

SOVIET AMNESTY TALES:

Stories of Redemption, 1920s-1960s

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Executive Summary

From the 1920s to the 1960s, the Soviet Amnesty Commission significantly altered the way it decided cases and criminal detainees also presented very different forms of appeal. Specifically, the formula for rehabilitation changed from the 1930s to the 1940s. Before the war, a person could secure amnesty through a record of socially-useful labor and exceptional work performance. Once the war began, labor as the preeminent marker of state service was displaced. Petitioners now had to demonstrate sacrifice in the most intimate way, by describing the death or injuries of family members in combat, and the number of war wounds marked on the body. A more invasive and demanding government counted a petitioner's war wounds, and wanted to know the number of family members killed or maimed in service to the state.

Introduction

On March 17, 1775 Catherine the Great published a manifesto in celebration of the great victory over the Ottoman Empire in which she declared a general amnesty for all those involved in the Pugachev rebellion. Even prior to the manifesto, she released tens of thousands of prisoners who participated in the revolt after they took an oath of loyalty to her.¹ Nicholas II declared a broad amnesty (milost') on February 21, 1913 to commemorate the 300-year anniversary of the Romanov dynasty.² In the tsarist period, there were often amnesties on special occasions, dates commemorating military victories, coronations and weddings.³

The practice of granting amnesty as part of a state celebration was continued with enthusiasm in the Soviet period. For example, amnesties were granted to commemorate the formation of the Soviet Union in 1923, the 10-year anniversary of the October Revolution in 1927, the completion of the White Sea Canal in 1933, the 20-year anniversary of the Red Army in 1938, the defeat of Hitler in 1945, and the 50-year anniversary of the October Revolution in 1967 (to name just a few).

Moreover, amnesty in the Soviet era remained the exclusive right of the highest state authority. While many state organs could mete out sentences, only the All-Union Central Executive Committee (TsIK) and the republic-level Central Executive Committees (such as VTsIK) had the authority to grant amnesty.⁴ Like their pre-revolutionary counterpart, Soviet amnesties were used to display the ruler's

¹ Isabel De Madariaga, Catherine the Great (New Haven: Yale University Press, 1990), p. 63.

² S. Fainblit, Amnistiia i sudebnyi prigovor (Moscow, 1928), p. 5.

³ P.S. Romashkin, Amnistiia i pomilovanie v SSSR (Moscow, 1959), p. 47.

⁴ According to the Soviet constitution, the Central Executive Committees of the republics and the USSR had the exclusive right to grant amnesty. Thus there was a TsIK RSFSR Amnesty Commission (Komissiia po delam chastnoi amnistii pri VTsIK) which handled cases from the RSFSR. The Amnesty Commission of the TsIK Presidium was the All-Union body responsible for amnesty cases. It was renamed in 1938 to the Commission for the Review of Complaints and Petitions for Clemency (pomilovanie) under the Presidium of the USSR Supreme Soviet. Formally, their division of labor was as follows: The Amnesty Commission for the All-Union Central Executive Committee reviewed the cases of people sentenced by the USSR Supreme Court, the OGPU, and the military tribunals. The Amnesty Commission of the RSFSR Central Executive Committee reviewed amnesty cases for those sentenced by the RSFSR Supreme Court, the provincial (gubernskii) courts and the people courts, as well as the courts of the autonomous republics and regions (oblasti) of the RSFSR. See B.S. Utevskaia, Dosrochnoe

benevolence and capacity for mercy, particularly toward those subjects who presented themselves as redeemed and loyal.⁵

From the 1920s to the 1960s, the VTsIK Amnesty Commission significantly altered the way it decided cases and petitioners also presented very different forms of appeal. Specifically, the formula for "salvation" changed from the 1930s to the 1940s, and the war was no doubt responsible. Before the war, a person could secure amnesty through a record of socially-useful labor and, in particular, exceptional or Stakhanovite work performance. Once the war began, this preeminent marker of state service was displaced. The most sure way of securing amnesty in the 1940s was to demonstrate sacrifice in the most intimate way-- the death or injuries of family members, the number of wounds marked on the body.⁶

