

**‘THE ART OF THE BRIBE’: CORRUPTION, LAW,
AND EVERYDAY PRACTICE IN THE LATE STALINIST
USSR**

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Executive Summary

Focusing on the postwar decade between the wartime catastrophe and the death of the dictator, this study will begin to undertake an examination of bribery as a phenomenon of everyday life in late Stalinism. In the late Stalin period, bribery represented a particular variety of informal relationship between the Soviet population and representatives of the state. This study concentrates on interactions between ordinary people and the state officials who took payments for services that were either illegal or that they were required to provide for free. In this approach, bribery was a mode of negotiation, one that sometimes involved elements of coercion, between common citizens and office holders, between the buyers and sellers of services.¹

¹ The various forms of illicit “horse trading” among managers in industry, without which the economy would have collapsed, are not discussed in this article, nor is the focus on political bribery and official favors at the highest levels of the party and economic administrations. On informal bartering in industry in the 1930s, see Joseph Berliner, *Factory and Manager in the USSR* (Cambridge, 1957), 160-230. See also David Shearer, “Wheeling and Dealing in Soviet Industry: Syndicates, Trade, and Political Economy at the End of the 1920s,” *Cahiers du Monde Russe* 36, no. 1-2 (1995); Paul Gregory, *The Political Economy of Stalinism* (Cambridge, 2004).

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Because it was a mode of negotiation that involved people from across the social spectrum, the phenomenon of bribery can serve as a case study in the overlap of state, society, and criminality in the late-Stalin period. Of course, state and society were not completely separate spheres. Officials who accepted a bribe to discharge a function on one day may have had to pay a bribe to receive a service the next day. Indeed, one of the advantages of this approach is that it examines the vast middle ground of petty bribery. Emphasizing that bribery was a participatory exercise that included people from all walks of Soviet life, this study highlights the degree to which graft was a subculture with its own shared attitudes, rituals, and venues. Anyone with access to scarce goods or resources might be tempted to sell the fruits of that access. Professionals such as judges and administrators accepted bribes; secretaries and

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lawyers acted as intermediaries between petitioners and judges; and bribes were offered by members of every social category, from collective farmers to workers, to engineers and pensioners, whose family members had been sentenced to prison, or who needed apartments, jobs or other commodities in short supply.

In this article, I will analyze what I call the Soviet “art of the bribe.” Many of the unofficial mechanisms referred to as “corruption” in the postwar period should be regarded as a series of informal (often illegal) relationships by which many individuals, both officials and average people, operated in difficult times. Bribery represented one type of unofficial exchange between the representatives of state power and the population; *blat*, or reciprocal favors founded on acquaintanceship, was another. Such interactions between official and citizen illuminate those formal parts of the system that failed to work according to plan, underscoring the large gap between “consumer” demand and the extremely limited supply of essential items.

This study examines bribery as viewed through the legal agencies such as the procuracy and courts, and depends primarily on materials drawn from the archives of the Ministry of Justice, the Procuracy, and the Supreme Court. These agencies were both the leading investigators and prosecutors of graft and one of its primary venues. Judges, lawyers, and prosecutors play a dual role in any examination of corruption: as a group they both exposed and accepted bribes; both prosecuted and delivered bribes; both attacked and abetted corruption. Archival records add a critical element to our understanding of corruption in the late Stalin period. The availability of these records allows opportunity for the careful analysis of the phenomena of criminality in general and corruption in particular.

Among the most useful materials for exploring these questions are those found in the collections of the Procuracy General of the USSR, located in the State Archive of the Russian Federation (GARF). Playing the lead role in investigations of officials for “abuse of office,” the Procuracy conducted investigations and prosecuted citizens for violations of the Criminal Code. The Procuracy also wrestled with the causes of bribery in its own ranks. The archive of the Ministry of Justice USSR contains statistical breakdowns of convictions, as well as correspondence with party agencies, the Ministry of Internal Affairs, and the domestic police force. A series of bribery scandals involving various rungs of the court system in the late 1940s were investigated by the Procuracy and tried in the Supreme Court. Some of these scandals included employees of the USSR and RSFSR Supreme Courts themselves. Depositions, records produced during investigations, and verbatim stenograms of hearings are especially telling sources.

In undertaking any study of bribery, the historian faces a major challenge with source material. As John Noonan has pointed out, bribe-taking in the modern period has been considered shameful to some degree in most societies, and the Soviet Union was no exception to this rule.³ Individuals very rarely admitted to accepting bribes, though nearly everyone seems to have been aware of acquaintances or co-workers who had taken them. A great advantage of the trial transcripts reviewed for this study is that confessed bribe-takers talk about their crimes, often under oath in a courtroom setting, confronted with evidence obtained during lengthy investigations.

The Supreme Court cases examined in this study were the product of sweep against bribery that ran through the courts in 1948-1950. Ultimately, over 200 people were charged with

³ John T. Noonan, *Bribes* (Berkeley, 1984), xx.

accepting, offering, or acting as an intermediary in a bribe. The details of those cases uncovered in subsequent investigations and hearings before the Supreme Court make up a significant portion of the source base for this article. These cases provide a window into the kinds of corruption that were normally hidden. The Supreme Court cases were particularly sensitive and they were not discussed in the media. The sensitivity of the cases strengthens the source, however, since the documentation is quite thorough. These cases mainly focus on legal officials, judges, procurators and their staff (who were in the best position to take bribes or act as intermediaries.) On the other hand, much about the cases is characteristic of the period: the way the bribes were passed on; the justifications of the bribe-givers and -takers; the means of exchange; the epidemic nature of the bribery; the frequent desperation of the people who offered them; and the fact people from every social stratum, from Supreme Court judges to janitorial staff, were involved. Apart from the fact that the cases involved the Supreme Court, they seem largely typical of bribery cases.

