



**37** ZBIRKA  
RAZPOZNAVANJA  
RECOGNITIONES

Branka Grošelj

## NA DNU

Položaj beračev  
in brezdomcev  
od konca 19. stoletja  
do leta 1940



**37** ZBIRKA  
RAZPOZNAVANJA  
RECOGNITIONES

**Branka Grošelj**

## **NA DNU**

**Položaj beračev in  
brezdomcev  
od konca 19. stoletja  
do leta 1940**

ZALOŽBA INZ

*Odgovorni urednik* dr. Aleš Gabrič  
*Založnik* Inštitut za novejšo zgodovino  
*ZBIRKA* RAZPOZNAVANJA / RECOGNITIONES 37  
ISSN 2350-5664

**Branka Grošelj**  
**NA DNU**  
**Položaj beračev in brezdomcev**  
**od konca 19. stoletja do leta 1940**

*Recenzenta* dr. Andrej Studen  
dr. Dragica Čeč

*Jezikovni pregled* Katarina Gomboc  
*Prevod povzetka* Borut Praper  
*Oblikovanje* Barbara Bogataj Kokalj

*Tisk* Medium d.o.o.

*Naklada* 300 izvodov  
*Izid knjige je* Javna agencija za raziskovalno dejavnost  
*podprla* Republike Slovenije

---

CIP - Kataložni zapis o publikaciji  
Narodna in univerzitetna knjižnica, Ljubljana  
316.662-058.51(091)  
GROŠELJ, Branka, 1975-

Na dnu : položaj beračev in brezdomcev od konca 19. stoletja do leta 1940 / Branka Grošelj ; [prevod povzetka Borut Praper]. - Ljubljana : Inštitut za novejšo zgodovino, 2018. - (Zbirka Razpoznavanja = Recognitiones, ISSN 2350-5664 ; 37)

ISBN 978-961-6386-95-1  
298589696

# VSEBINA

- 7 UVOD
  
- 15 **ZAKONSKI OKVIRI PRAVNE OBRAVNAVE MARGINALNIH SKUPIN**
- 16 Socialna zakonodaja od nemške zgodbe do Kraljevine SHS
- 22 Avstrijska kazenska zakonodaja
- 28 Prestopek beračenja
- 34 Prestopek potepanja
- 40 Kazenska zakonodaja Kraljevine Jugoslavije
- 44 Beračenje in potepuštvu v Kraljevini SHS/Jugoslaviji
- 48 Odgonska zakonodaja in odprava nezaželenih oseb
  
- 57 **PRISILNA DELAVNICA – KAZEN ALI POMOČ?**
- 67 Prisilna delavnica v Kraljevini
- 71 Poboljševalnica
- 81 Oddelek za prisilno vzgojo maloletnic v Begunjah
- 82 Državna vzgajališča v Glini, Slavonski Požegi in Pahinjskem
  
- 83 **BERAČENJE**
- 90 Preprečevanje beračenja na primeru mesta Ljubljana
- 98 Miloščine in poklicni berači
- 106 Taktike beračenja
- 111 Otroci berači
- 116 Lajnarji in ostali poulični glasbeniki

<b>119</b>	<b>POTEPUŠTVO</b>
124	Zdravilo za potepanje je delo
130	Potepuhi
135	Potepuhi na podeželju
139	Ljubljansko zavetišče in brezdomci v Ljubljani
148	Ženske: beračice in potepuhinje
<b>155</b>	<b>ROMI</b>
170	Odnos javnosti do Romov
<b>179</b>	<b>PODOBA BERAČEV IN POTEPUHOV V POROČILIH</b>
180	Podatki, pridobljeni ob aretacijah beračev in potepuhov
188	Berači in potepuhi v dnevnem časopisju
196	Odnos družbe do beračev in potepuhov
<b>209</b>	<b>SKRB ZA UBOGE</b>
210	Občinska oskrba
221	Ljudska kuhinja
223	Pomožne akcije, delovna taborišča in stara Cukrarna
225	Velika gospodarska kriza
232	Zimska pomoč v Ljubljani
236	Delavna taborišča – kolonije
242	Mestna kuhinja, prenočevalnica in ogrevalnica v stari Cukrarni
251	POVZETEK
263	SUMMARY
277	VIRI IN LITERATURA
291	IMENSKO KAZALO

**POVZETEK**

**NA DNU**

**Položaj beračev in  
brezdomcev  
od konca 19. stoletja  
do leta 1940**

Leta 1852, natančneje 27. maja, je bil v habsburški monarhiji sprejet *Kazenski zakon o hudodelstvih, pregreških in prestopkih*, ki je stopil v veljavo 1. septembra 1852. Na Slovenskem je ta zakon, seveda s spremembami, veljal vse do 1. januarja 1930, ko je stopil v veljavo *Kazenski zakonik za kraljevino Srbov, Hrvatov in Slovencev*. Samo področje definiranja in sankcioniranja beračenja, potepanja in delomrznosti je natančneje sicer urejal zakon z dne 24. maja 1885 št. 89, zakon izdan istega dne, št. 90, pa je urejal ustanovitev, ureditev in vzdrževanje prisilnih delavnic ter popljševalnic. V prvem obdobju po razpadu habsburške monarhije, torej po letu 1918 in novi državni ureditvi, v kateri je zaživel večji del slovenskega prostora, je kaznovanje potepanja urejal *Zakon o zaščiti javne varnosti in reda v državi* z dne 1. avgusta 1921. Glede beračenja in splošno zatiranja delomrznosti pa so ostajali še naprej v veljavi avstrijski predpisi, vse do leta 1930, ko je v veljavo stopil *Kazenski zakonik za kraljevino Srbov, Hrvatov in Slovencev*.

Tako avstrijska kot kasnejša zakonodaja kraljevine sta se omejevali na represivne ukrepe, ki so bili usmerjeni na kazensko pravno zatiranje beraštva in potepuštva. Zaporne kazni, ki so grozile vsem, ujetim pri beračenju ali potepanju brez sredstev, sta dopolnjevala še odgon in oddaja v prisilno delavnico. Vsi ti ukrepi bi morali delovati zastraševalno in svarilno ter posledično odvrniti obubožane posameznike od izkoriščevalskega in neproduktivnega načina življenja. Kljub vsemu zakonodaja ni bila učinkovita.

