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THE HISTORY OF THE FUTURE CLOSURE OF BRYGIDKI: 150 YEARS OF DISCUSSION TO MOVE THE PENITENTIARY OUTSIDE OF LVIV

This text will go back to the 19th century in order to show that the discussion about moving *Brygidki* to another location started as early as the 1870s when it turned out that the very materiality of the former convent prevented the legal bodies from adapting it to allow for a more dignified method of incarceration. In the 21st century, we witness an ongoing discussion on the need to move the Brygidki prison for people awaiting trial, officially Penal Institution No. 19, out of the city of Lviv.

Keywords: *Prison; Reform; Drohobych; Lviv; Architecture; Corruption.*

В статье проанализировано причины и условия переноса в начале XX века карательного учреждения «Бригидки» со Львова в Дрогобыч. А также обозначены обстоятельства, которые не позволили завершить этот процесс. Акцентировано внимание на проблемах внутреннего устройства львовской тюрьмы «Бригидки», причинах коррупционных действий тюремного персонала, его взаимоотношениях с осужденными. Указано на актуальность проблемы функционирования тюрьмы в центре современного города, как 100 лет назад, так и сейчас. Обсуждение вопроса о переезде Бригидок в другое место началось еще в 1870-х годах, когда выяснилось, что здание бывшего монастыря в центральной части города не может использоваться как тюрьма из-за переполненности и несоответствия санитарным нормам. В последние время мы являемся свидетелями продолжающейся дискуссии о необходимости переноса тюрьмы «Бригидки» (Учреждение исполнения наказаний № 19) за пределы города. Автором доказано, что современная тюремная реформа является продолжающейся дискурсивной практикой, основанной на критике существующего положения вещей.

Ключевые слова: *тюрьма; реформа; Дрогобыч; Львов; архитектура; коррупция.*

Question. The aim of this paper is to show that prison reform is an ongoing discursive practice based on critiqu-

ing the status quo. It espouses the idea of progressing into the future, and assumes that new technical, material and

procedural solutions will have a positive effect on the conditions of incarceration in the near future. Prisons are understood as legally bounded infrastructures of modern statehood and at the same time as symbolic spaces. In particular, this text is supposed to show the dialectic link between the penal prison of Drohobych and the *Brygidki* prison in Lviv. As the new facility in Drohobych was planned to replace *Brygidki*, the oldest prison in the area, its design contained concrete answers to real existing problems in Lviv. There is also a very direct link – prisoners from Lviv physically built the new prison, in which they were supposed to serve their sentence. However, shortly after the building process of Drohobych was finished on the eve of World War One, the numbers of inmates had increased so much that the plans to close down *Brygidki* were canceled. Despite the unsuitable materiality and location of the building, it has remained an active penitentiary to this day.

Related research. Neither Ukrainian nor Polish historiography includes any in-depth research on the link between the penal prisons in Drohobych and Lviv. As part of the legal system of the Habsburg Empire and under the supervision of the Vienna Ministry of Justice, the prisons were run directly by the state attorney in Lviv and a prison inspector who worked on his behalf. After WWI, the bulk of the documentation related to the prisons was handed over from Austrian authorities to independent Poland. The full documentation of the State Attorney of Lviv is available today at the Central Archives of Historical Records in Warsaw as the German occupants sent the documents back to Vienna in 1940 before burning large parts of Warsaw ar-

chival materials in the late summer of 1944. This article is based on a close reading of these documents, including discussions about where to erect the new prison outside of Lviv and reports on corruption during construction work. As of 2019, there has been no scholarly texts on the history of Drohobych prison, which does no do justice to its significance for the regional history and the history of legal bodies in Galicia in general.

Less prominent, but still relevant, is the discussion about the *Brygidki* prison as a site of state repressions which includes, among other crimes, the mass murders by NKVD, and the following pogrom against Jewish inhabitants of Lviv in Summer 1941. This paper aims to provide a historical background for the ongoing discussion and to show that it is actually in the interest of prisons to contemplate a better future. This text aims to show that this future was the Drohobych penitentiary, which was supposed to replace *Brygidki* in the early 20th century.