Although the war years are typically viewed as a time when the state loosened its grip on the population, the case of amnesty also demonstrates the opposite. Once the war began, the officials who decided amnesty cases were no longer persuaded by work performance or achievements outside oneself. Rather, they demanded more graphic and stark examples of loyalty to the state-- in the form of physical alteration and personal loss. A more invasive and demanding government counted a petitioner's war wounds, and wanted to know the number of family members killed or maimed in service to the state.

osvobozhdenie i amnistiia (Moscow, 1927), p. 54; Amnistiia 1922 goda k V-oi godovshchine Oktiabr'skoi revoliutsii (Moscow, 1922), p. 5-7. The workload of the Commission was at times overwhelming. For example, Nemtsov, the Vice Chairman of the VTsIK Amnesty Commission claimed that in 1936, the Commission received an average of 800 petitions daily and in March 1937 alone, it was inundated with as many as 29,000 appeals. GARF f. 1235, op. 141, d. 1815, l. 20; GARF f. 1235, op. 141, d. 2034, l. 64.

⁵ On how the ruler's right to pardon was used to enhance his authority, see Natalie Zemon Davis, Fiction in the Archives: Pardon Tales and their Tellers in Sixteenth Century France (Stanford: Stanford University Press, 1987).

⁶ On pre-war arguments for rehabilitation, see Golfo Alexopoulos, Stalin's Outcasts: Aliens, Citizens and the Soviet State, 1926-36 (Ithaca, NY: Cornell University Press, 2003); On arguments for redemption during the war and after, see Amir Weiner, Making Sense of War: The Second World War and the Fate of the Bolshevik Revolution (Princeton, NJ: Princeton University Press, 2001).

Amnesty Considerations in the 1920s and 1930s

In the 1920s, the VTsIK Amnesty Commission paid special attention to such elements of a case as the prisoners' social origin, their "cultural level" (kul'turnyi uroven'), and recommendations from Soviet officials close to the case.⁷ For example, a 20-year old was sentenced to three years in 1923 and granted amnesty on the grounds that he was young, of proletarian origin, served for a short time in the Red Army, and had behaved and worked well at his correctional center (ispravdom).⁸ Like any typical parole board, the Soviet Amnesty Commission considered such factors as the length of time already served, the severity of the crime, and whether the person making the appeal was a young, first-time offender. But *unlike* other parole boards, the Commission weighed such factors as social origin and loyalty to Soviet power.

According to one author's formulation, "the Soviet government... frees even former counter revolutionaries from punishment when they demonstrate loyalty to Soviet power."⁹ Nearly everyone who made an appeal for amnesty tried in some way to demonstrate political loyalty. At times, loyalty was simply professed. Writers made confessions of belief and, in order to lend believability to these claims, described their social origin and purity of heart. Telegraphed appeals that were wired to the Amnesty Commission in the 1930s include numerous examples of such assertions of loyalty: "I ask for mercy (pomilovanie) considering my youth and I acknowledge with a pure heart that in the future I will work as an honest and respectable citizen." Two women whose husbands were sentenced wrote, "Our husbands are middle peasants, have never been sentenced before, and they have always been loyal to Soviet power. We pray (molim), in the name of the children, forgive them (pomilovat' ikh)."¹⁰

⁷ GARF f. 3917, op. 6, d. 1204, l. 2.

⁸ TsKhSF f. 3917, op. 4, d. 1865, l. 12.

⁹ Romashkin, p. 8.

¹⁰ Commission on Cases for Personal Amnesty under VTsIK, GARF f. 3917, op. 12, d. 21, l. 113 (1937), 21 (1932).

Assertions such as these were often not sufficient. Rather, they had to be accompanied by evidence of some concrete acts of service to the state. From the 1920s to the 1960s, various forms of state service were invoked as indicators of one's loyalty. Soviet officials who worked in the TsIK Amnesty Commission were explicit in the attention they gave to state service.

The ways in which service to the state or loyalty were demonstrated changed from the 1920s to the 1960s. During the industrialization drive, labor productivity was a primary marker of state service. In a case from 1939, the Amnesty commission justified its decision to grant amnesty (in a manner very typical for this time period) by noting that the petitioner was a disciplined and honest worker who consistently fulfilled production norms by 200-250%.¹¹ One man made a similar appeal in 1946 when he petitioned for his wife's clemency-- "Through our work, my wife and I are very useful to our socialist government--"¹² yet such appeals by this time were rare. By the postwar years, arguments for one's utility and productivity were largely replaced by evidence of personal and family sacrifice in wartime. The process was no less quantitative, but now Soviet officials measured loyalty in the number of war wounds and dead family members.