Odgon oziroma pregon nezaželenih posameznikov v upravnem in zakonskem smislu ni bil mišljen kot kazen, temveč kot socialnovarstven ukrep, kar je izhajalo iz povezave med domovinsko pravico in ubožnim skrbstvom. Posamezniki, ki so bili zaradi revščine napoteni v svojo domovinsko občino, niso bili pregnani, ker bi se jih želelo na ta način kaznovati, temveč zato, ker so bili v občini, kjer so imeli domovinsko pravico, upravičeni do ustrezne pomoči. Seveda pa je bilo drugo vprašanje, ali so je bili tam dejansko tudi deležni. Poleg tega, da odgon ni bil

učinkovit, je bil v določenih primerih tudi krivičen. Tako so bile iz kraja bivanja odpravljene tudi osebe, ki so sicer opravljale občasno delo, a niso zaslužile dovolj, da bi se preživljale brez dodatne pomoči, ter brezposelne osebe, pri čemer je bila presoja, kdo je brezposeln in kdo brezdelen delomrznež, prepuščena oblastnim organom. V obdobju od konca 19. stoletja, v katerem se je vedno več ljudi selilo »s trebuhom za kruhom«, ki v primeru brezposelnosti niso bili deležni podpor oziroma so bile te v obdobju po 1. svetovni vojni skromne in nezadostne, je bila takšna ureditev problematična in odvečna, a se je kljub temu ohranila skozi celotno obravnavano obdobje. Pregnani posamezniki so prisilno odstranitev doživljali kot kazen, saj so bili pregnani iz kraja in okolja, v katerem so si ustvarili življenje, v okolje, v katerem so bili pogosto neznanci. Obenem so bili osramočeni in stigmatizirani, kar je posledično oteževalo njihove možnosti za zaposlitev. Poleg tega izgnanim beračem in potepuhom nič ni preprečevalo, da so se ponovno odpravili na pot ali se celo vrnili v kraj, od koder so sicer že bili pregnani, pri čemer se je zgolj ponovil celoten proces.

Prisilne delavnice naj bi imele večplastne učinke. Bile so ustanove, ki so kaznovale in prevzgajale ter hkrati ščitile javnost pred nevarnimi osebami, same prisilne delavce pa pred popolnim moralnim propadom. Prisilni delavci naj bi tam pridobili delovno etiko, delovne navade in se predvsem moralno izboljšali ter se tako lahko ponovno vključili v družbo in postali njen produktivni del. Tako so želeli izkoreniniti beračenje in brezdeleno postopanje, kot podaljšek tega pa tudi revščino, ki naj bi bila posledica slabih navad, nedelavnosti, lenosti, razsipnosti, pijančevanja in ostalih grehov, ki so jih pripisovali najnižjim slojem, kar naj bi prevzgoja v prisilni delavnici odpravila. Že na prvi pogled je jasno, da to vsaj v večini primerov ni bilo mogoče, sploh pa je bil to neprimeren in neučinkovit način spopadanja z revščino, ki je bila posledica tudi številnih drugih družbenih dejavnikov. Družba s preloma 20. stoletja je lahko verjela v pozitivne učinke prisilne delavnice le na podlagi prepričanja, da je bila večina beračev in potepuhov



brezdelnih delomrznežev, ki so se zavestno izogibali delu. Poglavitni učinek zaprtja v prisilno delavnico je bil zastraševalen, saj naj bi bilo bivanje v prisilni delavnici tako grenka izkušnja za vse, ki so bili označeni kot delomrzni, da jim ne bi več prišlo na misel biti v breme javnosti in občinam. Da prisilne delavnice v praksi niso uresničevale cilja resocializacije, ki jim je bil pripisan, je razvidno tudi iz povratništva in odnosa do prisiljencev, ki so bili stigmatizirani. V prisilne delavnice so bili v določenih primerih oddani tudi alkoholiki in motene osebe, na katere prisilna delavnica ni mogla imeti pozitivnega učinka.

Dejanski učinek prisilne delavnice je bil ta, da so vsaj začasno odstranili družbi potencialno nevarne posameznike in ločili berače ter potepuhe od spodobnih revežev in da navedeni niso bili več nadležni javnosti. Četudi je bilo vsaj do neke mere prisotno zavedanje, da je revščina posledica ekonomske ureditve in s tem povezanega neučinkovitega preprečevanja obubožanja najšibkejših slojev družbe ter nezadostne pomoči, je bilo toliko bolj prisotno tudi zavedanje o šibkosti človeškega značaja (delomrznost, zapravljivost, nemoralnost, alkoholizem) in s tem o krivdi posameznika za svoje neugodno finančno ter socialno stanje.

Tudi v obdobju Kraljevine je namen prisilne delavnice ostajal enak. Definirali so ga kot zaščito družbe pred socialno nevarnimi osebami oziroma pred zločinskimi dejanji socialno nevarnih oseb. Samim prisilnim delavnicam pa so pripisovali celo značaj humanitarnih ustanov.

Namen prestajanja kazni v prisilni delavnici naj ne bi bil toliko izločitev osebe iz družbe, kar je bil pogosto edini učinek, temveč potencialna pridobitev družbi koristnega člana, kar je ostajalo nespremenjeno v celotnem obravnavanem obdobju.

Kazenska zakonodaja, od katere se je dejansko pričakovalo korekcijsko delovanje na socialnem področju, seveda ni dosegala zelenih učinkov, saj so bili vzroki, zaradi katerih so bili posamezniki primorani v beračenje in življenje na poti, pogojeni z dejavniki, na katere ni imela vpliva, vpliv na posameznike, ki so bili zakrknjeni potepuhi ali berači in so bili vajeni občasnega bivanja v

zaporih in prisilni delavnici ter drugih represivnih ukrepov, pa je bil tudi omejen in je deloval zastraševalno le v izjemnih primerih. Potepuški zakoni so lahko do neke mere začasno omejili potepanje in beračenje, dolgoročno pa ga niso mogli preprečiti.