Main argument. Briefly after the first partition of the Polish-Lithuanian Commonwealth, the Austrian authorities in Vienna nationalized the Bridgettine convent in the heart of Lviv (in German documents: Lemberg, in Polish: Lwów) and transformed it into a penal prison. A hundred years later, prison officials started to claim that it would be necessary to move the penal prison outside of Lviv. As early as 1872, it was claimed that the historical *Brygidki* building was not suitable as a penal prison. The current arguments for closing down the prison include the penitentiary discourse (the spatial needs for incarceration, hygiene and medical issues), but also political voices arguing that the space should formally

belong to the municipality and not to the Ministry of Justice.

The prison in Drohobych was built by the *Brygidki* prisoners on the eve of WW I as a new facility that would solve the *Brygidki* dilemma [1]. It was thought to be an alternative, new, modern prison but due to a rising number of sentences and the outbreak of war, the *Brygidki* compound was never closed. In 1914 *Brygidki* was used for the detention of political suspects – often without any court trial and not on the ground of the penal codex, but by a decision made under martial law. In Lviv, this marked the beginning of reusing the infrastructure of penitentiaries for political ends. As a result of a multistep radicalization, *Brygidki* became the site of the mass murder carried out by the NKVD during the last days of Soviet rule in the summer of 1941. During the first days of the German occupation, national-socialist forces used the prison as a starting point for the Holocaust in Lviv. In the pogrom Dozens of Jews were killed after they had been forced to take out the corps of the NKVD victims from the prison [2]. During WWII and its aftermath, various other groups of inhabitants in Lviv and the wider region fell victim to the German and Soviet political repressions at *Brygidki*.

Regardless of the scale of systematic mass murder that had taken place in the building, the prison is still functioning and the discussion about its future is still a trope of public debate. The director of the prison even asked me to help the administration in writing up a Unesco application to protect *Brygidki* as a functioning prison. The guards do not want to move as they perceive the facility to be theirs, well maintained and well functioning

although they are also the most knowledgeable about the shortcomings of the institution. Embracing a modernist approach based on the belief of progress as linear development, they assume that if they work hard, *Brygidki* will become a better place for prisoners.

The materiality of Brygidki

In September 1902, unrest broke out at *Brygidki* and the prison director was unable to restore order or contain the noise [3]. The prisoners were communicating among themselves by shouting across the corridors of the former convent, trying to mobilize inmates of other units. As the prison was located in the direct neighbourhood of Kazmierzowska street, Karna street and Bernstein street, a large crowd of working class men and woman had gathered outside the prison walls and the director anticipated that there was a risk that the unrest may spread to the wider population. As physical violence spread inside the prison and the noise was perceived as symbolic violence, the director was forced to ask for the support of the military and to report directly to the state attorney [4].

19th century reports mention that the prison's central location in the city center was a key feature as to why the prison should be moved out of Lemberg and with the unrest in the autumn of 1902, this objection became a real phenomenon. The director complained about the lack of space inside *Brygidki* and the age of the building as he argued that both combined did not allow for a successful isolation of prisoners, particularly ringleaders, from each other.

In the aftermath of the 1902 prison unrest, a candid internal report was written regarding the physical reasons as to why the revolt did not

stop even with an increased presence of military forces inside *Brygidki*. The most striking argument referred to the materiality of the building. In the course of the investigation the prison authorities found out that the source of the agitation in the prison was actually located outside the prison. It also found that among the so called ringleaders were former inmates from *Brygidki* prison. This network between the outside and inside of the prison could flourish, because the building of *Brygidki* was physically enclosed by the surrounding city centre. It did not provide enough space for solitary incarceration and enabled the prisoners to communicate rather freely: "The inmates who are located within reach of the isolated dungeons communicate over the corridor, partly by visual signs, and partly by shouting – and this is regardless of the armed posts outside. Furthermore, the prisoners managed to destroy the window covering" [5]

The use of the building was limited by the fact, that from the 1870s and onwards, it was overcrowded. Prepared for far less than 800 inmates, the administration reported on average more than 950 and often more than 1000 inmates. This did not only worsen the conditions in every cell, but prevented the administration in making use of solitary confinement as a means of punishment and isolation. As a result every single overcrowded cell became a potential hotbed of agitation among the inmates.