The question of bribery and the related issue of anticorruption campaigns have rarely been studied for the 1940s and 1950s.⁴ Scholars have generally believed that the late-Stalin period saw little real graft among officials. Most specialists and contemporaries assumed that officials in this period were too afraid to engage in graft. They were terrorized and terrified, just

⁴ There are notable recent exceptions to this rule. One is the work of Peter Solomon, who noted that the party tried to fight corruption when certain prominent cases came to its attention. Peter H. Solomon, Jr., *Soviet Criminal Justice under Stalin* (Cambridge, 1996), chs. 11 and 12. Cynthia Hooper has written an important dissertation on public participation in rooting out corruption in the party, mostly at the level of the Central Control Committee. Cynthia Hooper, "Terror from Within: Participation and Coercion in Soviet Power, 1924-1961." Unpublished Ph.D. dissertation (Princeton, 2003). Jeffrey Jones has examined the discourse on the corruption problem in Rostov. He discusses corruption (including perceptions of it) in the Rostov party organization, primarily as reported in the local party newspaper. See Jeffrey Jones, "In My Opinion This is All a Fraud': Concrete, Culture, and Class in the Reconstruction of Rostov-on-the-Don." Unpublished PhD dissertation (University of North Carolina, 2000), especially chapter 5. Julie Hessler has written about the "informal" but legal private sector in this period in *A Social History of Soviet Trade: Trade Policy, Retail Practices, and Consumption, 1917-1953* (Princeton, 2004).

like the rest of the population. An encyclopedia entry encapsulates the conventional wisdom for many: “There were far fewer references to corruption during the era of Stalin (1929-1953) [as compared with the NEP period]. This was almost certainly because most potentially corrupt officials feared the consequences of discovery.”⁵ Scholars asserted a sharp break between two periods: they contrasted the essentially corruption-free late-Stalin years with the much more brazen post-Stalin, and especially Brezhnev, era. Moreover, the Soviet press described corruption as limited to a few bad apples, and most people were inclined to accept that characterization. Diplomats, academics, and the few journalists posted to Moscow were dependent on the narrow source base of the Soviet press. Observers tended to concentrate on foreign policy, the person of Stalin, reconstruction in the cities, high political intrigue, clampdowns on high culture, and spasms of state repression directed against perceived political and ethnic “enemies.”

The sociologist Alena Ledeneva has produced excellent sociological work examining the relationship between economic crime and informal practices in Russia in the 1980s and 1990s. Her work on *blat* is based mainly on interviews conducted in the mid-1990s. She notes the distinction between *blat*, which is not illegal and is based on a degree of trust and friendly relations without the immediate expectation of anything in return; and bribery, which does not derive from personal relations, involves a payment, and is a criminal violation.⁶

⁵ Leslie Holmes, “Anticorruption Campaigns,” in *The Supplement to the Modern Encyclopedia of Russian and Soviet History*, vol. 2 (Gulf Breeze, FL: 1997), 89.

⁶ Alena V. Ledeneva, *Russia’s Economy of Favours: Blat, Networking and Informal Exchange* (Cambridge, 1998). Ledeneva was inspired in part by Joseph Berliner and others who noted the pervasiveness of *blat* relationships. Ledeneva briefly refers to “economic crime” and *blat* relations in the 1940s and 1950s as background for the later period. Ledeneva’s important work demonstrated the importance of *blat* as a continuing feature of Soviet life, and especially in the 1980s and 1990s. Ledeneva was inspired by the pioneering work of Raymond Bauer, Alex Inkeles, and Joseph Berliner, each of whom worked on the Harvard Interview Project, and who noted that corrupt practices seemed to be both necessary and tolerated. They were mainly interested in industry, but their

Law, Convictions, and the Varieties of Bribery

Two articles of the RSFSR Criminal Code covered bribery, defined as an inducement that improperly influenced the performance of an official's public function.⁷ The offering and acceptance of bribes (*vziatochnichestvo*) were prosecuted under the RSFSR Criminal Code; article 117 covered the receipt of bribes, while article 118 covered offering bribes and acting as an intermediary in a transaction. Bribery was categorized as a *dolzhnostnoe prestuplenie*, a crime by officials serving in their official capacity, and not an "economic crime" (such as profiteering in scarce goods or "speculation") or a "crime against property" (such as theft of state property), though often bribes were at the heart of schemes facilitating the diversion of state property, speculation, and embezzlement.⁸ Individuals who offered a bribe could escape punishment if they immediately and voluntarily informed the authorities, revealing the name of the bribe-taking official. The law recognized that bribes could be given directly or through an intermediary. They could be offered as cash, benefits, tickets, or other services or products, including "cattle, grain, clothing, manufactures, and food."⁹

observations also apply to aspects of everyday, civilian life. R. A. Bauer, A. Inkeles, and Clyde Kluckhohn, *How the Soviet System Works* (Cambridge, Mass: 1956), 89-93.

⁷ John T. Noonan, *Bribes* (Berkeley, 1984), xi. The law recognized as "officials" all persons who were employed in permanent or temporary office in all political, social, and economic organizations of state, including managers of factories or social organizations, collective and state farm chairmen, and union officials. Soviet law criminalized many infractions by officials that will not be considered corruption in this study. Negligence and other crimes of inaction, the malicious non-fulfillment of contracts, report padding, and the production of shoddy goods, for example, were "official crimes" or "economic crimes" under the Penal Code, but since in most cases they would not have resulted in self-enrichment, they are not treated as "corruption."

⁸ Even if a bribe-taker simply did what the law required him or her to do, he had still committed a crime. An official could not be rewarded for doing something that they were obligated to do by virtue of their position.

⁹ Report to Gorshenin from the Sledstvennyi otdel of Procuracy, 20 January 1947, GARF, f. 8131, op. 38, d. 299, l. 11. After the December 1947 monetary reform and abolition of rationing, the role of money in the economy (and, presumably, in bribery) increased. Before the monetary reform, one encounters more cases of bribes offered in the form of food or goods.

In the years between 1945 and 1953, the largest number of people convicted for bribery Union-wide was only about 5,600, in the year 1947.¹⁰ This figure seems low. A study of this type cannot hope precisely to quantify the amount of bribery in the Soviet Union in this period. Suffice it to say that correspondence and reports located in the archives of the Procuracy and Ministry of Justice USSR indicate that the legal agencies were convinced that the number of convictions reflected merely the tip of the iceberg, and that the overwhelming majority of instances of bribery went unreported.¹¹

Punishment for bribery was not particularly harsh before a short-lived 1946 “campaign” against the crime. Before 1946, it was possible that a bribe-taking official could get five to ten years in aggravating circumstances, though this was quite rare. The majority of those convicted under articles 117 and 118 received probation, were assigned to labor at work, or were sentenced to between six months and two years of imprisonment. In 1946, sentences were stiffened somewhat, and most people who were convicted were sentenced to three to five years for offering or giving bribes, or up to ten years in aggravating circumstances.¹²

The regime’s concern about official malfeasance in this period was rooted in several factors, including an ideology that placed great value in the defense of “socialist property,” the postwar crises of production and distribution, and the special role of the Soviet functionary as the point of contact between regime and population. Lenin had denounced bribery as a vile crime.

