik Šubelj, "Nastanek in razvoj organov za notranje zadeve", p. 9; Dornik Šubelj, *Ozna in prevzem oblasti*, pp. 232–237.

<sup>152</sup> Dragan Petrovec, "Uvajanje humanega skupinskega dela v zapore v Sloveniji", available at: <http://www.socialneinovacije.si/uvajanje-humanega-skupinskega-dela-v-zapore-v-sloveniji/>, accessed: 19. 10. 2023; Dragan Petrovec, *Kazen brez zločina, Prispevek k ideologijam kaznovanja* (Ljubljana, 1998), pp. 207, 208; Jelka Piškurić, "Ženski zapor na Igu, 1956–1967", *Dileme, razprave o vprašanjih sodobne slovenske zgodovine* 7, No. 2 (2023), pp. 155–177.

političnimi nasprotniki. Veliko obsojenih, ki so od konca vojne do začetka petdesetih let v kazenskih ustanovah prestajali kazen odvzema prostosti, je bilo namreč političnih zapornikov. Ohlapna zakonodaja je oblasti omogočala, da je preganjala vsa ravnanja, za katere je smatrala, da bi lahko ogrozila obstoječo državno ureditev. Pri oblikovanju sistema kazenskih ustanov in prisilnega dela so imele jugoslovanske oblasti različne zgleda, od jugoslovanskih zaporov iz časa med obema vojnoma do italijanskih in nemških zaporov in taborišč iz časa druge svetovne vojne ter sovjetskega gulaga. Sistem kazenskih ustanov ni bil le sredstvo za izvrševanje kazni, temveč je imel pomembno vlogo pri projektih povojne gospodarske obnove in izvedbi petletnega načrta. Izvajanje kazni je spremljalo fizično in psihično nasilje, ki so mu bili podvrženi zlasti politični" zaporniki.

Maja 1945 je taborišča za vojne ujetnike in civiliste ter vse predvojne okrožne in okrajne zapore prevzel Oddelek za zaščito naroda (Ozna). Šele septembra 1945 so kazenske ustanove prišle pod okrilje ministrstva za notranje zadeve. Hkrati je bil pri ministrstvu vzpostavljen oddelek za izvrševanje kazni, ki je vodil in koordiniral delo vseh zaporov, kazenskih zavodov in delovnih taborišč na ozemlju Slovenije. V pristojnost ministrstva je prešlo tudi zavarovanje kazenskih ustanov, tako zunanje, torej zavarovanje stavb kazenskih ustanov in kasneje tudi zunanjih delovišč, kot notranje, to je zavarovanje obsojencev in pripornikov. Za zavarovanje so bile vzpostavljene vojaško organizirane straže Narodne milice, ki so bile za svoje delo odgovorne upravnikom kazenskih ustanov. Največji težavi sta bili pomanjkanje kadra ter vprašanje odnosov med upravami kazenskih ustanov in pazniki oziroma stražarji, to je kdo daje navodila paznikom v kazenskih ustanovah, uprave zavodov ali uprava Narodne milice.

Za kazenske ustanove so bile značilne izjemno slabe bivanjske razmere in neustrezna oskrba jetnikov, v njih je bilo zaprtih bistveno več oseb, kot je bila njihova zmogljivost. Prostori so bili neprimerni in prenatrpani, ena od večjih težav je bila preskrba s hrano, neustrezna je bila tudi zdravstvena oskrba bolnih jetnikov.

Bolj kot z ustrezno oskrbo jetnikov so se kazenski zavodi ukvarjali z organizacijo njihove prevzgoje. Cilj izvrševanja kazni je bila prevzgoja obsojencev v duhu nove družbenopolitične ureditve. Fizično delo je bilo razumljeno kot eno glavnih sredstev prevzgoje, obsojence pa so pri tem izkoriščali tudi kot poceni delovno silo pri projektih povojne gospodarske obnove in izvedbi petletnega načrta. Fizično delo se je prepletalo z drugim prevzgojnim delom, od predavanj in političnih ur do kulturnega in športnega udejstvovanja, kar naj bi obsojencem privzgojilo "pravilen" odnos do dela in do nove družbene ureditve.

Ministrstvo za notranje zadeve je od leta 1945 redno izpostavljalo razne nepravilnosti pri delovanju kazenskih ustanov, ki so bile večinoma organizacijske narave. V prispevku so obširneje predstavljen primer nadzora kazensko

poboljševalnih domov Rajhenburg, Maribor in Ljubljana, ki je potekal aprila 1950. Poročilo o nadzoru izpostavlja različne primere slabega ravnanja z jetniki, zlasti z izoliranimi; najslabše je bilo stanje v Kazensko poboljševalnem domu Maribor.

V prvi polovici petdesetih let je začela najhujša ostrina politične represije postopoma popuščati. Takrat je več dogodkov nakazovalo spremembe tako v kaznovalni politiki kot v sistemu izvrševanja kazni. Leta 1951 so bile s sprejetjem in uveljavitvijo celovitega *Kazenskega zakonika* odpravljene kazni prisilnega, poboljševalnega in družbeno koristnega dela. Takrat so začeli postopoma ukinjati delovišča in taborišča ter obsojence prerazporejati drugam. Režim preostajanja kazni se je začel postopoma spreminjati od druge polovice petdesetih let.

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Naslov: **SVET KAZNJENCEV: RAZMERE IN NEPRAVILNOSTI  
V KAZENSKIH USTANOVAH V SLOVENIJI MED LETOMA 1945 IN 1951**

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**Ključne besede:** kazenske ustanove, 1945–1951, Slovenija, razmere v kazenskih ustanovah, prevzgoja obsojenih, nepravilnosti

**Izvleček:** Prispevek predstavi sistem kazenskih ustanov v Sloveniji med letoma 1945 in 1951, ki so bile pomemben del represivnega aparata, preko katerega je oblast obračunavala s svojimi političnimi nasprotniki. Septembra 1945 so kazenske ustanove prišle pod okrilje ministrstva za notranje zadeve, znotraj katerega je bil ustanovljen poseben oddelek za vodenje, koordinacijo in nadzor dela nad njimi. Avtorici v prispevku predstavita razmere v kazenskih ustanovah in prevzgojno delo z obsojenimi. Pri tem izpostavita številne nepravilnosti pri ravnanju z obsojenci in natančneje prikažeta rezultate pregleda kazensko poboljševalnih domov iz leta 1950. Več dogodkov, ki si je sledilo v začetku petdesetih let, pa je nakazovalo na postopne spremembe v kaznovalni politiki.