

**The Limits of Forgiveness in the Soviet Union: The Political, Judicial, and Cultural
Re-examination of Policy towards Collaborators in the 1950-1970s**

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Abstract

This thesis examines the limits of forgiveness of collaborators in the Soviet Union in the 1950-1970s in political, judicial, and cultural domains. After the death of Stalin, the new government implemented significant political changes that had an impact on the judicial and cultural practices related to the issue of collaboration in the Great Patriotic War. In 1954, Nikita Khrushchev ordered the organization of revision commissions to reexamine the sentences of counter-revolutionary prisoners, including collaborators, in order to assess the appropriateness of Stalinist postwar justice. In 1955, around 60,000 prisoners were released under this process. It prompts us to assume that the government of that time, while still recognizing these people as guilty, had attempted to forgive or to acknowledge the disproportionality of their punishment for those who allegedly committed a crime against the motherland by aiding the Nazis. Based on the archival documents from the Sectoral Archive of the Security Service of Ukraine that show the activities of the revision commissions in Kyiv, this thesis looks at which factors in the prisoners' sentences were used as reasons for reducing or annulling the term of imprisonment, and what actions were considered irredeemable. Besides the court and party meetings, cinematography, one of the most influential fields of Soviet art, also conducted its own reexamination of this issue. The relative liberalization and de-Stalinization during the Thaw and after offered the possibility for filmmakers to speak of wartime hardships and injustices. The two Soviet films, *Trial on the Road* (1971) and *The Ascent* (1977), illustrated the pangs of conscience and remorse of collaborators that experienced trauma from the war. This thesis also examines the films' quite provocative illustration of traitors who follow or violate the political agenda in the early 1970s when the myth of the Great Patriotic War had already been strengthened.

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Ah, Genoese! ye men estranged from all

morality, and full of every vice,

why from the earth are ye not wholly driven?

Dante Alighieri. The Divine Comedy. Inferno XXXIII.

Introduction

In the last circle of Hell, Dante finds himself at a large frozen lake where every apostate and traitor was sent for eternal torment. They had traded the warmth of the sun for a place of unyielding ice. By starting his narrative with traitors, Dante assigns this crime the ninth and final circle of hell as the most heinous. It is the place where Judas Iscariot and Brutus are greeted by Lucifer himself, who torments them with his three mouths.

The topic of betrayal has always been a fine thread that goes through human civilization. Connotating not just a crime but a sin, betrayal evokes numerous mystical and special metaphors like “turning a coat” and “crossing a line”, where boundaries are not only geographical and political but partially symbolic and moral. The enormity grows from the implication that its perpetrators not only supported the enemy but violated their oaths to their sovereign. This betrayal destroys the border between *us* and *them* – nation, society, group, family – and shuts down the possibility to be integrated into either of these sides. Unlike *them*, who from the very beginning have been on the other side of “the truth” and have not chosen it, the traitor deliberately disregards the boundaries, which even worse than just an “ordinary” enemy.

A significant example of the “*us and them*” paradigm was located in the Soviet Union, which was originally based on the idea of the separation of *us*, the proletariat and peasantry, and *them*, the bourgeoisie and kulaks¹. The division was intensified in the 1930s into “comrades” and

¹ One of the most important dogmas of Marxism was the dogma of the implacable class struggle. For Marxism-Leninism, the class struggle is the spring that sets in motion human history. It was intensified in 30s among the party leaders and divided the world into “comrades” and “enemies” which was expressed in a common saying “Whoever is not with us is against us”, more Geoffrey Hosking, “Trust and Distrust in the USSR: An Overview,” *The Slavonic and*

“enemies” which was expressed in a common saying “Whoever is not with us is against us”. Many years of Soviet policies’ implementations had served what could be called a world without neutrality, a world of simple binaries². In the 1940s, the Great Patriotic War produced another form of otherness – the phenomenon of *the collaborator*. The term acquired negative connotations in the 20th century and has become synonymous with treason. In the context, collaboration is commonly described by scholars as different forms of political, administrative, economic cooperation with Nazi Germany during the war³. For the Russian public, the term collaboration has come into a common use relatively recently in the post-Soviet era, as during the Soviet years, collaborator with the occupiers was denoted by the terms *traitor (izmennik)* or *accomplice (posobnik)*, which effects on the perception of this phenomenon.

A few thoughts on the issue of the Soviet retribution and forgiveness

From the beginning of the Red Army’s retaking of territories previously occupied by Nazi Germany, the Soviet Union began a long-lasting and large-scale process of arresting people for collaboration⁴. According to the statistical data compiled by Oleg Mozokhin, during 1943-1953, more than 320,000 Soviet citizens were arrested for cooperation with the occupiers. Regarding the Ukrainian SSR, a region where security services archives have recently declassified information, by January 1946, the NKVD arrested 22,375 people for collaboration with the Nazis⁵. These

East European Review, vol. 91, No. 1 (January 2012), 1-25, 7-8. Moreover, in May 1917 Lenin condemns Menshevik workers for their class collaboration with capitalists, see Vladimir Lenin, “Class Collaboration with Capital, or Class Struggle Against Capital,” *Lenin Collected Works*, vol. 24 (Moscow: Progress Publishers, 1964), 357-359.

² Lynne Viola, *Stalinist Perpetrators on Trial. The Scenes from the Great Terror in Soviet Ukraine* (NY: Oxford University Press, 2017), 173; Sheila Fitzpatrick points out the Manichean discourse of communist identity: a person could be either “proletarian”, which determines himself as ally, or “bourgeois”, innately an enemy, Sheila Fitzpatrick, *Tear Off the Masks! Identity and Imposture in Twentieth Century Russia* (Princeton: Princeton University Press, 2005), 103.

³ The classical examples, Michail Semiryaga, *Collaborationism. Nature, typology and manifestations during the Second World War* [Kollaboracionizm. Priroda, tipologiya i proyavleniya v gody vtoroj mirovoj vojny] (Moscow: ROSSPEN, 2000); Kovalev, B. *The Nazi occupational regime and collaboration in Russia 1941-1944* [Nacistskij okkupacionnyj rezhim i kollaboracionizm v Rossii, 1941-1944] (Moscow: AST, 2001); C. Dieckmann, C. Gerlach, *Kooperation und Verbrechen. Formen der Kollaboration in Südost- und Osteuropa 1939 -1945* (Göttingen: Wallstein Verlag, 2005).

⁴ Articles 58-1a/b in the criminal code of the Russian Socialist Federation and 54-1a/b in Ukrainian Socialist Republic.

⁵ In this case, I refer to the statistical materials of Oleg Mozokhin <http://istmat.info/node/255>, as well as data from an article by Tanja Penter, “Collaboration on Trial: New Source of Material on Soviet Postwar Trials against Collaborators,” *Slavic Review*, vol. 64, No. 4 (Winter, 2005), 783.

prisoners included both war criminals, who participated in mass executions and surrendered Jews to the Germans, as well as those who had not been evacuated before occupation and worked in the local factories, which at that time continued to function.

The enormity of Soviet retribution hardly has an analog in other previously occupied territories by Nazi Germany – nowhere else did the purges against the Nazi elements reach such a scale as in the Soviet state. The fury that encompassed France after the liberation from the Vichy regime and induced thousands of executions against overt and suspected collaborators without legal proceedings could be taken as the most approximate example. In both cases, retribution was considered necessary to restore the legitimacy of the state in the eyes of the population as well as their own. If the shaving of heads and walk of shame of French women who had affairs with the Nazis presented an act of masculine recovery since the liberators were not French men but American allies⁶, the Soviet reconquest of territories demanded self-assertion as winners and carriers of justice they intend to restore. At the same time, France has an example of a public dispute between Albert Camus and François Mauriac⁷, and the foundation of Association pour Défendre la Mémoire du Maréchal Pétain, which was never banned in the Fourth Republic⁸. This organization was allowed, regardless of the fact that Pétain, as a leader of Vichy France, personified the concept of collaboration. This dialogue is quite difficult to imagine in the Soviet state, where any attempts to discuss the fairness of penalizing traitors could have been dangerous for an initiator of this conversation.

Certainly, one reason for the severity of retribution lies in the confrontations at the outbreak of the Cold War⁹. Another reason has its roots in the physical and emotional depletion of

⁶ Luc Capdevila, “The Quest of Masculinity in a Defeated France, 1940-1945,” *Contemporary European History*, vol.10, No.3 (November 2011), 423-445.

⁷ In 1947, François Mauriac and Albert Camus had a published controversy on the pages of two French magazines, concerning the retribution against collaborators. Mauriac argued for pardon, while Camus appealed to justice through punishment because France should cleanse itself from Nazi elements, traitors, and mediocrities. Later, he accepted the argument of Mauriac, questioned the honesty of the purges which inevitably lead to abuses of the innocent. For more see Trudy Govier, *Forgiveness and Revenge* (London: Routledge, 2002), 28-30.

⁸ Henry Rousso, *The Vichy Syndrome. History and Memory in France since 1944*, (Cambridge: Harvard University Press, 1991), 43.

⁹ Henry Rousso also points out that in the postwar period former collaborators were amnestied in 1947 in the name of national unity, while members of the Communist parties, among of them were participants of the Resistance,

the Soviet authorities during the war, which only increased the level of brutality and mistrust. Thus, making accusations of collaboration required ignoring the fact that Soviet citizens in these occupied territories had been abandoned in the hands of the enemy for several years. For these reasons what could be considered retribution, as a punishment equal to the crime, sometimes appears as an act of revenge with a strong emotional desire to harm offenders.

Revenge as a concept means striving for satisfaction by attempting to retaliate against an offender in an action that, supposedly, will bring relief¹⁰. It also tied to a sense of justice, which, in the case of the Soviets, could not be challenged, because the victory over fascism was seen to justify all cruelties that the state inflicted. Unfortunately, the Soviet state as the bearer of monopoly power over the implementation of justice did not consider the its proportionality. Therefore, sometimes people received what could seem to be more severe or excessive punishments than they seemed to deserve. The issue of collaborators is further complicated by the fact that, even considering the Soviet postwar retribution against them as a disproportionate punishment, few people would be likely to speak up for them, because some punishment, in any case, is not unfair¹¹. Moreover, in the Stalinist period support of the actions that collaborators committed could also bring the supporter to the tribunal. Today's historians and other scholars working in the field of perpetrators are required to be extremely cautious in their wording to not seem as justifiers or rationalizers of the state's actions.

Local punitive executions against traitors and accomplices, conducted without any trials when the Germans lost the power, were also quite widespread at the end of the war¹². They had unsystematic and revengeful practice, which was soon forbidden and transferred under the

systematically arrested, Henry Rousso, *The Vichy Syndrome. History and Memory in France since 1944* (Cambridge: Harvard University Press, 1991), 31-32.

¹⁰ Trudy Govier, *Forgiveness and Revenge* (London: Routledge, 2002), 2.

¹¹ Whitley R.P. Kaufman, *Honor and Revenge. A Theory of Punishment* (NY: Springer Science + Business Media Dordrecht, 2013), 32-33.

¹² Alexander Prusin, "Fascist Criminals to the Gallows!": The Holocaust and Soviet War Crimes Trials", December 1945-1946," *Holocaust and Genocide Studies*, vol. 17, No. 1, (Spring 2003), 1-30.

prerogative of the authorities, and the Soviet state conducted trials of collaborators until the 1970s. However, the severity of punishment and the concept of justice gradually changed.