¹⁰ GARF, f. 9492, op. 6s, d. 14. These documents were recently reprinted in *Istoriia Stalinskogo Gulaga: Massovye repressii v SSSR*, tom 1, Iu. N. Afanas’ev et al., eds (Moscow, 2004), 633, 636.

¹¹ See the May 20, 1946 report on bribery in 1944-45, written by Beldiugin of the Ministry of Justice’s consultant from the administration of general courts, which states that the “the quantity of people convicted for bribery (the accepting of bribes and the giving of bribes) in certain republics and in the USSR is extremely insignificant on the whole.” GARF, f. 9492, op. 1a, d. 478, l. 33. During the war, many in the regime came to believe that graft among officials had become more widespread, more sophisticated, and more ambitious.

¹² On the campaign to eradicate bribery in the 1940s, see James Heinzen, “A ‘Campaign Spasm’: Graft and the Limits of the ‘Campaign’ against Bribery after the Great Patriotic War,” in Juliane Fuerst, ed., *Late Stalinist Russia: Society between Reconstruction and Development* (Routledge, 2006).

Indeed, books on Soviet law frequently labeled bribery “the most shameful relic of the capitalist past,” and among the most reprehensible of crimes.¹³ In official rhetoric, bribery was condemned as an especially disgraceful act, worse than theft or speculation. This condemnation was particularly pronounced in the context of the moral triumphalism the regime expressed about the victory over the Nazis. When state officials became corrupt, it was considered to be morally—and ultimately socially—corrosive. Corruption could lead to mass illegality, even anarchy. At the same time, the state’s interests become “damaged” as the state is robbed. This language mixing notions of danger to society and harm to state interests was pervasive. Finally, tolerance of bribery among officials could create significant dissatisfaction among the population and blemish the institutions of Soviet power.

Varieties of Bribery

The war and immediate postwar years provided fertile ground for bribery. Extraordinary shortages, dislocation, poverty, and famine put citizens at risk and officials in position to benefit from their offices.¹⁴ As was the case in the later Soviet period, bribery acted as the lubricant of the shadow economy and the official economy alike. Individuals used bribes to obtain scarce materials and services.¹⁵ There was a perception that access to hard-to-find services, including legal assistance, often cost money and required connections. One person charged with giving a

¹³ Legal officials and scholars emphasized this point. See T.L. Sergeeva, *Ugolovno-pravovaia okhrana sotsialisticheskoi sobstvennosti v SSSR* (Moscow, 1954); B.A. Kurinov, *Ugolovnaia otvetstvennost' za khishchenie gosudarstvennogo i obshchestvennogo imushchestva* (Moscow, 1954), 12-13; K.P. Gorshenin, *Sotsialisticheskaiia zakonnost' na sovremennom etape. Stenogramma publichnoi leksii pročitannoi 17 avgusta 1948 goda v Tsentral'nom lektorii obshchestva v Moskve* (Moscow, 1948); G.R. Smolitskii, *Dolzhnostnye prestupleniia* (Moscow, 1947).

¹⁴ On the postwar famine and provisions shortages, see Zima, *Golod v SSSR, 1946-47 godov: Proiskhozhdenie i Posledstvie* (Moscow, 1996); and Elena Zubkova, *Poslevoennoe Sovetskoe obshchestvo*. (Moscow, 2000), 61-77.

¹⁵ See materials from the procuracy’s anti-bribery campaigns, including GARF, f. 8131, op. 38, d. 299, l. 3; GARF, f. 8131, op. 38, d. 282, ll. 62-65.

bribe defended his act by arguing that the state-provided, low-cost legal services employed only “evening students, who were therefore inexperienced people.”¹⁶ Officials willing to take bribes exploited this view that the low-cost services provided by the state were largely inadequate.

Legal officials noted that several modes of bribery were ubiquitous at the end of the war. According to the Procuracy, the largest proportion of bribery cases brought during the two years after the end of the war involved legal and judicial personnel, housing officials, and food procurement personnel, in that order. People often offered bribes to gain access to housing (or not to be removed from it).¹⁷ Refugees returning from evacuation sought to return to their home cities and regain their apartments; bribes were sometimes needed to attain either goal.¹⁸ Employees in supply and trade organizations took bribes in exchange for scarce goods. Inspectors, doctors, teachers, postal employees, railway workers, and bookkeepers solicited illicit payments to fulfill their responsibilities. One might offer an illegal payment to secure release from the military or a job; or to obtain a position as the chief of a store or warehouse, a prime potential source of self-enrichment.

Available evidence indicates that the wartime and postwar years also witnessed an upsurge in the number of Soviet citizens who resorted to bribery to secure the release from prison of a friend or, more often, a family member. Law enforcement personnel such as prosecutors and judges took bribes, mostly from the wives and daughters of convicts, to arrange shorter sentences or freedom from prison. Laws on theft of state and personal property (including the draconian decrees of August 1932 and June 1947, and article 162 of the Criminal Code) led

¹⁶ GARF, f. 9474, op. 7, d. 912, l. 279.

¹⁷ GARF, f. 8131, op. 39, d. 299, ll. 3-3 ob.

¹⁸ For examples of bribes paid to recover apartments, see GARF, f. 8131, op. 37, d. 4216, l. 191; and GARF, f. 9474, op. 16, d. 294, ll. 27-28. On corruption in Rostov’s housing administration, see Jeffrey Jones, “In My Opinion,” chapter five.

to the convictions of over 3.1 million people between 1944 and 1952.¹⁹ Most were given long, mandatory sentences of seven years or more. Harsh laws against speculation and enforcing labor discipline also contributed to the size of the prison population. Mass convictions created a situation ripe with incentives encouraging illegal payments, and a market for the buyers and sellers of assistance inside the legal system, as people attempted to purchase help for a family member.²⁰ Prosecutors, judges, and lawyers took advantage of this demand for the amelioration of sentences.²¹

An unintended consequence of these decrees was that they created conditions in which the families of prisoners wanted to exchange payments for favors. Archives document numerous instances of legal professionals who were willing to take money in exchange for help with cases of theft of state property or violations of draconian labor laws. Many of the cases discussed later in this study are a direct result of the severe decrees on theft, speculation, and minor labor infractions. The scandals that shook the Supreme Courts of the USSR and RSFSR in 1948-50, for example, included dozens of cases of bribes offered in exchange for the lessening of sentences assigned for theft of state property and speculation.²²

In one case, a deputy procurator and three investigators in the Kirov region of the city of Kuibeshev regularly took bribes in cash and in kind from workers who had “deserted” from enterprises involved in military industries during the war. Workers convicted of such labor “desertion” were liable to five to eight year sentences in a labor camp under a December 1941

¹⁹ GARF, f. 9492, op. 6, d. 14, l. 14-15. Also reprinted in *Istoriia Stalinskogo Gulaga: Massovye repressii v SSSR*, tom 1 (Moscow, 2004), 632, 635.