The link between the high number of inmates per cell and the outbreak of unrest was documented in 1870: "This is the natural result of the penal prison being packed, in times reaching and even exceeding 1,000 inmates. In this case, the potential to

carry out individual influence is limited and the large crowd strengthens their evil self-confidence and provides a power which they misuse" [6].

A bureaucrat added the following demand to the handwritten report in 1904, just two years after the September events: "As was reported earlier, the location of the prison and conditions of incarceration of the regional court prison building make it more difficult to implement the house rules. The only possible way to put things right, would be to move the prison outside of Lemberg to Drohobych, where a new facility for male prisoners is supposed to be built" [7].

Watchmen living in the Prison

While guards formally are at the same time representatives of the state and citizens, they shared some of the prison conditions created by the state for the inmates. The most direct physical link was the materiality of the historical *Brygidki* building as more than half of the watchmen were obliged to live on the compound. Those who were not married, were legally forced to live within the prison walls. Young watchmen needed special permission by the director in order to get married [8]. The number of married watchmen was formally limited as the majority were officially required to stay on prison territory – during both day and night. An outcome of this was a constant negotiation about the housing and marriage question on behalf of the watchmen [9]. Among the arguments exploited in these negotiations was the need to ensure a decent life for prison watchmen to make them less prone to bribery and to make sure they would not be forced to take a second job. Read in a non-normative way, we could conclude that bribery and additional

employment elsewhere were normal phenomena at Brygidki – at least earlier in the 19th century. The idea behind this was based on an economic logic: the watchman must be able to feed his family, therefore he needs a place to stay and a regular income [10]. In order to prove his financial ability to marry, the watchman Nikolaus Hrycyk documented 1,060 crowns (Kronen) in his bank account, but still there was no formal procedure available in order to legalize a living place outside of the prison [11]. Still in 1905 the rule was: 14 men had to be unmarried and to live in the prison [12]. The problem still existed in 1913, when Valerian Gąsiorowski and Emil Gorzkowski asked kindly for permission to get married [13].

The Drohobych prison project

For the Austrian administration, Drohobych became a synonym for the solution of all problems synonymous with Lviv. The new prison was a projection of a better future – both for the administration, watchmen and inmates.

It provided plenty of space in order to keep more than 1,000 inmates in solitary confinement, it was located outside the center of Drohobych and the apartments built for watchmen were outside the prison walls. The new prison was supposed to provide a complex infrastructure featuring modern facilities which were not standard in Drohobych houses – neither private nor public: a large scale cooking unit, a centralized steam heating system (which was also used to heat the cooking unit), a school for young inmates and a broad range of workshops including a modern mill [14]. Separate chapels were provided for Roman-Catholics and Greek-Catholics. At the very centre of the prison was a large theater hall enabling educational programs and prison orchestra concerts. If we take a closer look at the façade of this central part of the building, it becomes clear that this is not a technological project to overcome structural problems of the 19th century, but a representation of the Austrian state itself.

Built by prisoners from Brygidki for themselves: Penal prison Drohobycz on the eve of WWI. Source: Fototapeta Polska.

The Drohobych prison project was the answer to the dilemmas of *Brygidki* as the new facility was supposed to replace the Lviv prison. There was also a direct link between them: the prisoners from *Brygidki* prepared the ground in Drohobych and were used as a workforce throughout the nine year build. From 1905 onwards, between 70 and 100 prisoners were located in a special detachment of *Brygidki* prison located in barracks on the outskirts of Drohobych [15]. The location for the new prison was chosen by the Ministry of Justice because of its proximity to the Lviv-Truskavets railway line and because the city of Drohobych transferred a large piece of land free of charge to the state. But even during the construction period, the documents of the Ministry of Justice revealed that the bulk of problems were transferred to Drohobych as opposed to being solved.

The construction work conducted in Drohobych made up a considerable part of the general *Brygidki* prisoner's workload. In 1906, it added up to 27,533 workdays compared to 25,064 days in the *Brygidki* tailor shop or 8,896 days in the canvas production unit [16]. They were paid by the prison administration who were in turn reimbursed by the private building company. According to a contract signed in 1904, the company was also obliged to pay the watchmen sent to Drohobych in order to oversee the earth-moving and brick work [17]. In 1908, the number of prisoners working at the Drohobych building site increased to 114 and a conflict over payment forced the Ministry of Justice to draw a precise picture of the construction work. The number of prisoners increased as it was highly profitable to use them for the private

company – their workday cost only 42 hellers. The prison administration was interested in the deal, because the watchmen sent to Drohobych received an additional payment of 1 crown and 50 hellers per day – just for being with the prisoners outside of *Brygidki* [18]. Thanks to the inquiry, we know that prisoners were supposed to receive an additional 0.5 liters of milk per day and generally a better food ratio [19].