After the death of Stalin, the Soviet government ordered judicial review commissions to reexamine “counterrevolutionary sentences”¹³, including those convicted for World War II-related crimes, such as collaboration with the Nazis. On September 17, 1955, the Soviet government issued another significant decree, “On Amnesty”, which concerned some categories of those who collaborated with the occupiers during the war. The party members actively discussed the level of responsibility of the so-called traitors and accomplices, arguing for and against possible indulgence towards them¹⁴. Eventually, this amnesty brought an extensive reconsideration of the attitudes toward political prisoners who had previously been accused of collaborating with the occupiers. Political actions, relating to former traitors to the Motherland, resulted in reexaminations within the jurisdiction that, in its turn, exerted influence on GULAG, the population of which was significantly decreased by the next mass release¹⁵. All these actions prompt us to assume that the new government had undertaken attempts either to forgive or to acknowledge the disproportionality of retribution to those who allegedly committed a crime against the motherland by aiding the Nazis.

The concept of forgiveness is even harder to comprehend than retribution. Referring to psychological concepts, revenge is a primitive emotion that is experienced immediately after the offense is inflicted, while forgiveness is a more complex construction that requires reflection and

¹³ In fact, the counter-revolutionary sentences meant political sentences, they related to the Article 58 in the criminal code of the Russian Socialist Federation. This article was directed to counter-revolutionary activities, which encompassed treason, contacts with foreigners “with counter-revolutionary purposes”, any kind of help to “international bourgeoisie”, etc. It was consisted of 14 points, in detail <http://www.cyberussr.com/rus/uk58-e.html>

¹⁴ Marc Elie, *Les anciens détenus du Goulag: libérations massives, réinsertion et réhabilitation dans l'URSS poststalinienne, 1953-1964* (Ecole des Hautes Etudes en Sciences Sociales (EHESS), 2007), 128-130.

¹⁵ There were several amnesties since the end of March 1953 – the first one was announced on March 26, 1953, which proposed a mass amnesty for 1,181, 264 prisoners. In September 1955, approximately 60,000 prisoners were released due to this political amnesty. In the beginning of March 1953, the number of prisoners reached up to 2,526,401 prisoners, see William Taubman, *Khrushchev. The Man and His Era* (NY: W.W. Norton & Company Ltd., 2003); Marc Elie, *Les anciens détenus du Goulag: libérations massives, réinsertion et réhabilitation dans l'URSS poststalinienne, 1953-1964* (Ecole des Hautes Etudes en Sciences Sociales (EHESS), 2007), 125.

acceptance. In other words, to forgive means to cancel a social debt¹⁶. There are several the most crucial variables on forgiveness and requital which are analyzed in this context in this thesis – empathy, severity of the offense, and apology.

The feeling of empathy, specifically, cognitive empathy, implies an ability to look at the situation from the perspective of the offender, and, thus, to come to forgiveness¹⁷. The invocation of empathy allows a prosecutor to displace the focus from the self to caring for the offender's justifications¹⁸. The severity of the offense is estimated according to the victim, and influences what type of punishment will be applied, as well as on subsequent possibilities for forgiveness. Forgiveness following extreme humiliation may be particularly difficult to implement. The opinion about unforgivable crimes, such as the Holocaust or the 9/11 attack, could refer to another broad discussion with a countless number of opinions¹⁹. Independently of right or wrong, the evident detail is that forgiving is much harder than punishing, especially, when the correctness of the administering justice is undeniable and criticism of the punishment is prohibited. At some point, this path of justice ignores a person's ability to repent, to morally transform, as well as the circumstances in which a person committed a crime. Forbidding any discussion leads to the universalization of all subjects without a thorough analysis of reasons and conditions in a time of felony, as the case of post-war judicial campaigns of the Soviet Union demonstrates.

Forgiveness is also inseparable from confession, which is supposed to be an integral part of the ritual of pardon. Forgiveness without the offender feeling and admitting regret and remorse can only be imagined in the ideal macrocosm of Christian philosophy that teaches one not to resist the one who is evil. "But if anyone slaps you on the right cheek, turn to him the other cheek also". The Soviet court of the Stalinist period is not well-known for clemency, but rather for being

¹⁶ Bettine Muenster, David Lotto, "The Social Psychology of Humiliation and Revenge" in *The Fundamentalist Mindset: Psychological Perspectives on Religion, Violence, and History* (Oxford: Oxford University Press, 2010), 78

¹⁷ Ibid., 78-79.

¹⁸ Jeanne S. Zeichmeister, Don't Apologize Unless You Mean It: A Laboratory Investigation of Forgiveness and Retaliation, *Journal of Social and Clinical Psychology*, vol. 23, N.4, 2004, 536.

¹⁹ Trudy Govier observes these opinions in the chapter "The Unforgivable" in *Forgiveness and Revenge* (London: Routledge, 2002), 100-119.

stubborn in the desire to confirm its own righteousness by eliciting by receiving a confession of guilt. This is why confession of guilt could be obtained from individuals both voluntarily and by force²⁰. During the Thaw, while looking at the communication between the court and a prisoner, where the latter is striving for rehabilitation and release from prison, it is easily noticeable that defendants corresponded used the common template “ I am guilty but...” with the subsequent rationalization of wrongdoing. They used this framework even when a person did not consider her/his act as wrongdoing, or this action would never be committed at all²¹. As a result, the post-Stalinist court finally moved away from the primordial need of confession and began to operate using other variables, which will be analyzed and described in this thesis.

Regardless of the intentions of the new Soviet government, whether with a willingness to forgive or materialistic benefits for its members, the political transformations during de-Stalinization also had an impact on the cultural aspect of the Soviet life. It provided a chance for artists to make their own comprehensible reexamination of this issue. The turnaround had allowed cinematography, as the most influential art in the USSR, to address to those topics which were completely forbidden in the times of ubiquitous and all-consuming dictatorship. Since the 1930s, the Soviet cinematography actively articulated the topic of betrayal, embodied in traitors of the Revolution, of collectivization, and of Soviet people during the war. Nevertheless, while reviewing various war films in chronological order, it becomes clear that the manner of illustrating betrayal

²⁰ About the tortures in the Soviet court, for example, see Lynne Viola, *Stalinist Perpetrators on Trial. The Scenes from the Great Terror in Soviet Ukraine* (NY: Oxford University Press, 2017):251; Alexander Prusin, ““Fascist Criminals to the Gallows!”: The Holocaust and Soviet War Crimes Trials, December 1945-1946,” *Holocaust and Genocide Studies*, vol. 17, No. 1 (Spring 2003), 20–21; J. Cadiot, T. Penter, “Law and Justice in Wartime and Postwar Stalinism,” *Jahrbücher für Geschichte Osteuropas*, vol. 61, № 2, (2013), 168; S. Kudryashov, “The Early Stages of “Legal Purges” in Soviet Russia (1941-1945),” *Cahiers du Monde russe*, vol. 49, no. 2/3, (2008), 271-272.

²¹ Miriam Dobson designates it as an epistemological problem, emphasizing that in submitting the petition to reexamine the case of a prisoner, it was necessary to combine two inconsistent and controversial realities – to prove the innocence and to repent of the deed, see Miriam Dobson, *Khrushchev's Cold Summer: Gulag Returnees, Crime, and the Fate of Reform after Stalin*, (Ithaca: Cornell University Press, 2011); Though, the arrangement of a special narrative for pardon comes back to Early Modern period. As Natalie Zemon Davis illustrates, in 16th century, when a prisoner applied for a cancelation of the death penalty or imprisonment, it was necessary to emphasize the primacy of justice to forgiveness. The petitioner had to admit his crime, avoiding arguments to prove his innocence and absence of himself at the crime scene at that moment. Further, it was important to engage a preamble, telling about life of an accused that would make him more pitiful - “a person from a poor family”, “a sick, disabled widow”, “burdened with five children, including her stepdaughter getting ready for marriage”, etc., see, Natalie Zemon Davis, *Fiction in the Archives: Pardon Tales and their Tellers in Sixteenth Century France* (Stanford: Stanford University Press, 1987), 11-15.

onscreen had gradually changed and experienced different forms of representation, including the portrayal of repentant collaborator – the image, which could have been dangerous to apply only a few decades earlier, since it implies a grant of having remorse, which subsequently humanizes an offender and makes his or her action condonable.

Research Questions

Based on the foregoing, there are still several open questions relating to the process of how the tension towards “suspicious and hostile elements” in society was defused. In this thesis I would like to ascertain the changes in political, judicial, and artistic attitudes toward collaborators in the Thaw era to find out whether a bipolar understanding of enemies still existed in the political discourse at that time or whether had it had been transformed due to an acknowledgement of the ambiguous reality of the wartime? Does this political amnesty mean that there was a third class of people who might be considered “minor collaborators” and, thus, could be forgiven? What key factors in the prisoners’ sentences became reasons for maintaining the term of imprisonment versus reducing or completely overturning the sentence. In terms of cinematography, which produced an artistic reexamination of this topic, how do these perturbations in the political agenda influence the representation of collaborators on screen. Specifically, within what bounds was the image of those who allegedly betrayed the Motherland? Depicting the pangs of conscience and repentance of traitors and appealing to the empathy of viewers, did filmmakers follow the political agenda or violate it? This thesis suggests looking at the limits and boundaries of forgiveness offered to those who were accused of collaboration in political, judicial, and cultural domains.

For an analysis of judicial reexamination of sentences, the focus will be specifically on investigative protocols from the Sectoral Archive of the Security Service of Ukraine with interrogation transcripts due to recent declassification of these sources, as well as the corpus of published documents related to the USSR Prosecutor’s Office. I formulate my conclusions based

on the Ukrainian case, since, to my mind, the policy of retribution against collaborators was ubiquitously practiced in all regions²².

In terms of the methodological basis of the study, I use a qualitative method of research while working with investigative protocols from Ukraine. This method reveals important details of arrests, similarities in convictions, and a holistic picture of common patterns in the reexamination of sentences. The elaboration of these sources includes a thorough analysis of prisons' sentences reviewed by prosecutors after 1954. The analysis helps to reveal what characteristics of the prisoner's biography prompted cases to be reopened, leading to a reduction or preservation of the term of imprisonment. In terms of cinematography, two films are analyzed for their plot and visual portrayal of betrayal which helps, through comparison of commonalities and differences, to investigate the limit of allowed and forbidden aspects of onscreen portrayals. Remorse has been chosen as a variable that helps to comprehend the exact line between permissible and forbidden, considering that the illustrating a of collaborator's repentance is the second-highest level of sympathy to a character, which must occur before a justification of this person's behavior can be portrayed. In this sense, two films, *Trial on the Road* (1971) and *The Ascent* (1977), taken as examples, made an impressive leap in portraying remorse and even sympathy on the Soviet screen.

The interest and relevance of this research have several prerequisites, academic and personal. First of all, the subject of political amnesty and rehabilitation was partly investigated by German and French scholars for some regions²³ but a full-fledged picture of how revision commissions worked in the reexamination of sentences of collaborators in other regions of the

²² To be precise, the archival sources do not contain cases of legal prosecution of nationalistic groups (OUN or UPA). This thesis partially based on a previously written paper during my bachelor's degree which was translated and supplemented with additional materials.