²⁰ See the case of N. Ia. Anisimova, whose husband was imprisoned for ten years in 1945 for violating the law of August 7, 1932, and a number of the cases discussed below. GARF, f. 9474, op. 7, d. 984.

²¹ People convicted of speculation and theft of state property comprised the majority of the 18 people arrested for offering bribes in a 1948 Moscow city court scandal. RGASPI, f. 17, op. 118, d. 133.

²² For a summary of these cases by the Procuror General, G. Safonov, written in August 1948 to Malenkov, see RGASPI, f. 17, op. 118, d. 151, ll. 132-43. Most of the investigations, depositions, and hearings are contained with the Supreme Court USSR fond in GARF, f. 9474, op. 7.

law. After receiving a bribe, the procurators threw the cases out. In 1946, the four procuracy officials received sentences of 8 to 10 years in prison.²³ Other people offered “gifts” in exchange for help. A military procurator, Razno, accepted two gold womens watches, one gold ring, and one metal chain from the wife of the accused. Three days later, Razno released the accused on probation; Razno was later convicted of bribe taking and sentenced to five years in a penal camp.²⁴

The case of the People’s Judge A.N. Starikova serves as another example.²⁵ A party member with only six years of education, Starikova was 24 years old when she became a people’s judge in the Zav’ianlovskii raion of the Udmurtskoi ASSR in March 1944. According to a report of the Ministry of Justice, she regularly took bribes from people requesting reduced sentences or acquittals. In 1944, she sentenced a convicted speculator to workplace labor instead of prison in exchange for 1500 rubles and twenty eggs. In return for 1,100 rubles and a wristwatch, Starikova sentenced two women convicted of petty theft of state property to workplace labor rather than prison. In exchange for 16 kilograms of mutton and three kilos of *salo* (pork fat), a certain Chukavin received probation for violating the June 26, 1940 decree on labor discipline.

Prosecutors were also in a position to extort bribes, threatening that a person who failed to pay would be arrested, charged with crimes, or given a longer sentence. In one case found in an early 1947 report, Azhdar Ragimov, an assistant procurator for the Lenin region of the city of Baku, investigated accusations against a group of teenagers charged with “desertion” from a

²³ GARF, f. 8131, op. 38, d. 282, ll. 62.

²⁴ GARF, f. 8131, op. 38, d. 282, l. 63.

²⁵ GARF, f. 9492, op. 1, d. 515, l. 288 ob.

factory where they had been mobilized to work.²⁶ Ragimov called them to his office and demanded 2000 rubles from each of them, promising that with payment they would be released from jail and the charges against them would be limited to shirking under the Ukaz of June 26, 1940 (rather than desertion). After paying him 500 rubles apiece, the teens immediately went to their factory and told the head of the party organization. Ragimov was sentenced to seven years for extorting a bribe.

“The View from Below”

The idea that the state was not living up to its obligations to the population seems to have been a commonly held view. The necessity to pay a bribe reflected disappointed expectations, sure to reinforce resentment of the state’s failure to provide. The state succeeded in inculcating the idea that the people were entitled to services and goods. In light of this attitude, one can imagine that many people believed that bribing a state official was no crime, or, at least, a crime without a victim. Desperate people believed that they had the right to employ any means at their disposal to get what they were owed from a state whose dishonest or incompetent *chinovniki* frustrated them. One can speculate that many citizens believed that the offering of bribes to state officials did not warrant punishment, since it was not possible for an individual citizen to damage this impersonal abstraction.

²⁶ GARF, f. 8131, op. 38, d. 449, l. 96. Procuracy report on the struggle against bribery during the first four months of 1947. One man paid a bribe to have his wife transferred to a prison camp closer to their home city. She was serving a ten-year term. GARF, f. 9474, op. 7, d. 912, l. 246.

As Amir Weiner has shown, many Soviet citizens, and especially veterans, felt a great sense of entitlement because of their sacrifices during wartime.²⁷ Nevertheless, in the absence of sufficient production of goods, compounded by a lack of equitable and adequate distribution of goods and services, the regime failed to persuade people of the idea that the state is *ours* and that cheating the state somehow cheated *ourselves*. Small-scale bribery (together with the theft of state property) was seen as part of a necessary survival strategy in a kind of “moral economy.” In court, many bribe-givers emphasized their desperate material situation. A certain Gomzina, for example, emphasized that she offered a bribe in hopes of extricating her husband from a prison camp because she was “in a difficult position, with an 18-month old child, and eight months pregnant, and a husband in jail.”²⁸ We proceed from the assumption that many people were guided by such notions of a moral economy, and that engaging in bribery could be a morally justifiable decision by an honest person within the bounds of what was possible for survival or to achieve social justice.

Many people distinguished between the acts of *offering* a bribe and *accepting* a bribe, and authorities expressed concern about such an attitude. Many people believed that bribe-taking by an official was a heinous crime that deserved punishment. Bribe-takers were referred to as “blood suckers” (*krovosos*), among other epithets.²⁹ Bribe-givers, on the other hand, were innocent victims who were forced to give up scarce money or other assets to make the system work properly or to make life bearable. As Caroline Humphrey has pointed out, the word *vziatka* itself implies that the onus in the transaction rests on the *taking* official, and hints at a degree of

²⁷ Amir Weiner, *Making Sense of War: The Second World War and the Fate of the Bolshevik Revolution* (Princeton, 2002). See also Mark Edele, “Soviet Veterans as an Entitlement Group, 1945-1955.” *Slavic Review* 65, no. 1 (Spring 2006), 111-137.