The documentation also revealed why the prison administration had a special interest in the complicated contracting system of the *Brygidki* prisoners. As the prison received 1 crown and 42 hellers per workday by the private contractor, the prison administration was able to gain an annual profit of 7,612 crowns. This profit became part of the regular statistics and was the basis of special rewards granted to the head of the workshop units and the prison administration. This highlights that the state contracting system contained some capitalist elements as incentive for state employees and that the main beneficiaries were the leading prison staff. Prisoners also had an interest in being contracted as their smaller share was transferred to a saving book and supposed to be paid out on the very end of their term [20]. There were around 100 prisoners working at the spot, while surveillance was usually carried out by nine unarmed watchmen and one armed guard. From 1910 to 1911, the number of working prisoners dropped from 134 to 90 [21]. The city of Drohobych liked the idea of using prisoners for a symbolic fee, thus they asked the prison administration in 1913 to hand over 20 prisoners [22].

Exporting corruption from Lviv

Apart from the formal financial streams, the documentation from the

Drohobych building reveals an informal stream of goods, services and money. Thus, the new prison did not solve a core issue of *Brygidki*: the close network of prisoners and watchmen. While in the accounts of political prisoners, watchmen are often portrayed as the ugly face of state coercion, the everyday history of the prison shows how closely interrelated both groups of actors inside the prison were. As I have argued above, they spent a lot of time together inside the prison, they had to face the reality of *Brygidki*, and their relationship was based on a certain degree of relational dependence. Thus, it is not surprising that this configuration did not change just because a new building was erected outside of Lviv and that the semi-formalized building site outside the prison walls encouraged both prisoners and members of the prison administration to use the situation for their own benefit.

Once sent to the Drohobych building site, corrupt watchmen from Lviv tended to be even more corrupt as they had more space to develop their own agenda and had a more distant relation towards the prison inspector. Already at *Brygidki*, the guard Seretny was repeatedly accused of being drunk during his work shifts. On the 1st of January 1904, he was reported to have slept in his office after destroying a chair [23]. Regardless of these reports, Seretny was sent as chief commander of the detachment to Drohobych on 2nd May 1905. During the following years he was reported to 'behave immorally'. Among the new accusations was the intense contact with the wife of another watchman from Lviv, with whom he paraded among the male prisoners. Watchmen reported from Drohobych to the state attorney in Lviv, that they

were forced to pay for joint parties with her and Seretny at the outpost. As earlier in Lviv, an important spot of social life for watchmen became the local pub. Thus, the watchmen Lehenik and Pach were seen with the guard Seretny having beer at the pub over lunch. Afterwards Seretny slept in his office [24].

In September 1906, Seretny was found sleeping on a bench in the same pub. The state attorney noted in a report: 'He slipped off the bench, rolled over the floor and turned a table'. His very specific understanding of fulfilling his duty had a direct impact on the relationship with inmates. In 1907, Seretny was reported to have beaten the prisoners Kapuściński, Stroceń and Adamski, he allowed prisoners to leave for the forest without direct supervision and even asked them to take over tasks in the city of Drohobych. 'Often Seretny was totally drunk. He then slept in the office at the prisoner's barrack, while the watchmen Lehenik, Pach, Dawidowicz and Aniolowicz were supposed to look out for whether the inspector from Lviv would appear on the horizon, in order to give Seretny some time to wake up.' [25].

Beyond the obvious alcoholism of Seretny, there were other issues at hand. He tried to control the influx of messages and illegal money transfers in order to gain his share in the informal economy of the prison. He was further accused of taking a cut of the fish and meat purchases – asking for a 52 hellers refund, after only spending 49 hellers himself. Furthermore, he was deemed to have stolen petroleum owned by the Austrian state. His alcohol problem did not stop until 1909, when he was again brought home from the prison on 27 June and 22 August [26]. In order to finance his lifestyle he forced watchmen

to borrow him money – roughly 2500 crowns – as much as twice his annual salary at that time. An investigation in 1910 found many of the allegations to be correct, but as Seretny was a state employee, he was not suspended but just transferred to the prison at Stanislawow (today – Ivano-Frankivsk).