²³ Marc Elie, *Les anciens détenus du Goulag: libérations massives, réinsertion et réhabilitation dans l'URSS poststalinienne, 1953-1964*, (Ecole des Hautes Etudes en Sciences Sociales (EHESS), 2007); Immo Rebitschek, „Feindbilder auf dem Prüfstand- Sowjetische Kollaborateure im Fokus der Revisionkommissionen, 1954 und 1955,“ *Jahrbücher für Geschichte Osteuropas*, 65 (2017), 262-281.

Soviet Union is continuing to take shape. Moreover, despite numerous scholars²⁴ having investigated the topic of politics of memory, the missing question is the nature of Soviet public discourse on collaborators in the occupied territory after the Stalinist period.

The topic of war crimes, especially the collaboration of civilians with the Nazis, was and still is a controversial subject in the Soviet and post-Soviet area. The most common instance is the Russian representation of Stepan Bandera as the main wartime traitor of the Soviet Union who embodies the betrayal of Ukrainian people with the battles regarding the history of the Andrey Vlasov's Liberation Army²⁵. In fact, the topic of wartime collaboration runs throughout the entire Soviet period up to this day. For example, in 2018 Russian federal TV Channel TNT, which represents itself as a non-political channel, released a quite provocative comedy-drama *House Arrest*²⁶ about a Russian provincial mayor who was arrested for bribery and corruption inside his own local government. Trying to regain his former power, by means of contrivance, he forces his neighbor, who has no interest in being a candidate for the next mayoral election. What is curious here is that in one of the episodes it turns out that the grandfather of this neighbor-candidate was a collaborator who worked for the Germans during the Second World War. The incriminating evidence on his grandfather from 70 years earlier causes a storm of public condemnation and censure, and the candidate refuses to participate in the political game, as he considers himself

²⁴ For some examples of the politics of memory in different countries relating various aspects of memory, see S. Suleiman, *Crises of memory and the Second World War* (Cambridge: Harvard University Press, 2006): 296; P. Leese, J. Crouthamel, *Traumatic memories of the Second World War and after* (London: Palgrave Macmillan, 2016): 310; More specifically about the issue of collaborators in different regions, G. Grinchenko, E. Narvselius, *Traitors, Collaborators and Deserters in Contemporary European Politics of Memory. Formulas of Betrayal* (London: Palgrave Macmillan, 2018), especially relevant to this thesis, see M. Borovyk, *Collaboration and Collaborators in Ukraine During the Second World War: Between Myth and Memory*, 285-308; G. Grinchenko, "The Ostarbeiter of Nazi Germany in Soviet and Post-Soviet Ukrainian Historical Memory," *Canadian Slavonic Papers*, vol. 54, No. 34, (2015), 401- 426; partially, Amir Weiner, *Making Sense of War: The Second World War and the Fate of the Bolshevik Revolution* (Princeton: Princeton University Press, 2010): 432.

²⁵ The remembrance about Vlasov's Army has come into tension with the Putin's patriotic discourse, and any attempts to develop an enduring set of reasons of collaboration encounter an accusation of Nazism. The recent scandal happened with Kirill Aleksandrov, who has written his dissertation about Vlasov and, subsequently, was denied the degree of Doctor of Science, see in detail B. Tromly, "Reinventing Collaboration: The Vlasov Movement in the Postwar Russian Emigration" in *Traitors, Collaborators and Deserters in Contemporary European Politics of Memory. Formulas of Betrayal* (London: Palgrave Macmillan, 2018), 109-111.

²⁶ House Arrest [Domashniy Arrest], 2018, program creator Semyon Slepakov <https://www.kinopoisk.ru/film/1044487/>

disgraced for the rest of his life. The subsequent refutation of this information offers him the great consolation and confirmation that he does not have this virus of treason in his blood. The exploitation of this topic in a comedy series nevertheless characterizes the significance of this phenomenon today.

The scope of the study is limited to the period from 1954 to 1970s, from the time of gradual de-Stalinization to the origin of the Great Patriotic War myth, which has its significant impact on the discourse of collaboration and treason. I also refer to the Stalinist period in order to explain the changes in policy as well as the inherited discourse of that time. The geographical framework of the archival research is narrowed to Ukraine as an example case due to its availability for investigation, although, documents relating to the functioning of the entire system from Moscow archives were also reviewed. In terms of cinematography, movies throughout the Soviet Union which touch upon the problem of collaboration will be studied but with an emphasis on the positioning of the portrayal of the collaborator's remorse.

Structurally, the first chapter will introduce the terminology and clarify possible meanings of collaboration, with a working definition of the term collaborator that will be used in the thesis. It also contains the analysis of significant measures of the Soviet government in the postwar period up to the end of the 1950s, which explicitly and implicitly concerned the issue of collaborators. The second chapter will consider prisoners' statements from interrogation transcripts of the State Archive of the Security Service of Ukraine, which serves to scrutinize the judicial changes in the Thaw. The third chapter will be devoted to cinematic representations of collaborators, illustrating the how collaborators express remorse, which subsequently shows the limits of forgiveness and empathy to them on the screen.

Chapter I. Who is a traitor? The political, judicial, and social transformations towards collaboration

The young soldier Petr Astakhov was drafted to the Red Army in February 1942. He took part in hostilities only for a little – four months later, he was captured by the German troops in a result of unsuccessful Kharkiv operation which the Soviet failed. As a prisoner of war, he was sent to numerous Nazi camps, where he voluntarily signed up for a specialized work (*zapisatcia v specialisty*) and, according to him, expected that his activities would be related to some sort of industrial labor. In the end, however, he has been deported to Zietenhorst and Wustrau camps in Germany, where the so-called Administrative personnel training was located. These courses were considered a way to groom potential candidates for further agitation in the occupied territories, a training which Astakhov successfully completed. He was considered a resident of the post-war space under the patronage of the Third Reich that gave him a chance to use benefits from it, such as freedom of movement around Germany. Only the fact of his internment within Germany was well enough to convict Astakhov as a traitor without any special proceedings and examinations of his skills' realization that he had taken in this camp. During his long-lasting internal struggle and reflection, Astakhov himself recognized his sentence as fair, although with reservation of his inevitable capture due to mistakes that the commanders of the Red Army committed. After spending about nine years in prisons and camps of the GULAG, he was released under the amnesty of 1955, which was aimed at those who collaborated with the German occupiers during the war²⁷.

How should Petr Astakhov be designated? On one hand, the fact of his participation in the Nazi agitational training might have a right to consider him a collaborator for the Soviet state. On the other hand, the Red Army's soldiers' captivity was a result of the failed Soviet tactics which

²⁷ Petr Astakhov, *The Zigzags of fate. The life of the Soviet prisoner of war and the Soviet convict* [Zigzagi sud'by. Iz zhizni sovetskogo voennoplennogo i sovetskogo zeka] (Moscow: ROSSPEN, 2005): 464.

has led to the annihilation of hundreds of thousands of Soviet soldiers²⁸. Since the beginning of the war, from June 22 to December 31, 1941, more than 3 million soldiers were killed, missing, or captured²⁹. The Order No. 227 “No step backward”, issued in July 1942 by Stalin, and the filtration campaign³⁰ after the war – all these actions and checkups are particularly led to the stigmatization of Soviet soldiers, who had been captured by the Nazis as prisoners of war, as traitors and cowards. Astakhov responds to this, arguing that “the easiest way is to look at the prisoners of war with the honorable stripes on shoulders, abdicating responsibility for failures from the commanders and laying the blame on prisoners as traitors and defectors...”³¹.

Astakhov was not able to complete the task of this initial campaign of the Nazi agitation on the occupied territories and, theoretically, he did not threaten or harm the security of the Soviet state. The counter-revolutionary action of undermining or weakening the power of the state, which was prescribed by Article 58 of Penal Code he was sentenced, had never been performed. Building off from this fact, there is a question, should this case be denoted as an act of collaboration? At one point, yes, since the act of cooperation was not falsified. At the same time, taking into account all circumstances, he could be designated as a collaborator, yet it does not make him a traitor.

²⁸ D. Glantz, , *Stumbling Colossus: The Red Army on the Eve of World War Studies* (Lawrence: University Press of Kansas, 1998),

²⁹ Georgy Krivosheev, Vladimir Andronikov, *Grif sekretnosti sniat: Poteri Vooruzhennykh sil SSSR v vionakh, boevykh deistviyakh I viennykh konfliktakh. Statisticheskoe izdanie* [Vulture of security removed. Losses of the armed forces of the USSR in wars, combat operations and military conflicts] (Moscow: Voenizdat, 1993), 143 cited in B. Schechter, *The Stuff of Soldiers: A History of Red Army in World War Through Objects* (London: Cornell University Press, 2019), 21.

³⁰ Zemskov reveals that 6% of repatriates failed filtration and were sent to GULAG, V. Zemskov, *Repatriation of the Soviet displaced people in 1944-1952* [Repatriaciya sovetskih peremeshchennykh lic v 1944-1952 godah], (Moscow, CGA Moskvyy, 2014), 127; Schetchter, *The Stuff of Soldiers: A History of Red Army in World War Through Objects* (London: Cornell University Press, 2019), 23.

³¹ The original text, “может быть, стоит посмотреть на эти миллионы другими более объективными глазами? Глазами, складывающихся в ходе обстоятельств, их было много и нужно помнить о них....Но проще всего рассматривать пленного с высоты полковничьих погон, снимая ответственность за неудачи с командования и возлагая их на пленных, как явных предателей и перебежчиков, не задумываясь, что война – это лотерея, и жизнь каждого зависит от билета, который достался от судьбы”, Petr Astakhov, *Zigzag sud'by. Iz zhizni sovetskogo voennoplennogo i sovetskogo zeka*, (Moscow: ROSSPEN, 2005), 59.

The approaches to the issue of collaboration: historiography

Up to these days, neither researchers nor the public have identified the boundaries between "collaboration" and "survival." Almost any research related to the topic of collaboration begins with the research question of what "collaboration" means and who belongs to this group. Despite the huge corpus of investigations³² that have not spared this term from terminological uncertainty, there are many approaches to the issue of betrayal and collaboration. Unlike Western historiography, in which scholars make attempts to present various connotations to different types of cooperation with occupiers, Russian studies on this issue give an inch in it. In contrast with western practices of inventing such alternatives as *cooperation*, *the concept of attentisme*, the delimitation between *collaboration* and *collaborationism*, etc. Russian research combines all forms of interactions into this term. Mikhail Semiryaga had tried to implement the separation between collaboration as ideological treason and cooperation as a forceful action³³ that, nevertheless, has not helped to avoid moral judgments in conclusion. Another historian Boris Kovalev, accepting the fact of the impossibility to reveal the divergence between interaction and

³² For example, the prevalence of the term *der Kooperation* which does not imply a covert nationalist discourse, C. Dieckmann, C. Gerlach, *Kooperation und Verbrechen. Formen der Kollaboration in Südost- und Osteuropa 1939 - 1945*, 2005; the separation of this designation into *forced cooperation* and *collaboration*, Isaiah Trunk, *Judenrat: The Jewish Councils in Eastern Europe under Nazi Occupation* (Lincoln, University of Nebraska Press, 1996): 663; the employment of the French term *attentisme*, a local policy of waiting, G. Hirschfeld, *Nazi Rule and Dutch Collaboration: The Netherlands under German Occupation, 1940-1945* (London: Bloomsbury's Academic, 19988):256; the employment of the terms *collaboration* and *collaborationism* which define different forms of cooperation, Stanley Hoffmann, "Collaborationism in France during World War II," *The Journal of Modern History*, vol. 40, No.3 (September, 1968), 375-395. The definition of the term *collaborationism*, implemented by M. Semiryaga, as a variety of fascism and the practice of cooperation to the detriment of their own homeland is quite widespread in Russian historiography, Mikhail Semiryaga, *Kollaboracionizm. Priroda, tipologiya i proyavleniya v gody vtoroj mirovoj vojny* [Collaborationism. Nature, typology and manifestations during the Second World War] (Moscow: ROSSPEN, 2000); Berkhoff generally refused to use this term due to excessive politicization and because it automatically implies a charge of treason, Karl Berkhoff, *Harvest of Despair. Life and Death in Ukraine under Nazi Rule* (Cambridge: Harvard University Press, 2008): 480; several sociologists produced a number of approaches in generalization of betrayal, see Malin Åkerström, *Betrayal and Betrayers—The Sociology of Treachery*, (New Jersey: Transaction Publishers, 1991): 166; N. Ben-Yehuda, *Betrayal and Treason: Violation of Trust and Loyalty* (NY:Perseus 2001): 420; G. Turnaturi, *Betrays: The Unpredictability of Human Relations* (Chicago: The University of Chicago, 2007): 145.