²⁸ GARF, f. 9474, op. 7, d. 866, l. 219+.

²⁹ The bribe-taking judge Shevchenko was called *krovosos* by the wounded veteran Solov’ev at a Supreme Court hearing in 1949. GARF, f. 9474, op. 7, d. 912, l. 245.

extortion. This sense stands in contrast to the English word *bribe*, which implies that the giver is just as much the manipulator in the arrangement.³⁰ Evidence drawn from court cases indicate that these two conceptions—that officials who accepted bribes were devious criminals whom Soviet power must punish mercilessly, while those who offered them were innocents justifiably attempting to ameliorate their plight or achieve some semblance of social justice—appear to have co-existed in the minds of many Soviet citizens.³¹

This double understanding explains how, in one case, a certain Vol'skii, who had just offered a 5,000-ruble bribe to a court employee could, almost simultaneously, address a *signed* complaint to the Central Committee, despairing that “people charged with a crime more and more rarely visit the court’s legal clinics for advice [*iuridkonsultatsiia*] and more and more often knock on the back doors of court offices.”³² He paid the bribe with his left hand, even as he wrote a *signed* letter complaining about the need to do so with his right. This letter was used against him at trial, after which he was sentenced to five years in a labor camp. In 1945 and 1946, the satirical magazine *Krokodil* published cartoons that seem intended to challenge this notion that people who gave bribes should remain unpunished. Several cartoons depict citizens passing on cash to bureaucrats in the first frame, only to be led away by police or sitting in jail in the next frame.³³ The cartoons emphasize that both the taker *and* the giver will be punished.

³⁰ Caroline Humphrey, “Rethinking Bribery in Contemporary Russia,” in *Bribery and Blat in Russia*, 218.

³¹ Similar attitudes seem to have existed in late Imperial Russia. “A refusal to give on the part of the individual would be an act of socio-economic suicide” (81). Catriona Kelly also points out that “many Russians, both before and after the Revolution, accepted that bribery was a fact of life, and that there was nothing so particularly immoral about it, and especially not in *giving* bribes.” Kelly: “All in all, the central question for many Russians in the late imperial era was not whether to give bribes, but how to give them.” Kelly, “Self-Interested Giving,” in Lovell, Ledeneva and Rogachevskii, eds., *Bribery and Blat in Russia: Negotiating Reciprocity from the Middle Ages to the 1990s* (Houndsmills, 2000), 79-80, 86.

³² GARF, f. 9474, op. 7, d. 1006, l. 175. For his sentence, see l. 222 ob.

³³ *Krokodil*, 10 November 1945; 30 November 1945; 20 August 1946.

People seldom confessed to giving bribes—and even more infrequently to accepting them—and only very rarely described their own activity as bribery, even in the face of overwhelming evidence.³⁴ This point is seen in a statement by I. M. Lebedev, an investigator for the Moscow Oblast' procuracy who was accused of acting as an intermediary by forwarding a bribe to a judge. He continued to deny the charge against him, despite reliable testimony. Referring to his own unpersuasive denials of the charges against him at his hearing, he said: “To sum up everything I have said: I must admit that all my explanations are completely unconvincing, especially to me myself, as an experienced procuracy employee.”³⁵ As was common, he described his actions as “helping out” friends or acquaintances. Other described their exchanges as “gifts” to court employees to thank them for their assistance.³⁶

For a number of reasons, it is very difficult to determine the absolute level of bribery in Soviet society (or, indeed, in any society).³⁷ Unpublished law enforcement sources agree, however, that the proportion of bribes that were somehow discovered *and* reported to the authorities *and* prosecuted (and therefore were included in crime statistics) reflected only a small proportion of the actual instances of bribery. This discrepancy is partly a consequence of the difficulties law enforcement faced in discovering and then prosecuting bribery. A bribe was a secret, consensual arrangement typically between two people. A successful transaction would

³⁴ Humphrey, “Rethinking Bribery in Contemporary Russia,” 221-22. One can speculate that this strong reluctance to label one's own activities as bribery (or to confess to criminal activity of any kind) may help explain why respondents in the Harvard Interview Project rarely referred to bribery, but openly discussed *blat* relations in detail and at length. Such a situation, in my view, contributed to the Project's sophisticated discussion of *blat*, even as it undervalued the role of bribery in Soviet society. Of course, it is also possible that bribery was not mentioned often because it was exceptionally rare. See also the work of Jakob Rigi, who, during 18 months of fieldwork studying corruption in Kazakhstan in 1995-96, could not find a single person who admitted to taking a bribe. Rigi, “Corruption in Post-Soviet Kazakhstan,” in Italo Pardo, ed., *Between Morality and the Law*, 109-10.

³⁵ GARF, f. 9474, op. 7, d. 912, l. 239.

³⁶ See, for example, GARF, f. 9474, op. 7, d. 1006, l. 175. Testimony of Vol'skii, stating that a payment to a lawyer in the *iuridkonsul'tatsiia* was a “gift” of gratitude.

³⁷ For a more detailed discussion of this problem, see James Heinzen, “A Campaign Spasm: Graft and the Limits of the ‘Campaign’ against Bribery after the Great Patriotic War.” In *Late Stalinist Russia: Society between Reconstruction and Reinvention*, Juliane Furst, ed. (Routledge, 2006).

remain forever undiscovered. A comprehensive report dated July 1947 and written by the head of the *Ugolovno-sudebnyi* department of the USSR Procuracy's office lays out some of the obstacles to exposing the crime.³⁸ Bribery was most often uncovered when the giver of the bribe believed that the payment comprised a "contract" that the bribe-taking official had broken. In such cases, the bribe giver was not deterred by a sense of shame or fear in reporting it to authorities. Despite law enforcement efforts urging citizens to report instances when a bribe was solicited, low numbers of convictions indicate that they usually did not do so. Instead, people paid bribes, believing them either necessary or beneficial in other ways. Bribery, then, was a form of reciprocity that was condemned by the bribe giver only when the bribe taker was unusually greedy, or when the terms of the deal were not kept. The recipient of the bribe had nothing to fear so much as a disappointed bribe-giver.

And Whom to Bribe?