Da je bila zakonodaja na tem področju neučinkovita, potrjuje tudi nenehno zaostrovanje kazni, tako v zakonih, sprejetih leta 1885, kot v tistih, sprejetih v obdobju Kraljevine. Samo prestajanje kazni v prisili delavnici se je z dveh oziroma treh let povzpelo na kar tri do pet let pri povratnikih, pri čemer se je starostna meja za mladoletne osebe spustila z 18 na 16 let, kar je naletelo na kritike s strani pravnika Metoda Dolenca, ker ni bilo v skladu z modernim kriminalnim pravom, po katerem naj bi se mladoletne osebe do osemnajstega leta prisilno vzgajale in ne kaznovale. V avstrijski kazenski zakonodaji je bila določena kazen za beračenje od osem dni do treh mesecev, za potepanje pa od enega do treh mesecev, kar je bilo v zakonodaji kraljevine Jugoslavije zaostreno, saj se je zagrožena kazen dvignila na kar eno leto (najmanjša kazen je bila sedem dni). Samo napeljevanje ali izkoriščanje otrok v namene beračenja pa se je z največ treh mesecev hudega zapora dvignilo na pol leta.

Namen zakonodaje je bil ustvariti nadzor nad brezdelnimi posamezniki, ki so se s svojim načinom življenja bolj ali manj uspešno izmikali vsem tradicionalnim oblikam povezanosti in nadzora. Hkrati je bil to pripraven način obračunavanja z motečimi elementi, občine pa so se na ta način lahko odkrižale nadležnih beračev, potepuhov in na splošno revežev, ki bi posledično bremenili občinski proračun. Berači in potepuhi niso izginili zgolj zato, ker sta bila beračenje in potepanje prepovedana. Je pa zakonodaja nudila temelje preganjanja in sankcioniranja obojih, zgolj na podlagi ekonomskega pomanjkanja. Ne brezdomstvo in ne revščina nista bila kazniva vse do trenutka, ko je posameznik obremenil družbo.

Sama zakonodaja ni razlikovala med profesionalnimi berači oziroma tistimi, ki so beračili iz navade, in tistimi, ki so beračili občasno, bodisi zaradi trenutne brezposelnosti ali težke

ekonomske situacije. Kdor ni delal, je bil označen kot delomrzen, razen v primerih, ko je šlo za resnično onemogle in obolele posameznike, saj je obstajalo prepričanje, da vsakdo, ki resnično želi delati, delo lahko tudi dobi. Delo namreč ni bilo opredeljeno kot pravica, temveč kot dolžnost vsakega za delo sposobnega posameznika, ki ni imel drugega vira preživljanja. Interpretacija zakonodaje je bila v teh primerih pogosto zelo ozkogledna, saj so se med delomrzneži znašli tudi brezposelni, za delo sposobni iskalci zaposlitve, ki so bili v obdobju, ko ni bilo zavarovanja za primer brezposelnosti, pa tudi pozneje, ko je bilo le-to skromno, in niso bili deležni nobene omembe vredne pomoči, prepuščeni ulici.

Beračenje teoretično ni bilo kaznivo, kadar je bilo storjeno zaradi stiske, ki je temeljila na nezmožnosti za delo oziroma je nastala zaradi pomanjkanja priložnosti za delo. Vendar je bila opredelitev priložnosti za delo oziroma odsotnosti le-te zelo izmuzljiva, saj je bila v obravnavanem obdobju sposobnost za delo enačena s priložnostjo za delo. Iz tega je izhajalo, da je brezposelnost v takšnem primeru razumljena kot prostovoljno izbrana in zavestna odločitev. Takšna obravnava je bila krivična, imela pa je tudi škodljive posledice tako za družbo kot za posameznike same, ki so bili stigmatizirani in ujetniki v začaranem krogu revščine ter preganjanja.

Izraz 'potepuh' označuje posameznike, ki se niso preživljali z lastnim delom in ki niso imeli stalnega bivališča. Izraza 'berač' in 'potepuh' se včasih tudi izključujeta, saj niso bili vsi, ki so beračili, nujno brezdomci, spet drugič se prepletata, saj je bilo veliko beračev brezdomnih oziroma so se potepuhi preživljali tudi z beračenjem, čeprav ne nujno izključno s tem. Obe kategoriji je zato težko ločiti, včasih je slednje tudi nemogoče, saj se prakse obojih pogosto ne razlikujejo, obojim pa je skupno življenje v skrajnem pomanjkanju in na robu družbe. Tudi policijska statistika je obravnavala prestopke beračenja in potepanja skupaj zaradi podobnosti v načinu preživljanja. Sama sem kot berače obravnavala pretežno brezdomce in ostale reveže v mestu, ki so se preživljali z zbiranjem miloščin, kot potepuhe pa tiste, ki so

se gibali med kraji in zadrževali predvsem na podeželju, saj je to ustrezalo takratni definiciji potepuštva, ki naj bi trajalo daljši čas in potekalo iz kraja v kraj.

Obema družbenima skupinama je skupno preživljanje z miloščinami in ne z lastnim delom, čeprav so bile prisotne tudi izjeme, ko so opravljali sezonsko ali občasno delo, nekateri berači pa so z beračenjem dopolnjevali prihodke, ki jim niso omogočali preživetja.

Ker je bila revščina zelo pretočen pojav, so posamezniki pogosto prehajali iz situacije, ko so bili preskrbljeni, v situacijo, ko zaradi različnih razlogov niso zmogli več skrbeti zase in so postali odvisni od miloščin in beračenja, na ta način pa so prehajali iz položaja, ko so bili označeni kot vredni, v položaj, ko so bili obravnavani kot nevredni in obratno.

Posamezniki, ki se niso bili sposobni preživljati z delom in niso želeli biti v popolno breme družbi, so lahko zaprosili za dovoljenje za izvajanje glasbe na ulici ali od hiše do hiše; največkrat je šlo za igranje na harmoniko ali lajno. Pri tem je v večini primerov prošnja, ki sem jih odkrila, šlo za Rome, ki so bili poklicni glasbeniki, medtem ko so bili ostali, ki so zaprosili za dovoljenje, reveži, ki so se v življenju preživljali z drugimi poklici in z igranjem glasbe šele, ko so postali nesposobni za opravljanje drugega dela. Romi, v nasprotju z ostalimi prosilci, prošnje niso vlagali le individualno temveč tudi skupinsko. Največkrat so bili zavrtni na podlagi predkaznovanosti oziroma ker jim je bilo očitano izkoriščanje dovoljenj za potepanje.