³³ Mikhail Semiryaga, *Kollaboracionizm. Priroda, tipologiya i proyavleniya v gody vtoroj mirovoj vojny* (Moscow: ROSSPEN, 2000).

collaboration, at the same time, does not differentiate collaboration and treason³⁴. It causes the challenge to distinguish, for instance, ideological and forced cooperation and, as a result, to poor all of it together. The actions of collaborators have been estimated within moral and ethical frameworks with a special focus on activities of collaborators from Baltic and Western Ukrainian regions³⁵. Due to the limited access to archival documents, the investigation of occupational regimes from partisans' perspectives by virtue of their diaries, memoirs and etc., has drawn collaborators as kulaks, "bourgeois nationalists", and victims of the Great Terror's repressions³⁶. Thus, the genesis of Soviet collaboration has been explained by the class and national hostility of betrayals. Recently, with the help of Western scholars, Russian researchers have switched from macro to micro-level in the analysis of this phenomenon which has helped them to elaborate the issue of the role and place of the ordinary Soviet people. This research, subsequently, has led to the idea of the necessity to the individual approach to each case³⁷, and the distinction between conscious and forceful collaboration, "collaboration of stomach and heart"³⁸. The idea of social determinism toward the issue of collaboration was rejected by many scholars that shed new light on this phenomenon³⁹.

Stanly Hoffmann, using the example of the Vichy France, introduces his statement of meaning. He divides the interaction with an enemy into two definitions – collaboration as forceful

³⁴ Kovalev, B. *The Nazi occupational regime and collaboration in Russia 1941-1944* [Nacistskij okkupacionnyj režim i kollaboracionizm v Rossii, 1941-1944] (Moscow: AST, 2001): 483.

³⁵ E. Krin'ko, "Collaboration in the USSR during the Great Patriotic War and the study of it in Russian historiography" [Kollaboracionizm v SSSR v gody Velikoj Otechestvennoj vojny i ego izuchenie v rossijskoj istoriografii], *Voprosy istorii*, № 11 (2004), 153.

³⁶ For more details about Soviet and Russian historiography about collaboration, see Irina Makhalova, "Collaboration in the occupied Soviet territories: historiography of recent years" [Kollaboracionizm na okkupirovannyh territoriyah: istoriografiya poslednyh let], *Rossiiskaia istoriia*, No.3 (2019), 141-149; E. Krin'ko, "Collaboration in the USSR during the Great Patriotic War and the study of it in Russian historiography" [Kollaboracionizm v SSSR v gody Velikoj Otechestvennoj vojny i ego izuchenie v rossijskoj istoriografii], *Voprosy istorii*, № 11 (2004), 153.

³⁷ I. A. Gilyzov, *Collaboration movement among Turkish-Muslim prisoners of war and emigrants during the Second World War* [Kollaboracionistskoe dvizhenie sredi tyurko-musul'manskikh voennoplennykh i emigrantov v gody vtoroj mirovoj vojny], Thesis dissertation (Kazan': Kazan' State University, 2000), 32.

³⁸ E. Krin'ko, "Collaboration in the USSR during the Great Patriotic War and the Study of it in Russian Historiography," 155.

³⁹ For example, Marc Edele, *Stalin's Defectors. How Red Army Soldiers Became Hitler's Collaborators, 1941–1945* (Oxford, Oxford University Press, 2017): 240; Seth Bernstein, "Rural Russia on the Edges of Authority: Bezvlastie in Wartime Riazan", November–December 1941," *Slavic Review*, vol. 75, No. 3, (2016): 560–582.

cooperation or unwanted recognition of the situation, and collaborationism as an ideological act with an attempt to gain profits from the situation⁴⁰. Isaiah Trunk invents a similar idea, differentiating between *forced cooperation* with the German authorities and *collaboration* which was undertaken voluntarily⁴¹. The involvement of the factor of force helps to comprehend the fact that only a small group of soldiers and Soviet people found themselves working for the Germans voluntarily⁴², yet the majority of them were driven by the desire to survive and save their beloved from starvation and death⁴³. Unlike Western occupied countries, the Soviet civilians were not able to look closely at the invaders and choose whether to collaborate with them or not, because the attitude of the German authorities towards them was expressed with much greater cruelty than to the inhabitants of Western Europe⁴⁴. The choice of the Soviet citizens remaining on the territory was limited to two alternatives – dying or not dying, where the latter excludes moral standards in the decision to collaborate.

I would elaborate on the concept of Hoffmann, implementing the terms *collaboration with consequences* and *collaboration without consequences*. I suppose that this differentiation was crucial for prosecutors who reexamined these cases of collaborators after 1954. Even the fact of collaboration, which was recognized for the Soviet court, could be challenged, if it was provided with proofs that the defendant's action had not led to tragic actions, relating to the Soviet people. Besides those who spent the wartime under the occupation, it also relates to ostarbeiters and prisoners of war. The fusion of all of them links with the mixture of their social roles during the war – a person, who initially located under the occupation, could be deported to Germany as an

⁴⁰ Stanley Hoffmann, "Collaborationism in France during World War II," *Journal of Modern History*, 40, no. 3, (1968), 376.

⁴¹ From L. Rein, *The Kings and the Pawns. Collaboration in Byelorussian during World War II* (NY: Berhahn Books, 2011), 15.; Issaiah Trunk, *Judenrat* (Lincoln, 1996), 570-572.

⁴² For example, Oleg Budnickij, *It happens. The Germans came!*. *Ideological collaboration in the USSR during the Great Patriotic War*, [Svershilos'. Prishli nemcy! » Idejnyj kollaboracionizm v SSSR v period Velikoj Otechestvennoj vojny] (Moscow, ROSSPEN, 2012):

⁴³ This argument supports many scholars, for instance, Edele M. *Stalin's Defectors. How Red Army Soldiers Became Hitler's Collaborators, 1941–1945*, Oxford, 2017; L. Rein, *The Kings and the Pawns. Collaboration in Byelorussian during World War II*, 2011.

⁴⁴ L. Rein, *The Kings and the Pawns. Collaboration in Byelorussian during World War II* (Lincoln, 1996), 14; I. Deák, *The Invasion of the Soviet Union and East European Collaboration* (Boulder: Westview Press, 2015), 75-76.

ostarbeiter; a soldier could be captured as a prisoner of war and subsequently sent to work in the territory of the Third Reich. Those who have been sentenced for treason and contacts with foreigners with counter-revolutionary purposes, they were convicted under Article 58⁴⁵ of the Penal Code, mostly, under the paragraphs 58-1a/b and 58-3. This article swallowed both serious criminals, those who seem not worthy of imprisonment, and those whose sentences were falsified.

Falsifications were continuing as well. The court records from the Ukrainian archive reveal that since the beginning of the Cold War there was a new practice to list former prisoners of war and ostarbeiters among American spies. It concerned those who, being in Germany at the end of the war, were liberated by the American troops. Thus, collaboration with the Americans was overlaid above collaboration with the Nazis, a forgery that was deleted from reviewed prison sentences in the Thaw⁴⁶. But what about falsifications in terms of collaboration with the Nazis? In the scholarly community, there are two views on the path of investigation of the post-war court records. On one hand, some argue that the study of post-war protocols gives the information mostly about the post-war Soviet system than about real actions during the occupation because there are no methods yet to reveal falsifications in these records⁴⁷. The counter-argument might be that, by contrast with the Great Terror with preliminary lists of how many citizens should be convicted, there was nothing like that in these cases. Thus, the anew government conducted trials for those who, by any means, had been captured for having contacts with the Nazis. Later, in time of the new wave of post-war hysteria and purges, the new blackspots were added to the convicts' biographies.

⁴⁵ Articles 58-1a/b in the criminal code of the Russian Socialist Federation and 54-1a/b in Ukraine. Article 58 in general refers to counter-revolutionary activity, aimed at undermining of the Soviet Union. Specifically, Article 58-1a refers to treason by civilians, while 58-1b directs to treason by military personnel. 58-3 concerns for contacts with foreigners with counter-revolutionary purposes.

⁴⁶ Petr Astakhov, *The Zigzags of fate. The life of the Soviet prisoner of war and the Soviet convict* [Zigzagi sud'by. Iz zhizni sovetskogo voennoplennogo i sovetskogo zeka] (Moscow: ROSSPEN, 2005), 358-359; The documents from SBU, f. 6, c. 37243FP, p. 82.; SBU, f.6., c. 5295FP, p. 290.

⁴⁷ Franziska Exeler, "The Ambivalent State: Determining Guilt in the Post-World War II Soviet Union," *Slavic Review*, vol. 75, No. 3 (Fall 2016), 611.

The definition of collaboration in the war and post-war period: traitors and accomplices

Another challenge, concerning the issue, comes from the legal features of the Soviet system and its vague clarification of what kind of activity is considered to be collaboration. Most of the convicts had been sentenced under Article 58-1a/b as a counterrevolutionary crime⁴⁸. The Penal code did not have any specific prescriptions of how crimes relating to collaborating in the wartime must be estimated. Supposedly, the reason lies in its ideological indoctrination that rejects to spell out even the potential possibility to consider that somebody would occupy the Soviet area. The absence of clear formulations, thus, prompted chaotic and vague convictions. Various groups of people were convicted under the same article – someone who was working as a police officer as well as a Soviet woman serving in a German kitchen⁴⁹. For instance, 10 former ostarbeiters were sentenced to 7-20 years by a military tribunal for allegedly spreading rumors about good living conditions in Germany upon their return to the USSR⁵⁰. This example characterizes the fact that collaboration was being understood as a fairly wide range of activities. In the concept of Soviet loyalty, *traitors* and *accomplices* could be those who had various forms of interactions with the Nazis – this is why prisoners of war, ostarbeiters, and those who remained in the occupied territory fell under suspicion.

The decree from April 19, 1943⁵¹ of the Presidium of the Supreme Soviet of the USSR distinguished two groups of actors into "traitor of the Motherland" and "accomplice". The former means those who participated in murders of the population – they should be sentenced to death by hanging. Those who assisted the invaders in the implementation of violence against civilians had

⁴⁸ At the time of the beginning of World War II, the criminal codes of the initial period of Stalin's rule were in force in the republics - the RSFSR Criminal Code entered into force in 1926, the Ukrainian was approved in 1927.

⁴⁹ Kudryashov S. The Early Stages of "Legal Purges" in Soviet Russia (1941-1945). *Cahiers du Monde russe*, (2008), 271-272.