War Wounds and Service to the State

In a 1927 letter to Stalin, a man deported for a crime he committed the year before, pleaded for "mercy and forgiveness" (*proshchenie i pomilovanie*), and urged the Party leader, "I implore you to consider all of my own and my family's sufferings... I think that all that I and my family has endured [serve as] atonement/redemption (*iskuplenie*) for my wrongdoing (*vina*) before the proletarian government."¹³ The language of this letter sounds pre-revolutionary, but it was entirely appropriate for a

¹¹ GARF f. 7863, op. 3, d. 131, l. 2 (1939).

¹² Commission for the Review of Complaints and Petitions for Clemency under the Presidium of the USSR Supreme Soviet, GARF f. 7863, op. 12, d. 1038, l. 7 (1946).

¹³ RGASPI f. 17, op. 85, d. 527, l. 110 (1927).

Soviet amnesty appeal. The idea of atonement through sacrifice might have been rooted in Russian religious tradition but, surprisingly, an atheist Soviet regime adopted this formula as well. Moreover, the terms for mercy and forgiveness-- pomilovanie, milost'-- were used to describe official state amnesty or pardon.¹⁴

As one might expect, the idea that *through* suffering one *earns* redemption appeared most often in the wartime petitions of the 1940s.¹⁵ For example, in his 1940 petition to have his record cleared of a criminal conviction in 1933, one man claimed that he had "atoned for his past stigma with [his own] blood" when he fought in the Finnish war and closed his letter with the words, "In the future, I will not regret spilling blood or even [losing my] life for the defense of our free and happy Motherland."¹⁶ This man believed that he earned a clear record through personal sacrifice or by spilling his own blood, and that his willingness to give his life served as the ultimate demonstration of state service and, hence, loyalty.

Surprisingly, this almost biblical language of blood and forgiveness was even reproduced by officials of the Soviet military and secret police. For example, a former military captain who appealed for amnesty in 1945 wrote: "I ask you to forgive my wrongdoing (prost' mne moi u vinu) given that my blood was spilled for victory."¹⁷ In a similar case, an NKVD officer who took a bribe (in the form of one

¹⁴ For example, the general amnesty of 1923 was described as an act of mercy (akt milosti) towards "those workers and peasants who committed criminal acts for the first time and because of their own lack of consciousness, accidentally or under the pressure of difficult material circumstances." See "Amnistiia v oznamenovanie obrazovaniia SSSR i osnovnye zadachi organov sovetskoi iustitsii v borbe s prestupnost'iu," in the legal journal *Ezhenedel'nik sovetskoi iustitsii* (13 September 1923) no. 36, p. 1.

¹⁵ Amir Weiner describes how "the war itself became a redemptive vehicle for pre-war outcasts" in his article Nature, Nurture, and Memory in a Socialist Utopia: Delineating the Soviet Socio-Ethnic Body in the Age of Socialism," *The American Historical Review*, vol. 104, no. 4 (October 1999), pp. 1132.

¹⁶ GARF f. 7521, op. 2, d. 38, l. 14 (1940).

¹⁷ GARF f. 7863, op. 10, d. 1119, l. 5 (1945).

pair of leather boots) to get his drinking partner and former kulak a passport was sentenced in 1937 to two and a half years deprivation of rights. He made a successful appeal in 1942 to the USSR Supreme Soviet to have his criminal record cleared (sniat' sudimosti), and in his petition he argued:

If I must give my life for our holy motherland in harsh battles with the enemy, then I will give it drop by drop (kaplia za kaplei), and I will be able to die peacefully knowing that I fulfilled by duty with honor and that the motherland in the person of the USSR Supreme Soviet forgave me for my former crime.¹⁸

In the pre-war years and after, positive recommendations from supervisors at the prisoner's place of work played a critical role in convincing the Soviet leadership to grant amnesty. Yet it appears that once the war began, employer recommendations (like personal petitions) stressed individual sacrifice, the ways in which people risked their lives in the course of state service. For example, a woman successfully got her record cleared of an article 59 conviction by a military tribunal after her supervisor wrote the following on her behalf:

During the restoration of the rail line at the Miatlevskii station that was destroyed by enemy bombing, Kondratova displayed exceptional energy and attention in her work, performing [her] job in the most threatening places, without considering the danger to [her] life.¹⁹

Soviet leaders who decided amnesty cases were interested in hearing about blood spilled and lives on the line. For example, Soviet leaders underlined only three items from a woman's 1943 letter to Kalinin in which she requested amnesty for her son. Authorities marked the young man's date of birth and his current place of detention but also, notably, the fact that his brother was on the front and his father was wounded in battle and recovering from three wounds and a contusion (kontuziia).²⁰ The official reader of a man's 1946 petition for his son's amnesty also underlined similar data in the long letter: 1) the

¹⁸ GARF f. 7863, op. 6, d. 3148, l. 5-6 (1942).

¹⁹ GARF f. 7863, op. 6, d. 2843, l. 5 (1942).

²⁰ GARF f. 7863, op. 8, d. 1454, l. 7 (1943).

circumstances that caused the son to skip work and led to his arrest, and the young man's current place of detention; 2) the fact that the eldest son died in battle, and the second son had three wounds, a contusion, and was in a hospital for an operation. An official memo from 1948 explained the decision to grant amnesty as follows: "His father has been chairman of a kolkhoz since 1936, his older brother died in the battle of Sevastopol, the second brother is an invalid, group II, of the Patriotic War and has a government medal."²¹

War wounds and the sacrifices of family members were quantified and functioned as a measure of favor. Soviet officials noted in the summary of a case being considered for amnesty: "She was mobilized in the Soviet Army and worked as a nurse; she was wounded three times;"²² "He was a participant in the Patriotic War, has a contusion, awarded a medal."²³ In his 1945 letter to Kalinin requesting amnesty for his son, one man enumerated his physical injuries: "I have four wounds and one injury to my left eye for a total of five [wounds]."²⁴ In the case of one appeal from as late as 1966, the Soviet official reader underlined only two words in the lengthy petition-- "twice wounded."²⁵

Soviet officials were explicit about the importance of a family's sacrifice and physical wounds. D. Konstantinov of the USSR Supreme Soviet Presidium, in a 1951 memo to the chairman of the Dzerzhinsk raisovet, requested a number of supporting documents in an amnesty case, not only information on the person's job performance before arrest, but his participation in the war and war wounds (raneniia), as well as the behavior of his family during the German occupation of the region. In

²¹ GARF f. 7863, op. 14, d. 929, l. 10 (1947), l. 4 (1949).

²² GARF f. 7863, op. 21, d. 2131, l. 16 (1954).

²³ GARF f. 7863, op. 21, d. 7225, l. 49 (1954).

²⁴ GARF f. 7863, op. 10, d. 268, l. 3-4 (1945).

²⁵ GARF f. 7523, op. 101, d. 1287, l. 12 (1966).

his write-up of the case, including the recommendation that the man in question be freed from the remainder of his sentence, Konstantinov made prominent mention of the fact that the man participated in the war, had war wounds, and received several medals for his military service.²⁶

Each family member in battle, and each injury incurred, was like an additional mark in the person's favor. The number of family members in combat, and their wounds and injuries, were like currency with which petitioners bought amnesty. The more items of sacrifice they could tally on the register, the better their chances of purchasing clemency from a stingy Soviet leadership.

In her book, The Body in Pain, Elaine Scarry describes how "disobedience or disbelief or doubt in the scriptures is habitually described as a withholding of the body" while belief required the absolute surrender of the human interior, a willingness to be physically altered, to take one's insides and give them over to something wholly outside oneself. For the believer, "It is in the body that God's presence is recorded."²⁷ For a state whose goal had long been the conversion of a population, a state that required grave demonstrations of loyalty-- it was in the body that the Soviet state's presence came to be recorded as well.

²⁶ GARF f. 7863, op. 19, d. 2215, l. 16, 33 (1951-2).

²⁷ Elaine Scarry, The Body in Pain: The Making and Unmaking of the World (New York: Oxford University Press, 1985), pp. 202-205.