

Summary

TYPES OF SENTENCES AND VARIOUS FORMS OF PUNISHMENT IN SERBIA IN THE PERIOD PRIOR TO THE END OF WORLD WAR II

The history of punishment in Serbia can be viewed through several periods of development: 1. punishment in medieval Serbia; 2. punishment during the period between 1804 and 1910; 3. punishment in the Kingdom of Yugoslavia; 4. after World War II and the PLF (1946-1991); 5. and since 1991 to the present day. In medieval Serbia, the most important legal monument, Dušan's Legal Code was ratified in 1349, and it held numerous criminal law regulations. The punishments it held were: the death penalty, banishment for heretics and the partially religious, corporal punishment, fines, confiscation, imprisonment, and loss of honor rights. During the period of Turkish rule, all the laws passed up to that time ceased to be in use. The laws were kept and copied in monasteries. The people solved their altercations and disputes by following the practices of common law. As soon as the uprising against the Turks started in 1804, new regulations were instated in Serbia, which were used in all the liberated territories. The orthodox priest Mateja Nenadović wrote the Criminal Law Act in 1804, which issued only the death penalty (by firing squad or by impalement), and corporal punishment (flogging, running through whips, etc). Karađorđe's criminal legal code, ratified 1807, issued the punishment of imprisonment, also known as *aps*. The death penalty was by firing squad and hanging. Fines were known as *globa* or *duplir*. The Criminal Law Act for Petty Crime and Theft dated May 26th, 1847 issued the death penalty and flogging to death. The Criminal Legal Code of the Principality of Serbia from 1860 issued eleven types of punishment which can be divided into primary (the death penalty, hard labor, captivity, imprisonment, revoking of one's title, fines and corporal punishment) and secondary punishment (loss of civil honor, the repossession of certain items, a ban on performing certain activities and banishment). The Criminal Law Act of the Kingdom of Yugoslavia from 1930 issued: the death penalty, hard labor and captivity, a maximum security prison sentence, prison terms and fines. After the end of World War II, the installation of a new system of punishment began with the ratification of the Kinds of Punishment Law on July 5th, 1945. The Criminal Legal Code (its general part) from 1947 issued punishment, education and reform measures and health and protection measures. In 1948, the first post-war Punishment Execution Act was ratified.