⁵⁰ Tanja Penter, "Collaboration on Trial: New Source of Material on Soviet Postwar Trials against Collaborators," *Slavic Review*, vol. 64, No. 4 (Winter, 2005),

⁵¹ https://ru.wikisource.org/wiki/Указ_Президиума_ВС_СССР_от_19.04.1943_№_39

to be punished with a term of 15 to 20 years of imprisonment. A few months later, the Soviet authorities updated this decree and attempted to clarify the vague meaning, since the military tribunal deemed almost all forms of cooperation with the occupiers as treason⁵². After this update, *a traitor* was considered to be a person who directly participated in the violence and killings of civilians, who held the post of a policeman (polizei), commandants, who plundered state and private property, and prosecuted partisans and members of the Red Army. Under the term *accomplice*, the Soviet government indicated those who were engaged in activities aimed at supplying food for the needs of the Germans, the reconstruction of industries, transport, and agriculture. Those who committed sabotage or supported the partisan movement and the Red Army were not subjected to criminal prosecution even if a person worked as an administrative staff for the Germans before. The atonement for those who previously collaborated was possible due to partial compensation for the guilt before the Motherland, like the service in the Red Army. In May 1947, the death penalty for all crimes was abolished until January 1950. After that, it was again reenacted for traitors, spies, and saboteurs⁵³.

This clarification was made due to ongoing ubiquitous mass retribution, directed toward even those who were somehow suspected in relation to the occupiers. The attenuation of harshness in revengeful punishments might be explained as the demonstration of the power of the new government right after its reconquest on the former territories. After these clarifications, mass revenge executions went to the decline. In 1946, four percent of convicts were sentenced to death, the rest of them had been sent to GULAG – similar numbers are shown in both in Belarus⁵⁴ and Ukraine⁵⁵. The mass violence against civilians came to be considered as inappropriate – by executing each village headman working for the Germans, the authorities could have destabilized

⁵² Tanja Pentter, *Local Collaborators on Trial*, 349.

⁵³ Franziska Exeler, "The Ambivalent State: Determining Guilt in the Post-World War II Soviet Union," *Slavic Review*, vol. 75, No. 3 (Fall 2016), 616-617.

⁵⁴ In case of Belarus, see F. Exeler, "The Ambivalent State: Determining Guilt in the Post-World War II Soviet Union," (2016), 616-617; Ukrainian case, see Tanja Pentter, "Collaboration on Trial: New Source of Material on Soviet Postwar Trials against Collaborators," *Slavic Review*, vol. 64, No. 4 (Winter, 2005), 356.

⁵⁵ Tanja Pentter, *Local Collaborators on Trial*, 350.

locals who saw enough slaughters during the war. Unlike the Nazis, the Soviet government could have shown itself as a guarantor of justice and law⁵⁶.

The new Soviet authorities and the locals who spent years under occupation had different attitudes towards the issue of collaboration. The stigma of treason at some pointed determined by bipolar perspective. *They*, represented by the traitors and accomplices, opposed to *us*, those who have helped in the struggle with the enemy. In the Soviet case, this contrast was expressed by the guerillas, or partisan movement, which was fighting against the hostile occupational regime. Jeffrey Jones, using the example of Rostov, confirms this point of view, emphasizing that for the recently returned local party leaders there was no so-called *moral gray zone* – either a person was positioned as a defender of the Motherland, who was ready to die for it if necessary, or s/he was stigmatized as a traitor who collaborated with the enemy. Even the fact of being in the occupied territory automatically cast a shadow of doubt on the person's fidelity to the Soviet system⁵⁷. The author gives an example of one district committee meeting after the return of the Red Army in 1944, where a party rapporteur recommended dismissing former prisoners of war from head posts, because "during the struggle for the fate of our country, they located on the wrong side". The director of a cigarette factory M. A. Sakharov, who retained his post during the occupation, was deemed as one of the most malicious collaborators and was actively opposed to those who "showed loyalty to the Motherland during the war"⁵⁸. Among the population, however, there was no such a clear distinction between *us* and *them*, and the Soviet propaganda, which actively published in the local press exposing articles about traitors and accomplices to the fascists, could not completely impose this division into "good" and "bad". The first reason lies in the popular perception that some party members who collaborated with Germans were not accused, which means that sometimes the party leadership itself dealt with the Germans, while those who were perceived as

⁵⁶ F. Exeler, *The Ambivalent State: Determining Guilt in the Post-World War II Soviet Union*, 615-616.

⁵⁷ More, J.W Jones, "Every Family Has Its Freak": Perceptions of Collaboration in Occupies Soviet Russia, 1943-1948," *Slavic Review*, No. 64 (2005), 753.

⁵⁸ Ibid, 753.

innocent victims were treated severely. Thus, the separation into *them* and *us* more likely constructed the internal otherness between party leaders and the population⁵⁹. The expression of a diametrically different perception of this “us and them” perspective from the leadership in Moscow and the local forces in the thick of things will be streaked in this thesis more than once. Jones also argues that the Soviet population would have rather supported the mitigation of Nikita Khrushchev’s policy towards repatriated citizens, prisoners of war, and those who were often too cruelly prosecuted as accomplices to the German regime⁶⁰ due to not yet settled statement that all collaborators are traitors.

The policy towards “suspicious elements” under the influence of de-Stalinization

The slogan of socialist legitimacy had been widespread among the authorities since the beginning of the Thaw. It represented an alternative for an injured society, which aimed to destroy the paranoia without creating new images of the enemy⁶¹. The employment of the term emphasizes that the new, non-Stalinist government, confirmed previous infringements of legal proceedings⁶². The most large-scale implementation of the judicial amendment in 1953 was the decree on amnesty of March 27, which showed that the new government was firmly and seriously committed to changes. According to this amnesty, released convicts under Article 58 of the Criminal Code were the less “dangerous” category of criminals with sentence 58-14 for “counter-revolutionary sabotage”⁶³. The rest of prisoners, charged for Article 58, remained in places of detention. Nevertheless, this “amnesty of criminals”⁶⁴ benefited a number of “counterrevolutionaries”, as it

⁵⁹ J.W Jones, “Every Family Has Its Freak”: Perceptions of Collaboration in Occupies Soviet Russia, 1943-1948,” *Slavic Review*, No. 64, (2005), 770.

⁶⁰ Ibid, 770.

⁶¹ I. Rebitschek, “Fiendbilder auf dem Prüfstand - Sowjetische Kollaborateure im Fokus der Revisionskommissionen, 1954 und 1955,” *Jahrbücher für Geschichte Osteuropas*, (2017), 278-279.

⁶² Miriam Dobson, *Khrushchev’s Cold Summer: Gulag Returnees, Crime, and the Fate of Reform after Stalin*, (Ithaca: Cornell University Press, 2011), 31-33.

⁶³ Elie M., *Les anciens détenus du Goulag: libérations massives, réinsertion et réhabilitation dans l’URSS poststalinienne, 1953-1964* (2007), 33-34.

⁶⁴ The amnesty in March was perceived as an amnesty of criminals because it related to prisoners whose term assumed no more than five years of imprisonment. As a rule, this group included thefts, rapists, swindlers, etc.,

became the starting point for the subsequent revision of their sentences in 1954-1956, including those who located in the camps as "traitors of the Motherland," who collaborated with German forces during the war.

The first step towards reexamination of the counter-revolutionary crimes was made when the new Soviet authorities raised the question of canceling the Decree, according to which the most dangerous state criminals must be sent to an endless exile upon the expiration of sentences. In May 1953, S. Kruglov⁶⁵ and V. Ivanov⁶⁶ sent a note addressed to Beria with the request to abolish this decree, thereby doubting its legitimacy and arguing that “punishment is not seen as a security measure against all criminals, but a measure for a specific crime”⁶⁷. The complete cancellation of this decree was impossible at that time due to the probable return of the significant number of ex-prisoners to places they had lived before, which could have challenged the movement of the population. In August, the state decided to make some changes, according to which only “the most dangerous criminals” must be placed in special settlements; the rest had to be transferred to camps until their release. In this regard, the government was challenged with another task to determine who is “the most dangerous criminal”. Initially, the updated degree announced that this group is included criminals convicted of treason, spies, saboteurs, terrorists, Trotskyites, Mensheviks, and SRs. According to the Prosecution’s reviews, after the reexamination of personal files, it was decided to maintain the status of especially dangerous criminals for 94,668 people, 20,095 of whom participated in violent activities against the Soviet population during the occupation. 16,866 people had been convicted for aiding the Germans and “did not commit a specific crime against the Soviet people”⁶⁸. Therefore, the latter was excluded from a group of dangerous criminals.

Miriam Dobson, *Khrushchev’s Cold Summer: Gulag Returnees, Crime, and the Fate of Reform after Stalin* (Ithaca: Cornell University Press, 2011): 280.

⁶⁵ Sergei Kruglov – the Member of the Supreme Council of the USSR, People’s Commissar of Internal Affairs of the USSR from 1945 to 1956.

⁶⁶ Vasily Ivanov – the Soviet party member, the Deputy Chairman of the Council of Ministers of the RSFSR.

⁶⁷ A. Artizov, *Reabilitaciya: kak eto bylo. Dokumenty Prezidiuma CK KPSS i drugie materialy*, v. 1 (Moscow: MFD, 2000), 43-45.

⁶⁸ A. Artizov, *Reabilitaciya: kak eto bylo. Dokumenty Prezidiuma CK KPSS i drugie materialy*, v. 1 (Moscow: MFD, 2000), 84.

In May 1954, another important step was taken in relation to political criminals. The party leadership decided to organize central and local revision commissions for the reexamination of counter-revolutionary crimes. The whole responsibility was given to the regional party secretary and prosecutors under control of the General Prosecutor's Office – thus, the resolution of judicial matters became the prerogative of the court instead of the Ministry of Interior (MVD), as it was before⁶⁹. Since then, if the prosecutor found the sentence incorrect, he could either completely annul the sentence, or rehabilitate or retrain the measure of restraint⁷⁰. Revision commissions were also established within the camps, the number of them consisted of more than 100 with 375 members⁷¹. Sometimes, even ex-prisoners took part in interrogations, questioning each prisoner. This meant a radical change in comparison with the previous bureaucratic practice of mass legal proceedings when decisions were made solely on denunciations and confessions. In relation to political prisoners, the commissions had full judicial power, having the right to amnesty or reduce the sentences⁷².

The implementation of revision commissions does not mean that the government considered all the current counter-revolutionary prisoners as victims of the Stalinist regime. The enemies of the regime supposedly were constantly around, but conviction should only take place within the framework of legal interrogation⁷³.

Final decisions were made on the basis of complaints and / or materials of the investigation of the Ministry of the Interior. These documents were not always complete, some of them disclosed only some details of the trial. Moreover, a prosecutor had to check the evidence which might have been compromised by the methods of Stalin's interrogations. That means that to the significant

⁶⁹ Immo Rebitschek, *Fiendbilder auf dem Prüfstand- Sowjetische Kollaborateure im Fokus der Revisionskommissionen, 1954 und 1955*, 266-267.

⁷⁰ A. Artizov, *Reabilitaciya: kak eto bylo. Dokumenty Prezidiuma CK KPSS i drugie materialy*, v. 1 (Moscow: MFD, 2000), 116.