When in 1914 the newspaper Trybuna reported on the corruption scheme of Brygidki director Schmidka (original spelling in documents of the Vienna Ministry of Justice), the work detachment of Drohobych played a central role in the story. His wife was reported to use the resources of the prison in order to run a small farm next to the Drohobych building site [27]. The report was so detailed that we know about straw from Brygidki, which officially was supposed to be used for the prisoners beds, was transported by prisoners to a private garden used by Schmidka's wife. While we are not able to figure out to what extent the allegations were accurate, the very existence of the story points to the close link between corruption inside Brygidki and the work detachment in Drohobych [28]. Earlier in 1914, an internal report provided evidence that Schmidka used the workforce of Brygidki prisoners for his personal purposes: a garden inside the prison yard officially should have fed the prisoners of Drohobych, but was reported to be at the personal disposal of the director's wife. Schmidka's wife was accused of using a plot of land not far from the building site of the new prison detachment in Drohobycz for her own private purposes [29].

An obvious reason for the high level of corruption on the building site was its spatial configuration in relation

to the regional centre in Lviv. While inside *Brygidki*, the administration was multilayered and carried out mutual surveillance inside the prison, the building site was located not just outside of Lviv, but 75 kilometers away. As a result, it was visited by the inspector on behalf of the state attorney rather rarely [30]. Thus, the mutual dependence of prisoners and watchmen allowed them to tighten ties, and immediately seemed to augment the field for internal corruption.

No irony and no end

Only in November 1913 did the building works in Drohobych come to an end [31]. When the penal prison was fully 'opened' in 1914, the idea to close *Brygidki* itself became unrealistic. The number of sentenced criminals had constantly increased in the last years. Also the number of political prisoners had an impact on the rise of numbers [32]. Whilst in 1908 the Ministry of Justice envisioned Drohobych as a regulating unit capable of having an impact on the number of prisoners in Lviv, in 1909 it was already clear that *Brygidki* would not be shut down as the number of incarcerated grew further [33]. With the adoption of the governmental procedure of political internment – the incarceration of political suspects without a court sentence – the number of inmates grew exponentially. As a result, in summer 1914 both penal prisons, *Brygidki* and Drohobych, were overcrowded with sentenced criminals, suspects and those interned. That meant the end of the administrative dream from the early 20th century that a new prison would solve the issues inherent in Lviv. The reality was that very few cells in Drohobych were used for solitary confinement, with already too many incarcerated prisoners [34].

Conclusions. A hundred years later, a prison reform in the Ukraine decreased the number of inmates to a level beneath the initially planned schedule for the first time in history. An official desk in the entrance hall of the *Penal institution No. 40* (as the Drohobych prison is now officially called) explained in 2018 that the prison was also called *Drohobych Brygidki*, because supposedly the Duke of Lem-

berg had a wife Brygida and it was her asking him to erect a nice space for incarceration on the outskirts of Drohobych. While that is just a fairy tale, the truth is that Drohobych was built by the inmates of *Brygidki* under the surveillance of guards from *Brygidki*. It did not solve the problems of *Brygidki* which has remained an active penitentiary to this day.

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Історія закриття тюрми «Бригідки»: 150 років дискусій про перенесення в'язниці за межі Львова

У статті відстоюється думка, що тюремна реформа є триваючою дискурсивною практикою, в основі якої – критика існуючого стану справ. Тюрма розглянута, з одного боку, як каральна інституція модерної держави, з іншого – як символічний простір у діалектичному взаємозв'язку.

Автором проаналізовано причини та умови перенесення карального закладу Бригідки зі Львова до Дрогобича на початку ХХ ст., а також окреслено обставини, що не дозволили завершити цей процес. Акцентовано увагу на проблемах внутрішнього устрою тюрми, причинах корупційних дій тюремного персоналу, його взаємовідносинах із засудженими. Вказано на актуальність проблеми функціонування в'язниці у центрі модерного міста як 100 років тому, так і нині.