Glavni cilj beračev in potepuhov je bil spodbuditi in izkoristiti občutek usmiljenja pri ljudeh, kar so poskušali na različne načine: z igranjem glasbil, zanemarjenim videzom, s simuliranjem boleznin in z razkazovanjem poškodb, tudi resničnih, s tragičnimi zgodbami, z beračenjem otrok in različnimi goljufijami, med katerimi so bile najbolj razširjene pisanje beraških pisem in zbiranje dobrodelnih sredstev z lažnimi dokumenti. V vseh primerih se kaže iznajdljivost posameznikov, ki so poskušali preživeti v okolju, ki jim ni bilo naklonjeno.

Čeprav je bila javnost pripravljena dodeliti miloščino naključnemu beraču, je bil pogosto prisoten dvom v resnično stisko tega berača, saj je bilo razširjeno prepričanje, da je večina beračev sleparjev ali da so na kakršen koli način sami krivi za svojo nesrečo, zaradi moralnih pomanjkljivosti ali nesposobnosti vključitve v družbo. Razlogi, zakaj so nekateri nasprotovali naključnemu dajanju miloščin, so bili različni, predvsem pa je obstajal strah, da se na ta način spodbuja ljudi, ki se ne želijo preživljati z delom in se jim tako omogoča izkoriščevalski način življenja, tiste, ki so resnično ubogi, pa ponižuje in demoralizira. Poleg tega naj se reveži zaradi prejetih miloščin ne bi nikoli naučili varčnega načina življenja in se tudi ne bi naučili delati. Tudi berači, ki so prodajali drobnarije ali igrali glasbilo, so bili pogosto označeni kot prevaranti, ki so se izogibali resničnemu delu. Med berači, ki so izkoriščali lažne poškodbe in invalidnosti, so bili tudi resnično hendikepirani berači, ki so bili včasih obravnavani kot nevredni pomoči (na primer alkoholiki, saj alkoholizem v obravnavanem obdobju ni bil obravnavan kot bolezen). Nadalje naj tako dane miloščine ne bi pomagale reševati problema revščine, saj naj ne bi bile namenjene tistim, ki so jih resnično potrebovali in so bili do njih upravičeni. V ta namen je bilo spodbujano darovanje sredstev organiziranim oblikam dobrotelnosti, kar naj bi bilo bolj produktivno, ker naj bi vsaj do neke mere omogočalo nadzor nad razdeljenimi podporami, hkrati pa omogočalo tudi nadzor in moralni vpliv na posameznike v šibkejšem položaju. To se je zdelo še toliko pomembnejše v tridesetih letih 20. stoletja, ko je kronično primanjkovalo javnih sredstev za podpore. Navkljub temu tudi dobrotelnost dobrotelnih organizacij ni reševala problema v širšem smislu, saj je bila občasna, začasna in omejena ter namenjena izrednim primerom.

Skupini beračev in brezdomcev oziroma potepuhov sta bili heterogeni, saj je bila pomanjkanju izpostavljena široka množica prebivalcev, ki se je ločila glede na spol, starost, poklic, zdravstveno stanje in življenjske okoliščine, ki so posameznike potisnile v skrajno revščino. Tako sem med potepuhi in berači

zasledila tako otroke kot odrasle osebe obeh spolov, tako mlajše kot starejše. Nekateri med njimi so beračili v kraju bivanja ali pa so z namenom beračenja odšli v bližnji kraj, med njimi pa so bili tudi posamezniki, ki so prepotovali večje razdalje. Med berači in potepuhi, ki so bili aretirani v Ljubljani med letoma 1911 in 1913, so prevladovali samski moški in mlajše osebe. Da je temu tako, ni presenetljivo, saj je bila naloga policije prestreči vse za delo sposobne delomrzne osebe, čemur so ustrezali mladi in zdravi ljudje. Da je bilo med temi manj žensk, gre pripisati dejstvu, da so se revne ženske pogosto vdajale prostituciji in so bile zato najpogosteje tudi obravnavane temu ustrezno. Tudi med aretiranimi prostitutkami so namreč bile beračice, v še večjem številu pa ženske, ki so bile brez sredstev in stalnega bivališča. Istočasno so za ženske in njihove otroke poskrbele različne ustanove in društva, pogosto so dobile stanovanje in hrano pri delodajalcih. Največ aretiranih oseb je bilo v starosti med šestnajstim in sedemintridesetim letom, se pravi v najbolj produktivnih letih, med njimi je bilo tudi sedem otrok, starih od enajst do petnajst let. Iz zbranih podatkov je razvidno, da so obubožane in brezdomne osebe beračile pretežno v domačem okolju ter v bližnjih krajih, saj je bila večina pristojna v mesto oziroma okraj Ljubljana oziroma je prišla v Ljubljano iz bližnjih okrajev Kamnik in Kranj. Med tistimi, ki so prepotovali večje razdalje, so bili posamezniki iz Češke, Nemčije, Poljske. Med aretiranimi osebami so sicer prevladovale osebe, ki so opravljale slabše plačana dela, zlasti razni pomočniki in vajenci, vendar pa so med njimi različni profili poklicev. Šlo je za slabše izobražene posameznike, čeprav glede izobraženosti niso izstopali od takratnega povprečja. Na žalost podatki, zbrani ob aretacijah, ne omogočajo vpogleda v življenjske zgodbe aretiranih posameznikov oziroma ne poročajo o njihovem socialnem izvoru.

Tako beračenje kot potepanje nista bili kriminalni dejanji, a sta bili povezovani s kriminalnimi praksami zaradi nenehne eksistenčne ogroženosti posameznikov, ki so živeli na robu družbe, zaradi česar so prehajali med legalnimi in nelegalnimi

načini preživljanja ter so zato predstavljali potencialno nevarnost v očeh oblasti in tudi prebivalstva. Zlasti potepuhi so veljali za nevarne zaradi svoje anonimnosti, oteženega sledenja in nadzorovanja. Če je v primeru beračev še obstajal dvom, da so zašli v slab položaj zaradi okoliščin, nad katerimi niso imeli vpliva, so bili potepuhi pogosteje označeni kot delomrzneži, brezdelneži in na splošno moralno propadli ljudje, ki so si sami izbrali parazitski način življenja. Za aretacijo potepuhov je zadostoval že sumljiv videz. Še bolj osovražena pa je bila družbena skupina Romov, ki so bili hkrati obravnavani kot berači, potepuhi, delomrzneži in kriminalci, popolnoma neprilagojeni družbi in okolju, v katerem so živeli, ter zato venomer preganjani. Odnos do romskega prebivalstva se tudi v Kraljevini ni spremenil; če že kaj, je prihajalo do novih prepovedi in omejitev. Nekoliko specifičen pa je bil odnos družbe do žensk z družbenega roba, ki so bile obsojane predvsem z moralnega vidika. Revne ženske, ki so beračile ali se potepale, so bile ocenjevane strožje kot moški v enakem položaju, predvsem pa se jim je pripisoval moralni propad, ki je vodil v prostitucijo. Da bi se jih pred tem zaščitilo, so zanje poskrbeli v ustanovah, zavodih in z različnimi podporami. Ker brezdomnih žensk družba ni doživljala kot nevarnih, so lažje dobile začasno bivališče, obenem pa niso bile cilj policijskih pregonov in racij.