⁷¹ Marc Elie, *Les anciens détenus du Goulag: libérations massives, réinsertion et réhabilitation dans l'URSS poststalinienne, 1953-1964*, 136.

⁷² Ibid, 136-139.

⁷³ I. Rebitschek, *Fiendbilder auf dem Prüfstand- Sowjetische Kollaborateure im Fokus der Revisionskommissionen, 1954 und 1955*, 266-267.

extent all responsibility laid on the professional skills of the prosecutor. I. Rebichek examines a number of investigative cases with which a military prosecutor Efimov worked in Molotov (now Perm'). He reexamined the case of one Ukrainian collaborator who was accused of shooting four Jewish women with another policeman, participating in the arrests of Communists, and was a member of the Russian Liberation Army. When the convict appealed against the final sentence, he explained the reasons for his actions and mentioned tortures during interrogation. Efimov took up this matter in a thorough way to give to the process legal legitimacy, and he decided to take evidence from the MGB officers and compare them with the answers of the arrested person. In other cases, the commission, due to the lack of proper qualifications to understand the political clauses of the legislation, did not dare to take radical conclusions in the reexamination of cases. Moscow, although it encouraged the initiative of the commissions, at the same time warned prosecutors against the consequences of a wrong decision – it is quite possible that this was the reason for the small number of rehabilitations. Prosecutors preferred to restrain themselves to annul sentences; in Molotov, 60% of all reviewed cases received reduced sentences⁷⁴. In 1956, as a result of a new wave of reexamination, only 6.4% was rehabilitated, 15,7% remained imprisoned⁷⁵, yet the rest of political prisoners had been released by virtue of the political amnesty.

The Amnesty of collaborators: external and internal tasks of the decree

Another significant decree related to those people who were previously arrested under the charge of collaboration with the Germans was released in September 1955 under the title “On Amnesty of Soviet citizens, collaborated with the occupiers during the Great Patriotic War”. According to this, the Soviet government, “being guided by principles of humaneness”, amnestied all those prisoners who were previously convicted under articles 58-1, 58-3, 58-4, 58-6, 58-10, 58-

⁷⁴ I. Rebitchek, *Fiendbilder auf dem Prüfstand- Sowjetische Kollaborateure im Fokus der Revisionskommissionen, 1954 und 1955*, 268-269.

⁷⁵ Marc Elie, *Les anciens détenus du Goulag: libérations massives, réinsertion et réhabilitation dans l'URSS poststalinienne, 1953-1964*, 150.

12 of the Criminal Code of the RSFSR (and similar articles of the criminal codes of other republics), if their term of imprisonment was no more than ten years. To all those who received a sentence of more than ten years in the post-war period, the decree reduced the sentence to half the appointed term. The amnesty also applied to those who were registered in the German army, police, and other formations during the war, if they did not participate in murders and executions of civilians.

The proposal of amnesty raised an active discussion between the Prosecutor's Office and the Committee of State Security, which followed different purposes. First of all, the amnesty in 1955 served the tasks of disseminative changes in the diplomacy of the USSR. In September 1955, Konrad Adenauer arrived on a visit to Moscow, which resulted in the implementation of the decree "On approval of the agreement on the establishment of diplomatic relations between the Soviet Union and the Federal Republic of Germany", which allowed the German chancellor to take German prisoners of war and interned Germans from the territory of the USSR to Germany. This amnesty also concerned those who during the Great Patriotic War ended up abroad due to captivity or service in German military formations, both before and after the war. In accordance with this decree, they were exempted from liability, if they atoned for their guilt by "subsequent patriotic activities" in favor of the Motherland, or they confessed. This may mean that the Soviet authorities attempted to bring back all the remaining Soviet citizens to the USSR, including the Vlasovites and all those who worked in fascist formations. They could be assigned an exile of no more than five years to Siberia, Kazakhstan, the Urals, where the main Gulag camps were located⁷⁶. The State Security General I. Serov, who proposed this amnesty, believed that in case of the war conflict with the United States these "defectors", who did not return to the territory of the Soviet Union, could be used by the enemy in their own interests. This supposition is proved by an

⁷⁶ See A. Artizov, *Reabilitaciya: kak eto bylo. Dokumenty Prezidiuma CK KPSS i drugie materialy*, v. 1 (Moscow: MFD, 2000), 259-260, 409; Marc Elie argues that Khrushchev caught initiative of liberation for his own advantages, Marc Elie, *Les anciens détenus du Goulag: libérations massives, réinsertion et réhabilitation dans l'URSS poststalinienne, 1953-1964*, (2007), 113.

extensive campaign of the Soviets, represented by the Homeland Return Committee in Berlin, responsible for the distribution of publications with fine-sounding titles such as “Friends and relatives are waiting for you”⁷⁷. Some of them indeed came back – apparently, this decree was released towards those who experienced difficulties in foreign lands and missed relatives and loved ones.⁷⁸

However, apart from the Soviets abroad, the Prosecutor’s Office raised up the question relating to prisoners serving the sentences inside the state. The political leadership proposed to expand the amnesty to convicts who had suffered during the repression and after the end of the war on charges of collaboration with the enemy, literally, to prisoners of war. Finally, this proposal was rejected that, in fact, introduced a fundamental ambiguity in the reassessment of collaboration as such. As Marc Elie mentions, a neglect to mention prisoners of war violates the idea of justice, and it “rewards cowardice and punishes courage”⁷⁹. It means that almost everyone could be amnestied but malicious executioners and prisoners of war, who, by contrast to the former, were not mentioned in the decree at all. On one hand, this amnesty implied a certain rejection of the undifferentiated punishment, applied under Stalin, who imposed heavy sentences both to ideological collaborators and people who served the Germans in housekeeping. Until now, it summoned to harsh sentences for the former and forgiveness to the latter⁸⁰. At the same time, it did not solve the issue of prisoners of war, which apparently could not be solved until the 20th Congress of the Communist Party. Only after the denunciation of Stalin and the acknowledgment of mistakes during the war, with the help of Marshal Zhukov, who insisted on defending the rights of prisoners of war, telling that the form of distrust in relation to this category is unacceptable and

⁷⁷ Pavel Polân, *Victims of two dictatorships: Life, labor, humiliation and death of Soviet prisoners of war and ostarbeiters in a foreign land and at home* [Zhertvy dvuh diktatur: ZHizn', trud, unizheniya i smert' sovetskikh voennoplennykh i ostarbajterov na chuzhbine i na rodine], (Moscow: ROSSPEN, 2002), 577-578.

⁷⁸ Ibid, 580.

⁷⁹ Marc Elie, *Les anciens détenus du Goulag: libérations massives, réinsertion et réhabilitation dans l'URSS poststalinienne, 1953-1964*, 119.

⁸⁰ Ibid., 120.

should be condemned⁸¹, were soldiers and officers, captured as prisoners of war, released and rehabilitated. The time of captivity, as well as the entire period of filtering inspections and detention in the USSR, was considered military service⁸².

The debates according to the limits of forgiveness are shown in a discussion about the wide interpretation of the definition *executioners* – are they only those, who committed murders and tortures of the Soviet population? And should those who arrested citizens or delivered them to the tortures and executions be excluded from responsibility and, therefore, be released? Some party members, including Rudenko⁸³, argued for a narrow interpretation of executioner, defending whistle-blowers and collaborators who had no direct participation in killings and crimes connected with the aiding to the Nazis. Others, like the prosecutor of the Russian Republic Aleksej Kruglov⁸⁴, opposed to this interpretation, quarreling that such position is unfair, especially if one takes into account the serious consequences of such criminal actions which could lead to peoples' annihilations – he gave examples of released policemen who were serving for Germans and delivered partisans who were shot. Eventually, despite contradictions and debates, Kruglov placed an additional order in December urging prosecutors to adopt the narrow interpretation of executioners⁸⁵. Nevertheless, these orders probably were employed *de jure* but not *de facto* due to the local objections. The center had no abilities to control the local implementations of the decree; clear instructions had not been distributed. Instead just incomprehensible and contradictory advice was offered on how to work with it. Subsequently, the reexamination of these cases was held according to personal opinions of local prosecutors. It led to the slowness in applying the decree, as Elie shows; of the total number of 53,645 prisoners, the local administration examined just over 8,000 cases at the end of October, about half of them were proposed for amnesty. Eventually, in

⁸¹ A. Artizov, *Reabilitaciya: kak eto bylo. Dokumenty Prezidiuma CK KPSS i drugie materialy*, v. 2 (Moscow: MFD, 2003), 115.

⁸² Marc Elie, *Les anciens détenus du Goulag: libérations massives, réinsertion et réhabilitation dans l'URSS poststalinienne, 1953-1964*, 124.

⁸³ Roman Rudenko – the Procurator-General of the USSR in 1953-1981.

⁸⁴ Aleksej Kruglov is the Soviet lawyer, who has been appointed to the post of Prosecutor of the RSFSR.

⁸⁵ Marc Elie, *Les anciens détenus du Goulag: libérations massives, réinsertion et réhabilitation dans l'URSS poststalinienne, 1953-1964*, 128-130.

1955 and 1956, nearly 60,000⁸⁶ people were released, which became the largest operation to release political prisoners.

Simultaneously, this amnesty had challenged the path of acknowledging the fact of the violation of the human rights of innocent prisoners. The amnesty meant a pardon extended by the government implying the guilt of released convicts and, thereby, neglecting facts of innocence and illegality towards them. Henceforth, rehabilitation was a personal matter of prisoners who, at their own request, demanded recognition of their innocence before the state.

⁸⁶ Marc Elie, *Les anciens détenus du Goulag: libérations massives, réinsertion et réhabilitation dans l'URSS poststalinienne, 1953-1964*, 125.

Chapter II. Rechecking Justice. The Revision Commissions' reexamination of Collaborators' cases: the Kyiv example

According to Stalin, Ukraine as a borderland with a multiethnic population could be transformed into dangerous territory, where “internal enemies” could be in league with “external enemies”.⁸⁷ Herewith, it was an integral and crucial part of the Soviet Union and was central to the interwar period of collectivization and industrialization. On September 19, the Wehrmacht began their three-year occupation of Kyiv, and step by step the eastern part of Ukraine with its approximately 41 million citizens.

Before the outbreak of the war, the Soviet authorities paid special attention to the so-called ‘unreliable elements’ or those people whose relatives had been persecuted or studied in Germany several years ago. These “unreliable elements” were prohibited to serve in the army and were under special control of NKVD. Also, all suspected prisoners were reexamined by NKVD, and those who were considered ‘unreliable’ were put on lists to be shot. In total, about 8.789 prisoners had been executed during the evacuation of Ukraine⁸⁸.

Another important issue in the process of evacuation was the destruction of material supplies – all valuable property, livestock, grain, fuel, factories. The Soviet authorities used scorched earth tactics, eliminating and burning provisions to create intolerable conditions for enemies and their accomplices. The NKVD forcibly evacuated thousands of writers, engineers, doctors, artists, whereas those who did not belong to the party elite had few chances to leave – lower-level workers were left waiting for evacuation at the station in vain.

The welcome of the German troops by the local Ukrainian population differed – there were those who fearfully expected the approach of the Nazis, some people greeted the Germans as

⁸⁷ Lynne Viola, *Stalinist Perpetrators on Trial. Scenes from the Great Terror in Ukraine* (Oxford: Oxford University Press, 2017), 8.