Determining who would accept a bribe was a vital skill that Soviet citizens had to master. A certain Tsagareishvili felt that he could immediately identify officials who took bribes by their clothing and attitudes: "usually he should be well-dressed, very lively, and impudent."³⁹ He was surprised when a "modestly dressed" judge who "made a pleasant impression, turned out to be a bribe-taker. The satirical weekly *Krokodil* spoofed peoples' propensity to speculate about who engaged in graft. One vignette that appeared in *Krokodil* tells the story of three men trying to figure out how one can tell whether the bosses will accept a bribe.⁴⁰ Is it the look in their eyes? Is it that their hands shake? Is it that their wives dress so well? One of the men rejects each of these

³⁸ GARF, f. 8131, op. 38, d. 449, l. 91.

³⁹ GARF, f. 9474, op. 7, d. 912, l. 277.

⁴⁰ Leonid Lench, "Tochnoe dokazatel'stvo." *Krokodil*, no. 15: 4 (May 30, 1946).

methods. He had spent a whole month trying to figure out if his boss took bribes. All the signs pointed to the fact that he did, but how could he be sure? One day he went to his boss's office, but he was not at his desk. He asked the other employees in the office:

--Where is the boss?

--They put him in jail yesterday!

--For what?

--For [taking] bribes!

That is the most precise proof [that the boss takes bribes]!”

The lesson of *Krokodil's* story: the best evidence that a person takes a bribe is his arrest by the police; and all bribe-takers will be arrested.

Many Soviets understood that the official in need of money was the best target. When privately attempting to account for the causes of malfeasance, procuracy and judicial authorities ignored official explanations about the “survival of capitalist mentalities” among their personnel. They focused, more realistically, on the issues of salaries and professional ethics. A Procuracy commission charged with researching the causes of bribery among prosecutors targeted material deprivation as the critical factor inducing bribery. During the war, the legal professions were decimated.⁴¹ Replacements were inexperienced, poorly trained, and often lacked professional ethics. Most significantly, in the immediate postwar years, the pay of judges and prosecutors plummeted. In hearings, legal professionals often cited material hardship as the principal reason for accepting bribes. The RSFSR Supreme Court justice Shevchenko claimed “material difficulties” as his rationale for regularly taking bribes over the course of four years.⁴² Of course,

⁴¹ See the Ministry of Justice's anguished requests for the training of new judges to replace those killed in wartime, in GARF, f. 9492, op. 2, d. 49, l. 17.

⁴² GARF, f. 9474, op. 7, d. 912, l. 178.

similar financial hardships (and lack of training) faced employees in other governmental and economic agencies.⁴³

The Procuracy commission further noted that many Soviet citizens were cognizant of—and exploited—the difficult material circumstances of local authorities, calculating that impoverished officials would be more susceptible to succumbing to offers of bribes. A law published on September 27, 1946 in the wake of the famine, depriving the dependents of workers and white-collar officials of food rations,⁴⁴ would have made low and mid-level bureaucrats even more likely to accept “gifts” of money or, especially, food. One Procuracy SSSR investigation, for example, found that a certain Rogozin, an investigator in Leningrad, had taken a bribe of 700 rubles and been treated several times to meals (worth 216 rubles) in November of 1946.⁴⁵ Rogozin would go to the apartment of the accused bribe-giver and complain that his family was in a desperate financial situation. The investigator demanded that the accused bring milk and *salo* to his office, and he would eat during the interrogation. Rogozin complained that he had five children and a mother-in-law with no ration card, and he did not even have money to buy bread. Convicted of taking bribes, he was sentenced to four years of corrective labor. In another case in 1945, a very bold manager of a food store hoping to establish a “friendship” asked a visiting Supreme Court judge how much he earned. After the judge replied that he made 1200 rubles a month, the store manager proceeded to open the store’s cash register and flamboyantly present the judge with a “gift” of 3000 rubles straight from the till.⁴⁶ The criminal relationship between

⁴³ Poor compensation of functionaries was considered a major reason for government corruption in Imperial Russia, as low pay stunted the development of an official ethos among the civil service.

⁴⁴ On the September 27, 1946 law, see Donald Filtzer, “The Standard of Living of Soviet Industrial Workers in the Immediate Postwar Period, 1945-48.” *Europe-Asia Studies*, vol. 51: 6 (1999), 1020-26.

⁴⁵ GARF, f. 8131, op. 38, d. 449, l. 96.

⁴⁶ GARF, f. 9474, op. 7, d. 912, l. 188.

the two men lasted for several years, until they were both arrested in 1948 during a crackdown on bribery in the courts.

In an internal report entitled “The techniques and methods of bribe-givers and intermediaries,” a Procuracy USSR investigator analyzed dozens of bribery cases, describing how bribe-givers determined who would make a ripe target for a bribe.⁴⁷ The report was written as a warning to prosecutors and court employees to be on the lookout for people who were trying to exploit their weaknesses. As the report put it: “[The offer of a bribe] usually is preceded by studying the procuracy employee, his character and temperament, his ‘weak sides,’ his proclivities, material situation, etc. That is, he sizes him up [*proshchupyvaetsia*] in every respect with the aim of discovering the possibilities of negotiating with him, of ‘buying’ him.”⁴⁸

Through experience gained in a lifetime of contact with petty officialdom, Soviet citizens gleaned who might be sympathetic to their overtures. People tried to ascertain which officials would be sympathetic to their pleas (and money) and could be coaxed to drop their official front. Soviet citizens had to develop this talent—a critical dimension of the “art of the bribe.” Simply to offer a bribe to an official immediately would have been highly risky. As the report put it, bribe-givers had to “get to know” officials, try to guess who would break the rules, probe their defenses and figure out how far one could go with one’s pleas.⁴⁹ According to this report, the tone of the face-to-face conversation would change at some point. The official would drop his or her façade and begin to commiserate or show a bit of compassion. The bribe-giver could then feel confident that he or she had an ally and could “move to the attack.” This round could entail an immediate offer of money, or it could lead to “a suggestion to go to the apartment of the

⁴⁷ GARF, f. 8131, op. 38, d. 449, ll. 99-103.

⁴⁸ GARF, f. 8131, op. 38, d. 449, l. 99.

⁴⁹ GARF, f. 8131, op. 38, d. 449, l. 97.

procuracy employee, or an invitation to sit and talk at their own apartment, or to go to a restaurant to have a drink, etc.”