V celotnem obravnavanem obdobju se odnos do marginalne populacije ni bistveno spreminjal. Kljub določenim spremembam glede dojemanja revežev in revščine, do katerih je prišlo v poznem 19. in zgodnjem 20. stoletju, ko se je pojavilo zavedanje o vplivu ekonomskega sistema in družbenega okolja, je do sprememb prihajalo počasi. Zakonodaja se je celo zaostrovala, marginalna populacija ni bila deležna oblik pomoči, ki bi bile ciljno namenjene izboljšanju njihovega položaja, pri ocenjevanju prosilcev za pomoč pa je imel še vedno največjo vlogo njihov moralni značaj.

V obdobju od konca 19. stoletja pa do leta 1940 je opaziti tri značilnosti, ki se niso spreminjale. Delitev revežev na vredne

in nevredne oziroma upravičene in neupravičene do pomoči, ki je temeljila na ocenjevanju moralnosti značaja tako pri dodeljevanju občinskih podpor kot miloščin, pa tudi pri obravnavi prijatih oseb, je bila močno prisotna kljub zavedanju, da je revščina več kot moralen problem. Temu je sledilo prepričanje, da je večina beračev in potepuhov prevarantov, ki se okoriščajo z javno pomočjo in prejeto pomoč ter miloščine zapravijo in zapijejo. Stalno je bil tudi prisoten strah, da se bodo ljudje, če bodo dobili več kot minimalno pomoč, polenili, postali delomrzni in neproduktivni ter bodo tako pomoč izkoriščali, jo pričakovali in se preveč zanašali nanjo. Takšen odnos je razviden tako pri podporah za reveže kot pri podporah v primeru brezposelnosti.

Odnos do ljudi na robu se je sicer gibal in potenciral od usmiljena do zgražanja in izločevanja zaradi nevarnosti, ki so jih predstavljali za družbo. Nihal je med represivnim (preganjanje, prepovedi, zapiranje, odgon) in dobrodelnim (miloščine, podpore, ustanove), vendar je bil pretežno represiven (obravnavana je posamična in individualna, kar se kaže v individualni presoji vsakega posameznika, odnos je odvisen od tega, ali je posameznik spoznan za vrednega oziroma nevrednega). Prevladovalo je prepričanje, da se zdravi, normalni, za delo sposobni ljudje ne bi zatekli k beračenju niti v skrajni sili, iz česar je izhajalo, da so berači psihično manjvredni in celo duševno moteni posamezniki, kar je bilo tudi znanstveno utemeljevano. Pri odnosu do beračev in potepuhov ni šlo za zanikanje njihove revščine, temveč za nerazumevanje in prepričanje, da obstajajo druge možnosti in poti, ki omogočajo rešitev njihove stiske. Pri tem sta bili poudarjeni varčnost in zmernost ter različne oblike javne pomoči.

Čeprav so bili berači stalno prisotni, je število beračev v času 1. svetovne vojne naraslo, naraščalo pa je tudi po njej. Razlog za to je bilo povečano število revnih oseb, invalidov, sirot, vdov, brezposelnih, ki so se jim pridružili še begunci, ki s skromnimi podporami niso mogli preživeti v gospodarsko in socialno turbulentnih časih. Izčrpane so bile tudi mnoge ubožne ustanove, predvsem dobrodelne organizacije, katerih glavni vir



so bili prostovoljni prispevki meščanov, ki so bili v obdobju po vojni tudi sami v finančnih težavah. Poleg prestopkov beračenja in potepanja je zaradi finančne stiske revnega prebivalstva prihajalo tudi do porasta premoženjskih deliktov, tatvin in vlomov. Število beračev in brezdomcev se je ponovno povečalo v času gospodarske krize zaradi naraščajoče brezposelnosti in upada dohodkov prebivalstva. Sicer pa je bilo v obdobju med vojnama, zaradi neučinkovitega socialnega sistema, tako beračenje kot potepanje posameznikov z roba družbe vsakdanji pojav, ubožno skrbstvo pa je še vedno igralo zelo pomembno vlogo.

Zaradi posledic gospodarske krize se je po pomoč tako na občine kot na dobrodelna društva obračalo vedno večje število obubožanih revežev, ampak občine zaradi omejenih sredstev in kapacitet niso mogle oskrbeti vseh prosilcev. Tako so bile v tridesetih letih pozimi organizirane pomožne akcije, katerih namen je bilo zbirati sredstva za brezposelne in mestne reveže. Leta 1938 sta bila ustanovljena mestna kuhinja in zavetišče za vse mestne reveže v stari Cukrarni, v kateri so prvič dobile zavetje tudi ženske. Zdi pa se, da je bila bolj kot skrb za reveže prisotna skrb glede izkoriščanja podpor in podpiranja domnevnih delomrznežev. V ta namen so se pričele pojavljati ideje reševanja vprašanja delomrznosti, pa tudi brezposelnosti, z ustanavljanjem delovnih taborišč, ki pa so ostale le to.

Nemogoče je ugotoviti, koliko izmed teh ljudi se je okoriščalo z javno dobrodelnostjo in kolikim je življenje brez vseh obveznosti ustrezalo ter kakšne okoliščine so posameznike pripeljale v nezavidljiv položaj. Sami marginalci niso zapustili avtobiografij, uradni viri so pogosto pristranski, večina beračev in potepuhov pa je v njih označena kot delomrznih. Če arhivsko gradivo odraža rabo zakonodaje in postopanje z marginalno populacijo v praksi, časopisje odraža odnos družbe do le-teh. Zgodbo o ljudeh z družbenega roba je možno sestaviti le s kombinacijo arhivskega gradiva, časopisnih člankov in strokovne literature, saj le združeni omogočajo vpogled tudi v tisto, kar vsak izmed njih zamolči.