⁸⁸Karl Berkhoff, *Harvest of Despair. Life and Death in Ukraine under Nazi Rule* (Cambridge: The Belknap Press of Harvard University Press, 2004), 6-7.

liberators from the Communists and expected the proclamation of the Ukrainian state. Someone roamed the streets to look at what was happening but did not participate in any actions. Thus, the public mood was fragmented, and many were not sure how to act under the conditions of the newly arrived authorities⁸⁹.

The fact that the Ukrainian SSR was under German occupation for three years explains such a huge number of those who had been subsequently suspected of collaborating, as well as those who were forcibly deported to the territory of the German Reich as ostarbeiters. After the reconquest of the territory of Ukraine until 1957, the NKVD arrested 93,690 collaborators out of a total of 320,000 Soviet citizens, or almost a quarter of those throughout the whole Union⁹⁰.

Erasing the Soviet excesses from sentences after 1954

Since the absence of the entire body of judicial protocols on the territory of Kyiv does not allow me to draw comprehensive and fully-fledged conclusions about the complexity of the activities of revision commissions, several accessible protocols, nevertheless, shed light on the re-examined cases of those people who had been accused of treason. These cases illustrate how radically or conservatively they were analyzed by prosecutors after 1954. These documents show that the first thing prosecutors did was to clear the outright falsifications of the Stalinist court. This applies to cases where confessions were obtained through violence and torture, as well as cases of attribution of crimes under the influence of conspiracy theories and the Cold War after 1948. It would not be a new disclosure to say again that the Soviet court concluded sentences based on the evidence of guilt through defendant's confession, which, in its turn, could be obtained by "physical measures of influence". At this point, since 1937, this measure was justified by Stalin personally, who had permitted the use of violence for "obvious enemies" who refuse to confess⁹¹. Witnesses,

⁸⁹ Karl Berkhoff, *Harvest of Despair. Life and Death in Ukraine under Nazi Rule*, 2004, 11-12.

⁹⁰ Statistic data O. Mozokhin <http://istmat.info/node/255> ; Tanja Pentter, *Collaboration on Trial: New Source of Material on Soviet Postwar Trials against Collaborators*, 783.

⁹¹ Lynne Viola, *Stalinist Perpetrators on Trial. Scenes from the Great Terror in Ukraine* (Oxford: Oxford University Press, 2017), 39.

who had also suffered from threats and intimidations, have been actively used for a confirmation of a defendant's crime.⁹² Thus, perpetrator testimonies are full of self-justification based on denial of a guilt and at the same time on confession, fear, and obedience⁹³. These sources portray the picture of postwar purges with subsequent attempts to emend mistakes, or their excesses. Notwithstanding, it needs to be clear that, in contrast to the Great Terror purges, postwar accusations of collaborations had not happened out of blue. Therefore, after 1954 prosecutors primarily checked mistakes of their previous colleagues working with these cases, using the new guideline of determining a traitor, in case this guideline applied. The term *reexamination* plays an important role, since the purpose of this measurement was to recheck the correctness of sentences but not to forgive all of them.

There is no clear information when revision commissions had started their reexamination. However, in conjunction with personal petitions from prisoners and their relatives, the system already began to function in June 1954. At that very moment, lieutenant Kibkhalov was involved in the reexamination of a case of Z. Zhydkovskaya-Patsyukevich on the complaint of her mother.

When the war started, she was 16 years old. She was sentenced to 10 years of imprisonment under Article 54-1a of the Criminal Code for *voluntarily* working as a nurse and waitress during the occupation. She was also accused of collaborating with the Gestapo, to whom she could have sent a secured information about two Soviet citizens, the fate of whom remained unknown. During the interrogation, a prosecutor also brought a charge against her of having a romantic relationship with a Gestapo officer in Kyiv, who supposedly helped her to move to Germany⁹⁴. The evidence was based on interrogations of witnesses who confirmed the betrayal of the prisoner, as well as her personal admission juxtaposing with denial of guilt, saying that she “was a Gestapo agent but did not engage in betrayal”⁹⁵.

⁹² *Stalinist Perpetrators on Trial. Scenes from the Great Terror in Ukraine* (Oxford: Oxford University Press, 2017), 40.

⁹³ *Ibid.*, 7.

⁹⁴ Sectoral State Archive of the Security Police of Ukraine, SBU. coll. 6. f. 38840FP, p. 2.

⁹⁵ SBU. coll.6. f. 38840FP, p. 125.

In June 1954, this case was reexamined for the first time. Appealing to the testimony of witnesses and confession of a prisoner, lieutenant Kibkhalov left this sentence unchanged, indicating that the military tribunal concluded a fair verdict⁹⁶. In 1956, Zhidkovskaya-Patsyukevich, being released by decree of April 24, 1954⁹⁷ and located at that moment in Norilsk, had sent a request for rehabilitation, since she considered her charge to be completely trumped up. She argues that this confession was the result of beatings conducted by prosecutors in time of her pregnancy – subsequently, she lost her child. Moreover, the fact of her cooperation with the Gestapo was falsified as well. In Kirovograd, working as a cleaner in a camp, she was captured listening to Soviet radio and had been sent to prison before the deportation to Germany, meaning that there were no opportunities to spread information to Germans. Then, she was liberated by the Red Army and returned to Kyiv in May 1945⁹⁸.

In September 1956, another lieutenant Sirotenko had started the next reexamination of this case. Using the same interrogations of a prisoner and witnesses as in 1946, nevertheless, he pulled out other formulations that could overshadow the situation. For instance, he still acknowledged the fact of signing on to collaboration while adding that she “immediately realized her act of crime” and refused to cooperate⁹⁹; furthermore, locating in a concentration camp, she patriotically summoned other prisoners for damages to the Germans. The court was reluctant to mention the fact of beatings and falsifications that was brought forward by an accuser, yet they were highly likely observed and taken into account, since members of the court were fully aware of this practice. In a result, the court removed all charges and obtained her rehabilitation. The personal eagerness of this woman to achieve justice was the result of her rehabilitation; without active actions from a prisoner herself, she would not have had her rights restored. Since this forgiveness was not a matter of collective guilt but a personal issue, each case was considered individually,

⁹⁶SBU. coll.6. f. 38840FP, p. 139.

⁹⁷ This refers to the Decree of the Presidium of the Supreme Soviet of the USSR of April 24, 1954 "On the procedure for early release from punishment of convicts for crimes committed under the age of 18 years."

⁹⁸ SBU. coll.6. f. 38840FP, p. 141-142.

⁹⁹ Ibid, p. 149-150.

mostly by a personal request. Zhidkovskaya-Patsyukevich was the only rehabilitated person out of all cases considered in this thesis, which tells of the rarity of this practice.

Despite an unwillingness of some prosecutors to mention the use of violence as evidence, this detail of Soviet excesses played an important role in reconsideration of cases and could be protocolled. In another case of A. Kovalenko, who was accused of collaborating with German and American forces, systematic beatings and abuse by the Soviet authorities were carefully emphasized in the reexamination. The fact of violence, though, seems pretty obvious by in-depth reading of interrogations – initially, he argued that he went to work since he needed a job to survive, and next month he clichédly confessed that his service was a result of disbelief that the Soviet Union would win the war¹⁰⁰.

In January 1948, A. Kovalenko was sentenced to 25 years of imprisonment under Article 54-1b of the Criminal Code of Ukrainian SSR. As a soldier of the Red Army, he was wounded during a military operation, but was able to return to Kiev, where he was also volunteered to become a prison guard. He was accused of participating in arrests of 13 Soviet people and leading raids on Soviet citizens in order to detain and deport them to Germany. Then, he was sent to Germany where he continued the service to the Germans, and where he was recruited by American forces as a spy.¹⁰¹ In October 1955, this case was reexamined. The court recognized that Kovalenko beatings led to his confession. Kovalenko's sentence was overturned from 25 to 10 years of imprisonment and, subsequently, he was released according to the amnesty of 1955.

Tortures had been also directed towards witnesses for the prosecution. In 1955, an investigator Schur reexamined the case of one prisoner Gritsay who was accused of collaboration with the British intelligence service that recruited him as a foreign agent after the liberation of a concentration camp he was located. This case was obviously completely falsified. During reexamination, he interrogated a witness one more time, clarifying the reasons for the defamation.

¹⁰⁰ SBU. coll.6. f. 37243FP, p. 82.

¹⁰¹ Ibid, p. 82.

He was told that previous prosecutors, who worked with this case, threatened and beat him, threatening 20 years of a prison for treason. In fact, they made him slander two people for anti-Soviet propaganda and espionage for the British¹⁰².

In these two cases, the overturned sentences were not the result of admission of guilt achieved by implementation of physical measures, or at least there are no mentions of taking it into account. The reason lay in the removal of charges of espionage with western intelligence, a curious phenomenon that scholars have not yet deeply investigated. The sources from the State Archive of the Security Service of Ukraine relating to those people who ended up as ostarbeiters in concentration camps after the war give plentiful information of how the outbreak of the Cold War affected the post-war court practices. It led to the attribution of collaboration not only with Germans, but also with the Americans and British. Special emphasis was placed on the fact that a particular person was located in a camp which was liberated not by the Soviet forces, but by the British or American armies. After 1946, when the Sinews of Peace was already delivered, this point could play a dramatic significance on the fate of a prisoner who was already accused of collaboration with the Germans. Apparently, this imposition of new charges toward people who had been previously accused of collaboration and had minimum contacts with western forces, even if only their liberation of them from camps, can be designated as a part of Stalin's postwar hysteria, which led to another wave of purges¹⁰³. In this thesis, though, there is no chance to figure out how those to whom the trumped-up charge of espionage was added were selected, since it is known that not everyone received them.

Pavel Astakhov represents an illustrative case of these cleansings. As was already mentioned, after his captivity near Kharkiv as a prisoner of war, he ended up in Wustrau and Zietenhorst concentration camps. There he attended Administrative personnel training to groom him as a candidate for further agitation in the occupied territories. In 1944, while here, he and four

¹⁰² SBU. coll.6. f. 5295FP, p. 289-291.

¹⁰³ In details about the postwar purges, O. Khlevnyuk, J., *Cold Peace. Stalin and the Soviet Ruling Circle, 1945-1953*, (Oxford: Oxford University Press, 2005): 272.

other prisoners planned to run away to Switzerland to join allied French troops in order to “wash away the captivity” (*smyt' plen*) before the Motherland. When the Soviet Repatriation Commission arrived in Bern, Astakhov voluntarily returned to the USSR from there. After repatriation, he was accused under the charge of the point 58-1b¹⁰⁴ as a traitor for his activities in those camps, a charge he never refuted.

In 1948, when Pavel Astakhov had already served most of his term, he was transferred from a camp to prison due to the need for reexamination of his case. Ultimately, he received a new package of charges for collaboration and espionage with American intelligence. According to this new charge, he had begun interacting with the Americans to spy against the Soviet Union upon returning home. For this charge, he was sentenced to 15 years of hard labors instead of the five years he almost completed. This new charge was a result of his whereabouts when the Soviet Army approached.

The same fate waited for Kovalenko, who was convicted of spying for American intelligence in May 1945¹⁰⁵. When the war was drawing to its close, he was in the Dortmund concentration camp which was liberated by American troops. This fact led to a sentence of 25 years of imprisonment which was reduced after 1955 when this charge was withdrawn with the wording “the practical activity was not established”. It was also stated that his belonging to the SD agents and American intelligence was based only on the convict’s testimony¹⁰⁶, which was enough before but not enough in 1955 for conviction.