The author of the Procuracy report notes that in any given location bribe-givers could draw on a veritable intelligence network of people who had observed and gathered useful information about court employees.⁵⁰ This information about potential targets was compiled by a virtual army of petitioners, complainants, defendants, cleaning women, secretaries, and so on, who had interacted with legal officials in some way or another. One could collect such “local knowledge” in seemingly innocent conversations, learning more and more about a given prosecutor, investigator, or judge. An understanding of psychology became a tool of the ordinary citizen, as many learned to probe the defenses of officials to determine who would enter an illegal deal.

And, in fact, many Soviet citizens developed an extraordinary sixth sense about which officials would be amenable to accepting a payment or gift or acting as a go-between in the transaction. Such a sense was a necessary prerequisite to offering a bribe, since the consequences of an offer to the wrong person could be disastrous. One man told a hearing before the USSR Supreme Court, “Why did I so easily approach Morozov about a bribe? There was no particular reason, but I somehow *instinctively* felt that Morozov would go for a bribe.”⁵¹ This instinct may have also been shaped by his observation of Morozov’s habits: “Besides that, I knew that Morozov loves to drink.” Banquets were often held at work, and during these occasions the court staff socialized with the judges, becoming closer, and enabling criminal relationships to bloom. In another case, a citizen offered an Odessa regional investigator, M.S. Solov’ev, a cherry during

⁵⁰ GARF, f. 8131, op. 38, d. 449, l. 99.

⁵¹ GARF, f. 9474, op. 7, d. 882, ll. 109-121. Court transcripts are such a fruitful source in part because Soviet judges and prosecutors were allowed to ask defendants very direct questions, such as “Where did you go wrong?” or “What led you down the criminal path?”

the interrogation. The investigator accepted it, “relaxing the official pressure in the relationship between the investigator and the accused.” According to the citizen, a certain A.M. Shestopalov, he instantly intuited that this official would accept a bribe.⁵² The wife of the accused, who had been standing in the corridor during the investigation, mentioned to the investigator that they had a cherry orchard, with lots of cherries. “They’re not expensive, and if you’d like I can bring some over to your apartment and make some jam.” She showed up that evening with 12 kilograms of cherries and three thousand rubles in cash. The deal to free her husband was sealed.⁵³ The word “courtship” often seems appropriate to describe this process of negotiation.⁵⁴

One outcome, however, was nearly always off limits to bribes, regardless of petitioners’ pleas. It appears that freedom from prison for a person charged with a *political* offense could be purchased rarely, if ever. Decades ago, David Dallin speculated that *blat* would not help people accused of crimes under Article 58, because law enforcement officials feared the consequences of improper activity in a political case.⁵⁵ Similarly, I have seen no examples of prosecutors or judges who accepted a bribe in exchange for special consideration in cases of people charged under Article 58. The Supreme Court judge Shevchenko testified that, when asked to help with the case of Chachiashvili, he refused because the latter was arrested for a “counterrevolutionary crime.”⁵⁶

⁵² GARF, f. 8131, op. 38, d. 449, ll. 99-100. The document does not state the crime with which Solov’ev had been charged.

⁵³ The investigator was sentenced to five years and the bribe-giver to two years in prison. GARF, f. 8131, op. 38, d. 449, l. 94, 99. Often, petitioners did not mention money, but rather would tell the official “I will pay you back,” “we will not remain in your debt,” or “you will not be offended.” GARF, f. 9474, op. 7, d. 912, l. 319 (testimony of Shevchenko).

⁵⁴ One judge found it impossible to refuse a petitioner’s request for an illegal intervention in a case once he had accepted and dined on *zakuski* and alcohol at his apartment. As he put it, “In this way, in the given situation Semashko gave me a masked bribe—*zakuski* and drinks, after which I already could not deny his request.” GARF, f. 9474, op. 7, d. 912, l. 311.

⁵⁵ David Dallin, “The Black Market in Russia,” *American Mercury* (1949), 678-82.

⁵⁶ GARF, f. 9474, op. 7, d. 912, ll. 193-94.

The Go-Betweens

Some enterprising individuals created what were essentially small businesses as intermediaries, moving between those seeking assistance and those willing to accept illegal payments to provide that help. Often this role involved a good deal of negotiating back and forth, as the parties struck a satisfactory deal. The best mediators had contacts, sometimes entire networks of contacts, connected to various institutions. In one instance, a woman traveled to Moscow from Daghestan in December 1945 carrying 30,000 rubles to pay a bribe to free her husband from prison. She also brought many belongings, including a rug, to sell on commission for additional cash.⁵⁷ For two months, she searched for the right person to help her pass the bribe to the right judge, until she finally found a moonlighting middleman, a certain Mikhail Aviatorovich Mushailov, in February 1946. Mushailov offered to pass a bribe of 50,000 rubles from her to an employee in the military collegium of the USSR Supreme Court. As a result of this bribe, the conviction was requalified from theft under the August 1932 law to abuse of office, under article 109. The sentence was reduced to six years, and then cut in half to three years thanks to the postwar amnesty. Both parties were ultimately convicted of bribery. Mushailov was sentenced to ten years in a labor camp, and Anisimova received five years.

The role of intermediaries was highlighted in the very large bribery scandal uncovered in August 1948, involving the Moscow city court, the Kiev oblast' court, the Krasnodar' krai court, and the Supreme Courts of the RSFSR and USSR. Procuror General of the USSR Safonov wrote to Grigorii Malenkov about the central position of go-betweens in many of the cases that had been exposed. "The criminal element," he noted, "seeking and finding ways to be freed from punishment, acted mainly through the intercession of defense lawyers and every kind of operator

⁵⁷ Deposition of P. I. Kisliakova from Butyrsk prison, September 9, 1949. GARF, f. 9474, op. 7, d. 984, l. 55; and l. 162.

[*del'ets*], who functioned as intermediaries in a type of cottage industry [*promysl*], using their close connections with certain judicial employees.”⁵⁸ Intermediaries, who could be lawyers, secretaries, janitors, or others who had relationships with court employees, would transfer bribes to from the families of the accused to judges in exchange for lighter sentences or outright release. As one apparently remorseful former lawyer put it at his trial, “I didn’t join the defense bar with the goal of making money [by crooked means], but here one has every opportunity to give and receive bribes.”⁵⁹

Intermediaries passed on money, valuables, promise of meals, or other goods to judges, keeping a portion for themselves as their “fee.” At times, they demanded “advances” for their services.⁶⁰ In some cases, two or more intermediaries were involved in a chain of bribery. A lawyer or legal consultant might take a bribe from the family member of an accused person, and then pass that bribe on to a second intermediary who worked in the court, who would finally pass it to the judge or prosecutor (or both) who would do the deed. Each intermediary would take a slice of the payment.