## **SUMMARY**

### **AT THE BOTTOM**

**The Position of Beggars  
and the Homeless from  
the End of the  
19th Century until 1940**

In the Habsburg Monarchy, the Penal Law on Crimes, Offences and Misdemeanours was adopted on 27 May 1852 and entered into force on 1 September 1852. In Slovenia, this law – with amendments, of course – was in force until as late as 1 January 1930, when it was replaced with the Criminal Code for the Kingdom of Serbs, Croats and Slovenes. The matter of defining and sanctioning begging, vagrancy, and idleness was governed more precisely by the Law No. 89 of 24 May 1885, while the Law No. 90, issued on the same day, governed the establishment, management, and maintenance of workhouses and houses of correction. In the first period after the dissolution of the Habsburg Monarchy in 1918 and in the context of the new state regime, which encompassed the majority of the Slovenian space, the punishment of vagrancy was governed by the Law on the Protection of Public Safety and Order in the State of 1 August 1921. Begging and suppression of idleness, in general, were still regulated by the Austrian rules for as long as until 1930, when the Criminal Code for the Kingdom of Serbs, Croats and Slovenes entered into force.

Both the Austrian legislation and the subsequent legislation of the Kingdom of Yugoslavia were limited to repressive measures, aimed at suppressing begging and vagrancy by means of criminal law. Apart from being jailed, people caught begging or loitering without any resources could also be forcibly banished or referred to a workhouse. All these measures were supposed to serve as a dissuasion and deterrent, in order to avert the impoverished people from an exploitative and unproductive way of life. However, the legislation was not effective.

In the administrative and legal sense, the forcible banishment or expulsion of unwanted individuals as such was not intended as a punishment, but rather as a social protection measure, stemming from the connection between the right to domicile and the welfare of the impoverished. The relocation of people to their original municipality due to their poverty was not meant to be a punishment: they were returned to the municipality where they

had the right to domicile because they were entitled to receive the appropriate aid there. Of course, it was another question whether they would in fact receive it. The forcible removal was not only ineffective but in some cases also unjust. Thus jobless people as well as those who occasionally worked but were not able to earn enough money to survive without additional aid were expelled from their place of residence, while the decision who was simply unemployed and who a shirker was left to the authorities. After the end of the 19th century, more and more people migrated to other places looking for ways to earn a living. Before World War I, they did not receive any unemployment benefits, while afterwards the support was modest and insufficient. Such a system was problematic and redundant, yet it persevered throughout the period under consideration. The banished individuals experienced their expulsion as a punishment: they were cast out from the place and the environment where they had made a life for themselves and sent somewhere where they were often strangers. They were simultaneously disgraced and stigmatised, which, in turn, worsened their chances of employment. Furthermore, nothing really prevented the banished beggars and vagrants to set out on the road again or even return to the place from where they had already been expelled, thus merely repeating the whole process.

Workhouses were supposed to have manifold effects. They were seen as institutions, whose aim was to punish and reform while protecting the community from dangerous individuals and saving the forced workers from total moral decay. The forced workers were supposed to acquire a work ethic, working habits, and morally improve themselves there in order to reintegrate themselves into the society and become its productive members. The aim was to eradicate begging and vagrancy and as a result also poverty, which was supposedly a consequence of bad habits, idleness, laziness, wastefulness, drunkenness, and other sins, attributed to the lowest strata. The re-education in the workhouse was supposed to do away with all of this. It is immediately obvious that this was most often impossible. Besides,

such an approach was an inadequate and ineffective way of dealing with poverty, which was caused by many other social factors as well. The only way the society at the turn of the 20th century could believe in the positive effects of workhouses was based on the conviction that the majority of beggars and vagrants were idle sloths who deliberately avoided work. The primary effect of sending people to workhouses was to intimidate them because staying in the workhouse was intended to be such a bitter experience for everyone who was labelled as work-shy that it would never again cross their mind to become a burden for the community and municipalities. The fact that, in practice, workhouses failed to re-socialise people as they were supposed to is also evident from recidivism and the attitude towards the stigmatised forced workers. In certain cases, alcoholics and mentally disturbed people were also sent to workhouses, which could not have had a positive effect on them.

Workhouses had an actual effect of at least temporarily removing those who were deemed as potentially dangerous to the society, as well as separating beggars and vagrants from the decent poor people and preventing them from being a further nuisance to the society. The society was indeed aware, at least to a certain point, that poverty was caused by the economic system and the related inefficient prevention of pauperisation of the weakest social strata as well as by the insufficient aid. However, the awareness of the weaknesses of human character (idleness, wastefulness, immorality, alcoholism) and therefore the conviction of people's own responsibility for their unfavourable financial and social situation took precedence.

In the Kingdom of Yugoslavia, the purpose of workhouses remained the same. It was defined as protecting the society from socially dangerous people or from their criminal offences. The workhouses themselves were even ascribed with a humanitarian character.

The aim of serving a sentence in a workhouse was actually not to remove a person from the society (which was often the

only real effect), but rather to potentially acquire a productive member of society. This purpose remained unchanged during the entire period under consideration.

The criminal law was expected to have a correctional impact in the social field but obviously failed to achieve the desired effect, because the reasons that forced people to resort to begging and living on the road depended on factors beyond the scope of criminal law. The legislation's impact on obstinate vagrants or beggars, who were accustomed to an occasional stay in jail or workhouse as well as to other repressive measures, was also limited and it functioned as a deterrent only exceptionally. Vagrancy laws could temporarily limit vagrancy and begging to a certain degree, but were not able to prevent either in the long-term.

The inefficiency of the legislation in this field was also attested to by the constant intensification of penalties in the laws adopted in 1885 as well as in those implemented in the Kingdom of Yugoslavia. Workhouse sentences increased from two or three years to as much as three to five years for repeat offenders, while the age limit for minors decreased from eighteen to sixteen years of age – a fact that was criticised by the lawyer Metod Dolenc for not being in conformity with the modern criminal law, according to which minors under eighteen were supposed to undergo forcible education rather than punishment. The Austrian criminal law prescribed a sentence of eight days to three months for begging and one to three months for vagrancy. The legislation of the Kingdom of Yugoslavia, on the other hand, aggravated the stipulated sentence to as much as one year (the minimum sentence was set at seven days). The maximum sentence for inducing children to beg or exploiting them for such purposes was extended from three months of severe imprisonment to half a year.