Після першого поділу Речі Посполитої австрійська влада націоналізувала монастир Св. Бригіти в центрі Львова і використовувала його як в'язницю. 1872 року вперше постало питання, що історична будівля не придатна для утримання в'язнів, оскільки не відповідає вимогам гігієни та стандартам утримання ув'язнених.

Минуло майже 150 років, але ця проблема так і не вирішена (у «Бригідках» продовжує діяти установа виконання покарань № 19) і питання перенесення в'язниці за межі міста залишається актуальним. Крім пенітенціарного дискурсу, на користь закриття установи звучать і політичні

аргументи – історична будівля має належати місту, а не Міністерству юстиції. Отже, автором в історичній ретроспективі показано «експеримент» з перенесення в'язниці зі Львова до Дрогобича й висвітлено його основні аспекти, що не втратили своє актуальності.

1904 року австрійська влада після чергового бунту ув'язнених, враховуючи розташування в'язниці «Бригідки» у центрі Львова, нестачу місць (розрахована в'язниця була максимум на 800 осіб, але зазвичай утримувалося більше 950, а то й понад 1000) та невідповідність умов утримання, ухвалила рішення про будівництво нового сучасного пенітенціарного закладу на околиці Дрогобича, куди б, по завершенні будівельних робіт, були б переведені засуджені з львівських «Бригідок». З огляду на економічну доцільність, на будівництві нового закладу використовували засуджених, за що тюремна адміністрація і в'язні отримували відповідну грошову компенсацію від приватного підрядчика, що зобов'язувався виконати будівельні роботи.

Австрійська адміністрація сподівалася, що зведення нового просторого пенітенціарного закладу вирішить усі проблеми, пов'язані з львівськими «Бригідками», а саме: переповненість в'язниці, брак простору, незадовільні санітарні умови, безпекові загрози тощо. Вибір місця для нової в'язниці був зумовлений близькістю Дрогобича до залізничної гілки Львів-Трускавець, а також тим, що міська влада безоплатно передала державі земельну ділянку під забудову.

Нова тюрма в Дрогобичі стала проєкцією на «краще майбутнє» як для влади й тюремної адміністрації, так і безпосередньо для наглядачів, що були змушені проживати на території в'язниці, і засуджених. Вона була розрахована на 1000 ув'язнених, квартири для сторожі розташовувалися за її межами. Обладнана в'язниця була за останнім словом техніки: централізоване парове опалення, сучасний млин та майстерні, школа для неповнолітніх ув'язнених тощо. Для римо- та греко-католиків зведені окремі каплиці. У самому центрі тюремного подвір'я – великий театральний зал, для проведення концертів та освітніх заходів.

Однак, навіть на етапі будівельних робіт, що виконувалися за рахунок ув'язнених, стало зрозуміло, що більша частина проблем львівських «Бригідок», зокрема щодо одиночного утримання, нагляду за в'язнями, доброчесності наглядачів та дотримання тюремного режиму, нікуди не поділася, а була перенесена до нової установи. Віддаленість від Львова унеможливила забезпечення системного контролю за діяльністю тюремної адміністрації як на стадії будівництва, так і після відкриття установи 1913 р.

Під час перевірки діяльності установи 1914 р. виявлено значні зловживання начальника в'язниці Шмідке: його дружина використовувала ресурси тюрми на власній фермі, солома, призначена для набивання матраців засуджених потрапляла саме туди, у тюремному садку, що повинен був забезпечувати потреби в'язнів, працювали засуджені, але він знаходився в особистому користування дружини начальника тюрми, земельна ділянка поблизу в'язниці теж використовувалася ними у власних цілях.

З початком війни відбулися зміни у каральній політиці Австро-Угорської імперії. В'язниці стали поповнюватися не лише карними зло-

чинцями, а й політичними та інтернованими. І львівські, і дрогобицькі «Бригідки» стали переповненими і про закриття в'язниці у Львові не могло бути й мови. Так, не судилося здійснитися «адміністративній мрії» про новий пенітенціарний заклад, який вирішить «усі проблеми» львівської тюрми «Бригідки».

Ключові слова: тюрма «Бригідки»; реформа; Львів; Дрогобич; корупція.