Intermediaries often had to be fast on their feet to protect their business. In one example from 1947, a lawyer, A.V. Vol’skii, acting on behalf of the wife of a man who had been imprisoned in Kazan for speculation, negotiated with two different intermediaries seeking the best access and the best deal. Each one promised access to someone who could provide a favorable decision in a protest Vol’skii had filed with the USSR Supreme Court, but which had stalled. One intermediary, E.M. Velichko, an engineer in the Ministry of Railways, had contacts with L.N. Kudriavtsev, the assistant to the Chair of the USSR Supreme Court. (Kudriavtsev was

⁵⁸ See RGASPI, f. 17, op. 118, d. 151, l. 132.

⁵⁹ GARF, f. 9474, op. 7, d. 912, l. 274.

⁶⁰ For the return of an advance, see GARF, f. 9474, op. 7, d. 1006, ll. 5, 8. For the case of an intermediary asking for a 25,000 ruble advance on a 50,000 ruble bribe, see GARF, fl. 9474, op. 7, d. 984, ll. 162-63.

later convicted of bribery.) Of course, the more people involved in the deal, the more likely it was to be exposed, and this bargain hunting became one cause of the scheme's downfall.⁶¹

Intermediaries sometimes returned their "advance" if they could not achieve the promised result.⁶² One disappointed woman found fault with the intermediary who transmitted her bribe to the court when he could only achieve a reduction of her husband's sentence, not his freedom.⁶³ She demanded a discount, offering the middleman half of the originally agreed-upon sum. The role of intermediaries further indicates the existence of a kind of "bribery market" where buyers sought out sellers, sometimes with the help of creative and highly skilled middlemen.

Conclusion

The official narrative about bribery in the late Stalin period can be summarized as follows: Bribe-giving and bribe-taking violated the Criminal Code. By 1945, bribery was on the verge of extinction. To the small degree that it continued to exist, bribery was a sputtering and embarrassing relic of capitalism. Materials from legal archives, however, provide a picture of bribery in the late Stalin period that is quite different. They underscore tensions between law, ideology, popular attitudes and customary practices that are recognizable as persistent throughout the Soviet period.

The study also highlights the limits of repression. As long as they served a purpose in Soviet society, unofficial practices such as the graft culture and informal mechanisms such as the market for official favors could not be eradicated by the regime. Indeed the new postwar wave of repression, characterized by mass arrests for theft of state property and labor infractions, helped

⁶¹ GARF, f. 9474, op. 7, d. 1006, ll. 5-9, 169-70.

⁶² GARF, f. 9474, op. 7, d. 1006, l. 8.

⁶³ GARF, f. 9474, op. 7, d. 984, l. 163.

to create and feed new markets for bribery, as opportunities for bribe takers and intermediaries burgeoned.

Blat and bribery served related functions in the Stalinist USSR. As Ledeneva points out, *blat* connections were more effective than money in many situations. If one had acquaintances in position to help, then one could exploit one's *blat* network. Procuracy investigations emphasized that bribe-givers typically sought an intermediary from inside their circle of acquaintances who could pass a bribe to a prosecutor. *Blat*, then, could be a stepping stone on the path to the bribe. Of course, one might rely on one's *blat* contacts to find out who would be likely to accept a bribe; at times, then, "*blat* relations mediate bribery."⁶⁴ *Blat* and bribery again intersected. If one's connections were not sufficient, however, one might have to move from the realm of "the mutual exchange of favors" or "reciprocity" and into the realm of the outright *purchase* of favors from officials willing to "sell" their office.⁶⁵ In many cases, *blat* may have been more influential than the Council of Ministers, and even higher than Stalin, as variants on the famous saying went ("*Blat vyshe Sovmina!*" "*Blat vyshe Stalina!*"). Yet for the desperate citizen, one who for some reason lacked the right contacts, "*Vziatka vyshe blata!*"

One purpose of this article has been to describe bribery from the participants' vantage point. This highlights not only public perceptions of bribery but public *participation in* bribery. Examinations of official corruption deprive the population of an active role in the process. A passive population, in such a view, had no choice but to accede to the extortion of corrupt officials. Yet this type of analysis removes agency from the population. Citizens were not

⁶⁴ Lovell, et al., eds, *Bribery and Blat in Russia*, "Introduction," 7.

⁶⁵ Prosecutors tried to establish that the parties in bribery cases not only exchanged money, but that they had no prior personal relationship, in order to demonstrate that favors were "purchased" improperly. Witnesses were then forced to explain how they had "innocently" given money to complete strangers. As a certain Ninidze described a situation he had gotten into: "I can't explain this contradiction: that is, it turns out that I am sending money to an unknown person and, moreover, that a stranger is living in my house." GARF, f. 9474, op. 7, d. 912, l. 241.

exclusively *victims* of official corruption (though they frequently were, of course). Often, they participated willingly.

Evidence provided by court and justice archives illustrates a situation in which many Soviet citizens faced with challenging circumstances learned to finesse what I have called “the art of the bribe.” At least a part of the Soviet population was not passive in its relationships with a state they regarded as unresponsive to their needs and unable to live up to its promises. To the contrary, we have described situations in which citizens who were faced with arbitrary authorities meting out draconian punishments managed to adapt to difficult circumstances. Honed through experience when it officially was deemed almost extinct, bribery was a skill practiced by common citizens who studied, negotiated with, bartered with, and “bought” state officials. They made the state work for them, albeit at great risk and substantial cost. Although this study focuses on interactions between officials and population in the *legal* administrations, surely other administrations—housing, medical, transportation, food procurement—experienced similar “markets.” This is not to say that average citizens had the upper hand in relationships with the state; they did not. An official who refused to accept a bribe could destroy petitioners’ lives by turning them in. One must not romanticize or underestimate the uneven power relationships between often-desperate petitioners and bureaucrats with access to power. Yet this study complicates the normal picture of bribery exclusively as a phenomenon that victimized the powerless, and sees it as a powerful tool in the arsenal of the common citizen in late Stalinist society.