The purpose of the legislation was to impose control over the idle individuals who managed to avoid all the traditional forms of integration and supervision with their way of life. It

was also a convenient way to eliminate disruptive elements, as the municipalities were able to get rid of irritating beggars, vagrants, and poor people in general, who could consequently burden the municipal budget. Beggars and vagrants would not disappear merely because begging and vagrancy were forbidden. Nonetheless, the legislation provided the grounds for prosecuting and sanctioning these people based merely on the scarcity of their economic means. Neither homelessness nor poverty was punishable until the moment when a person became a burden to the society.

The legislation did not differentiate between professional or habitual beggars and those who begged only occasionally, because they were momentarily without a job or in a difficult economic situation. Everyone who did not work was labelled as an idler – except if they were truly enfeebled or ill – because of the conviction that anyone who truly wanted work could also find it. Meanwhile, work was not deemed as a right, but rather as an obligation of anybody who was capable of working but lacked other means of livelihood. The interpretation of the legislation in these cases was often very narrow-minded, considering that the unemployed who were capable of working and were looking for a job were also included among idlers. In the period where unemployment insurance did not yet exist (as well as later, when it was very modest), these people would not receive any meaningful support and were therefore condemned to the street.

Theoretically, begging was not considered an offence when it was done out of hardship caused by the inability or the lack of opportunity to work. However, the definition of the opportunity to work or lack thereof was extremely elusive in the period under consideration, because the ability to work was considered to be the same as the opportunity to work. Consequently, in such cases, unemployment was understood as a voluntary and intentional decision. Such treatment was unjust and had detrimental consequences for the society as well as for the individuals who

were stigmatised and caught in the vicious cycle of poverty and persecution.

The expression “vagrants” indicated people who did not work to support themselves and had no permanent residence. The expressions beggar and vagrant sometimes excluded one another, because not every person who begged was necessarily homeless. Sometimes, though, they could also be intertwined, as many beggars were homeless, while vagrants also resorted to begging to survive, though not necessarily exclusively. It is thus difficult and sometimes even impossible to make a distinction between these two categories because the habits of either are often indistinguishable and both share a life of extreme poverty at the fringes of the society. Even the police statistics recorded begging and vagrancy offences jointly, because of the similarities in the means of survival. In the present research, beggars are predominantly considered as the homeless and other poor people in the city who survived by collecting alms; while vagrants are those who travelled between places and stayed mostly in the countryside – in line with the definition of vagrancy in the period under consideration, according to which the act of vagrancy had to persist for a lengthy period of time and involve travelling from place to place.

It was common to both of these social groups that they made a living by collecting alms and not by working. There were also exceptions: people who had seasonal or occasional jobs; and certain beggars who resorted to begging in order to supplement their income that was too meagre on its own.

Because poverty was a very fluid phenomenon, people often transitioned from a situation of well-being to a point where they were no longer able to earn a living on their own. There were various reasons why they came to depend on alms and begging and thus passed from a position of being considered worthy to a position where they were considered unworthy and vice versa.



People who were not able to work for a living but did not want to be a complete burden for the society could request permission to play music in the street or from door to door – mostly an accordion or a barrel organ. As it is evident from the discovered applications, most of the applicants were Romani professional musicians. The rest of the requests were made by the poor who had worked in other professions and only resorted to playing music once they had become unfit for any other work. Unlike other applicants, the Romani did not apply for the permission only individually, but also collectively. Their applications were most often denied due to previous convictions or because they were accused of abusing the permits for vagrancy.

The main goal of beggars and vagrants was to elicit compassion in people and take advantage of it. They used many different approaches: playing an instrument, looking neglected, simulating a disease and showing off injuries (also real ones), telling tragic stories, child begging, and resorting to all kinds of frauds – like writing begging letters and collecting charity with false documents. In all cases, the ingenuity of people who tried to survive in an unfavourable environment is evident.

Even though the public was willing to provide charity to a random beggar, the doubt in the true nature of the beggar's distress was often present, as the conviction was widespread that the majority of beggars were either frauds or that they were responsible for their own misfortune in some way – either because of their moral deficiencies or due to their incapacity to fit in the society. The reasons why certain people opposed the granting of charity to random people differed, but they were most often related to the concern that in this way people who did not want to work for a living were encouraged and allowed to maintain an exploitative way of life; while those who were truly poor were supposedly humiliated and demoralised. At the same time, doling out charity allegedly prevented the poor from learning how to live economically or work at all. Even those beggars who sold trinkets or played an instrument were often regarded as

tricksters who preferred to avoid actual work. Among those beggars who took advantage of fake injuries and disabilities, some were truly handicapped, yet nevertheless deemed as unworthy of receiving assistance – for example alcoholics, even though alcoholism was not treated as a disease in the period under consideration. Furthermore, charity provided in such a manner supposedly failed to address the problem of poverty, as it did not reach those that truly needed it or were justified to it. To this end, the donation of resources to the organised forms of charity was encouraged. Supposedly that was more productive, as it – at least to a certain degree – allowed for the monitoring of the distributed support while simultaneously enabling the supervision and moral influence on the disadvantaged. This seemed all the more important in the 1930s when the public resources for the provision of support were constantly in short supply. However, not even the efforts of charity organisations succeeded in solving the problem in the wider sense, because their activities were periodical, temporary, limited, and intended for extraordinary cases.

The groups of beggars and homeless people or vagrants were heterogeneous, as a very diverse population – consisting of both genders and various ages, occupations, medical conditions, and circumstances that pushed the individuals into extreme poverty – was exposed to shortage. Thus children as well as adults, male and female, younger as well as older, can be found among vagrants and beggars. Some of them begged where they lived; others begged in the nearby towns; while certain individuals would also travel further away. Single men and younger people were most often among the beggars and vagrants, arrested in Ljubljana between 1911 and 1913. This is not surprising, as the police were tasked with intercepting all of the work-capable idle individuals – and the youth and healthy people fit the description. Women were not as often a part of this group. This should be ascribed to the fact that impoverished women would often succumb to prostitution and were most often also

treated accordingly. Consequently, female beggars and numerous women without any resources or permanent residence were among the apprehended prostitutes as well. At the same time, various institutions and societies took care of women and their children. Their employers would also frequently provide them with food and accommodation. The largest group of the arrested consisted of people between 16 and 37 years of age – which is to say, individuals in their most productive years. Seven children aged between eleven and fifteen were also among them. The gathered data reveals that the poor and homeless people mostly begged in their hometown or in the vicinity, as the majority of them were from the city or district of Ljubljana, or arrived to Ljubljana from the neighbouring districts of Kamnik and Kranj. Among those who had travelled from further away were individuals from the Czech lands, Germany, and Poland. People with badly paid jobs, like assistants or apprentices, represented the majority of the detainees, although we can find various professional profiles among them as well. They were mostly poorly educated individuals, but their education did not deviate from the average in that period. Unfortunately, the information gathered during the arrests does not allow for any insight into the life stories of the arrested individuals or their social origins.

Neither begging nor vagrancy was a criminal offence, yet both were associated with criminal practices due to the constant existential peril of the individuals who lived at the fringes of the society. Consequently, these people oscillated between legal and illegal means of survival and thus represented a potential danger in the eyes of the authorities as well as the population. Vagrants in particular were regarded as dangerous due to their anonymity and because it was difficult to monitor and supervise them. In case of beggars, there may still have been room for doubt whether they had ended up in a miserable situation due to circumstances beyond their control or not. On the other hand, vagrants were most often characterised as slackers,

idlers, and morally destitute people who had opted for a parasitic way of life of their own free will. Suspicious appearance in itself was enough to arrest vagrants. The social group of the Roma was even more detested: the Romani were simultaneously regarded as beggars, vagrants, slackers, and criminals, completely maladapted to the society and environment they lived in and therefore always persecuted. In the Kingdom of Yugoslavia, the attitude towards the Romani population did not change – if anything, new prohibitions and restrictions were put in place. Meanwhile, the society's attitude towards the women from the brink of the society was somewhat specific: they were especially judged from the moral point of view. The poor women who might have begged or loitered were judged more harshly than men in the same position, and they were in particular reproached with moral decay that allegedly led to prostitution. Therefore – in order to prevent this – they were taken care of in the context of institutions and institutes as well as received various forms of support. Since the society did not regard homeless women as dangerous, it was easier for them to find provisional shelters, and they were also not the target of police persecution and raids.

Throughout the period under consideration, the attitude towards the marginal population did not change significantly, despite certain changes in the perception of poor people and poverty that occurred in the late 19th and early 20th century. At that time, the awareness of the influence of the economic system and social environment started forming, but changes were slow. The legislation became even stricter; the marginal population did not receive any forms of assistance aimed at improving their situation; and the evaluation of the applicants for aid still mostly depended on their moral character.

In the period between the end of the 19th century and until 1940, three characteristics that remained constant can be noted. For the purposes of allocating the municipal support and alms as well as during the processing of the arrested, the poor were divided into worthy and unworthy or those who were entitled

to assistance and those who were not. Such a division persisted despite the awareness that poverty was more than just a moral problem and resulted in the conviction that the majority of beggars and vagrants were swindlers who took advantage of the public aid, which they simply squandered away and spent on drink. The constant fear was also present that people would become lazy, work-shy and unproductive in case they received any more than the minimum aid, and that they might take advantage of this aid, come to expect it, as well as overly rely on it. Such an attitude was evident in case of the support for the poor as well as in the case of unemployment benefits.

Otherwise, the attitude towards the people on the fringes of society ranged from compassion to disgust, culminating in these people's exclusion due to the danger that they represented. It oscillated between repression (persecution, prohibitions, incarceration, banishment) and charity (alms, assistance, institutions), but mostly leaned towards repression (the treatment was separate and individual, which was evident from the specific assessment of every person; and the attitude depended on whether the individual in question was deemed as worthy or unworthy). The dominant conviction was that healthy and normal people, capable of work, would not resort to begging – not even in extreme situations. This implied that beggars were psychologically inferior and even mentally disturbed individuals, and attempts were also made to prove this scientifically. The attitude towards beggars and vagrants had nothing to do with the denial of their poverty but was related to the lack of understanding and the conviction that other ways and paths existed that allowed for the solution of their distress. In this regard, austerity, moderation, and various forms of public assistance were emphasised.

Even though beggars had always been present, their number increased during World War I and kept increasing even after it ended. This was caused by the increasing number of poor and disabled people, orphans, widows, and the unemployed, who were also joined by the refugees, unable to survive with

their modest benefits in those economically and socially turbulent times. Many benevolent institutions were exhausted as well – particularly those charitable organisations whose main source of financing were the voluntary contributions of the bourgeoisie, which had to face financial problems of their own in the post-war period. Apart from the offences involved in begging and vagrancy, the financial distress of the poor also resulted in the increase of property-related offences, for example theft and burglary. Due to the increasing unemployment and the declining income of the population, the number of beggars and homeless people once again soared during the Great Depression. Otherwise begging as well as vagrancy of the individuals from the fringes of society was, due to the inefficient social system, an everyday phenomenon in the period between both world wars, while the welfare of the impoverished still kept playing a very important role.

The consequences of the economic crisis compelled an increasing number of destitute people to turn to the municipalities as well as charitable societies for assistance. However, due to their limited resources and capacities, the municipalities were unable to take care of all the applicants. Throughout the 1930s, auxiliary actions would thus be organised during the winters with the aim of collecting resources for the unemployed and destitute inhabitants of the cities. In 1938, a soup kitchen and shelter for all of the city's poor was established in the old *Cukrarna* sugar factory, where, for the first time, women could seek shelter as well. It seems, however, that the concern for the impoverished was more often than not outmatched by the concern about the supposed slackers taking advantage of the support. In order to address this issue, ideas about the eradication of idleness and unemployment started appearing, including the possibility of establishing work camps, but these were not in fact implemented.

It is impossible to ascertain how many of these people took advantage of public charity and preferred to live lives without

any obligations, and what sorts of circumstances caused people to end up in an unenviable position. The marginal groups themselves have not left any autobiographies; while the official sources are often biased, characterising beggars and vagrants as work-shy. If the archive materials describe the use of the legislation and the treatment of the marginal population in practice, the press reflects the attitude of the society to this people. The story of the people from the fringes of the society can only be put together by combining the archive materials, newspaper articles, and expert literature, as exploring all of these sources together is the only way to gain any insight into whatever each of them may omit on its own.