Another relevant example is M. Gritsay. In November 1948, he was also convicted of cooperating with three authorities – German, American, and English intelligences, which had recruited him to conduct anti-Soviet agitation and propaganda. In June 1943, he was deported to Dusseldorf as an ostarbeiter, where he worked until the arrival of American troops in April 1945.

¹⁰⁴ The point 58-1b meant the treason by military personnel. This offence implied a death sentence with property confiscation, but since Astakhov proved that he did not voluntarily surrender to the enemy, his guilt included his residence in German camps, P. Astakhov, 243.

¹⁰⁵ SBU. coll.6. f. 37243FP, p. 208-209.

¹⁰⁶ SBU. coll.6. f. 37243FP, p. 250.

A bit later, the city was transferred to the British. That is how he supposedly became a spy for several countries at once.

The curious aspect of these charges is that these prisoners twice received a sentence for foreign espionage, and the term for American espionage was twice as high than collaboration with the Nazis. It shows that already by this time that the discourse of a new, more insidious enemy was being established. After 1954, all these charges of espionage were immediately excluded from sentences, which reduced the term by half. Since then, having had no less than 10 years of imprisonment, a prisoner could be released under the 1955 amnesty. This excess of the Soviet system was automatically eliminated during the activities of revision commissions.

The interpretation of the definition “executioner” in practice: peculiarities and challenges.

Another debate taking place at this time among the party members concerned the definition of executioner. This term included those who committed murder and torture, as well as those who arrested citizens or who delivered them to those who carried out the acts. One side argued for a narrow interpretation of the term, defending whistle-blowers and collaborators who had no direct participation in killings and crimes. Others opposed this interpretation, pointing out that criminal actions of some accomplices led to peoples’ annihilation¹⁰⁷. The narrow definition of this term which prevailed implied that accomplices were so-called minor collaborators, who brought less damages to the Soviet population. In practice, this terminological innovation also worked intermittently and was almost impossible to control.

An important point in almost all judicial investigations was the concept of *practical activity* (*prakticheskaya deyatel’nost’*). If a person was caught for collaboration with the German authorities, it was important to prove the practical activity of this collaboration. It illustrates the case Kovalenko, who was accused of serving the German invaders and of bringing 13 people to

¹⁰⁷ Marc Elie, *Les anciens détenus du Goulag: libérations massives, réinsertion et réhabilitation dans l’URSS poststalinienne, 1953-1964*, 128-130.

be arrested. A new prosecutor, while rechecking testimonies, did not refute the fact that he had been complicit with the German occupiers. Furthermore, the core of this revision resided in appealing a narrow definition of collaboration – the one who implemented the execution deserved severe punishment but the person who delivered victims to murders did not.

Other cases have similar formulations. In February 28, 1946, E. Mikhachuk was convicted under Article 54-1a of the Criminal Code of the USSR with the sanction of Art. 2 Decree of the Presidium of the Supreme Soviet of the USSR of April 1943¹⁰⁸. She ultimately received a sentence of 15 years of hard labor, with a loss of rights for 5 years and confiscation of property. She was accused of collaborating with the secret German gendarmerie, for which she provided information on the whereabouts of the Communists, Komsomols, and Jews in the territory of the occupation; in total, according to the protocol, she handed over 13 people whose fate is unknown. In June 1942, she was deported to Germany in Limburg as an ostarbeiter, where she remained until the arrival of American troops. In 1954, when her case was reviewed, the court decided to exclude the second article of the Decree of 1943; therefore, her sentence was reduced to 10 years due to her activity as a collaborator implied only in facial identification of Soviet arrested people¹⁰⁹. Additionally, her collaboration was judged to be a result of difficult life circumstances (which apparently means a threat to her own life).

Apparently, the crucial role was played by unknown facts about these victims; in other words, when it was impossible to enumerate names of sufferers that made them abstract, and the weight of crime was blurred. With the presence of names and circumstances, the procedure could turn out differently.

25-year-old V. Aristarkhova-Lukyanchenko received 15 years of hard labor in prison based on Article 54-1a in conjunction with the sanction of Article 2 Decree of the Presidium of the

¹⁰⁸ The Decree of the USSR Supreme Council Presidium of April 19, 1943, on Punishment of German and Fascist Villains Guilty of Killing and Torturing Soviet Civil Population and Army Prisoners, Spies, and Traitors, who are Soviet Citizens, and their Collaborators.

¹⁰⁹ SBU. coll.6. f. 69939FP, p. 96-99.

Supreme Soviet of the USSR of April 1943¹¹⁰. She was a member of the Kiev underground organization but was captured by the Gestapo and transmitted information about other members of the organization, which led to the death of 13 people. Her fellow, S. Novikova sentenced according to the same article without an implementation of this Decree that caused to 10 years of imprisonment. Because of Novikova's activities, one person was killed. Their common case was revised twice, in 1954 and 1957 respectively, both based on complaints from the defendants. The case of V. Aristarkhova-Lukyanchenko was never overturned, while S. Novikova obtained a reduction of the sentence by half¹¹¹. The key fact was that each of the 13 people, who suffered due to activities of Aristarkhova-Lukyanchenko, was known to the court by name and had been a participant of resistance movement. It seems the seriousness of the crime felt more intense that made the reduction of sentence impossible either after 1991. In this case, the offence severity determines the fixation on the names, on faces of persons who died, that, subsequently, influences on the empathy of prosecutors. The fact of death of an 'abstract' person does not cause such a strong emotional involvement that responds than when it is known who these deceased victims were. It is likely to assume that in these cases, this emotional response felt in a way that restrained the court to consider the possibility of shortening the term.

The arbitrariness in activities of prosecutors

Already at the beginning of the process the arbitrariness of these revisions was raised among the party leadership. The local heads were indignant that the higher prosecutors did not have the ability to control the correctness of the actions of prosecutors, since they do not leave any traces of reexaminations in the personal files of prisoners. Decisions from above quite often caused confusion among regional prosecutors. For example, in 1955, the Kuibyshev region sent a request to clarify to whom exactly to apply the amnesty of 1955. Cvirko replied that before applying the

¹¹⁰ SBU. coll.6. f.8949, p. 142-143.

¹¹¹ SBU. coll.6. f.8949, p. 390-392.

decree, the prosecutor must check each case in person, and if he finds that the decree does not apply to the detainee, he must note in a paper that “the decree is not applied”. As a result, it did not eliminate the contradictions but indicated that the decision should be made at personal discretion.¹¹² Thus, the prosecution did not know who should be released or still imprisoned. Moscow did not provide any exact instructions for revision commissions in regions and GULAG camps where commissions conducted reviews. That is why all responsibilities relied on the professional skills and personal competences of prosecutors who reviewed these cases; this made the whole process arbitrary¹¹³. One prosecutor could have taken into account life circumstances, the age of a prisoner, and seriousness of crime to reduce a term of imprisonment. Another one could have indicated that all the circumstances were already taken into account at the time of the sentencing and there is no need to change. Thus, the prosecutorial process led to personal interpretations, and the fate of prisoners depended on the opinion of a prosecutor.

An example of personal influence shows the cases of Kovalenko and Zhidkovskaya-Patsyukevich. Both these cases were reexamined by lieutenant of justice Kibkalov. For Kovalenko, he reduced the sentence by more than half, whereas, the case Zhidkovskaya-Patsyukevich Z. remained unchanged; yet subsequently she was completely rehabilitated afterwards by another prosecutor Sirotenko. Apparently, Kibkalov was afraid to take significant and radical measures to correct the Soviet excesses, while Sirotenko found all evidences of innocence worthy of rehabilitation.

The practice of taking into account various circumstances that caused cooperation with the Germans was also carried out selectively. For instance, Mikhalchuk E., who was charged of extradition of 13 Soviet people who allegedly died as a result her actions. Initially, she received 15 years jointly with the severe sanction of the Decree of April 1943. Nevertheless, in 1954, her case was overturned – the prosecutor took into account both her difficult life circumstances and

¹¹² Marc Elie, *Les anciens détenus du Goulag: libérations massives, réinsertion et réhabilitation dans l'URSS poststalinienne*, 1953-1964, 128.

¹¹³ Immo Rebitschek, 268-269.

age during the crime as merciless facts¹¹⁴. In turn, another young woman L. Ryk, who, according to the testimony, most likely collaborated with the invaders in a result of the intimidation by the German authorities, did not receive relief from the Soviet authorities.

At the time of her arrest of March 19, 1946, Ryk was 29 years old. She was sentenced to 10 years under Article 54-1a of the Criminal Code of the USSR for remaining in the occupied territory and working as a laboratory assistant for the Germans until June 1944. Then, Ryk was evacuated with her mother to Poznan with the German authorities and worked several jobs on the territory of the Reich. When the Red Army had come to West, she found herself in Breslau region, where she worked as a doctor until August of 1945. Ryk arrived in Kiev as a repatriate on October 10, 1945, together with her mother and daughter, to whom she gave birth in January of the same year.

In June 1944, she was arrested by the SD police for liaising with a group of prisoners of war hiding in the Carpathian forests, among whom was her husband. As a result of interrogations, the woman allegedly revealed information about the size of the group, its composition, weapons, and ultimately, according to testimonies in numerous protocols, she signed a cooperation agreement with the SD police, in which she promised to figure out and tell the German authorities, with whose help prisoners of war fled to the partisans. For a Soviet interrogator after 1946, Ryk several times emphasizes that her cooperation was compelled – “he offered me a dilemma: either I will help them to identify Soviet people who, through radio or other means, keep in touch with the Soviet Union, who conduct anti-German propaganda, all those who in any way undermine the Nazi regime, or he otherwise does not vouch for my fate and the fate of my mother”¹¹⁵.

Numerous protocols emphasize that Ryk and her mother received a supply from the Germans for collaboration. The basis for confirming the crime was her own confession, as well as the testimony of her mother, who, although she did not emphasize her connection with the SD,

¹¹⁴ SBU. coll.6. f. 69939FP, p. 96-99.

¹¹⁵ SBU. coll.6. f. 69674FP, p.49.

noted that “her daughter was released from prison on the condition that she made an obligation for some kind of police (*kakaya-to politsiya*) to collaborate secretly”¹¹⁶. In the final conclusion, their constant connection with partisans did not provide any relief, apparently, because they were also under suspicion.

On December 20, 1954, captain Ciruk revised the files of this investigation and decided to keep the case unchanged, considering the punishment to be deserved and true. For these reasons, he mentions the “voluntariness” of the prisoner’s departure to the city of Khirovo – apparently, the confirmation of this voluntariness is related to the testimony of the witness in this case, who was telling that the hospital staff was not forced to be deported¹¹⁷.

Ryk did not consider her punishment to be deserved. Despite the fact that on November 9, 1955, she was released from exile under the Decree on Amnesty of 1955, the woman filed an application in October 1958, appealing to another reexamination for subsequent rehabilitation. Again, the Prosecutor's Office of the Kiev region proved this case fair¹¹⁸. The fact of pressure from the German authorities was not proven, despite the obviousness of this fact.

Thus, the activities of the revision commissions worked by individual methods. Most of the time, prosecutors preferred not to make radical changes, confining themselves by reducing the term of imprisonment to 10 years, which meant the possibility for the prisoner’s release under the amnesty of 1955. As a rule, first of all, the foremost act was to eradicate explicit falsifications, expressed in the form of American or English espionage. Sometimes, they could emphasize in a protocol the cases of violent methods in the process of deriving admission in the 1940s. Prosecutors began to pay attention to the reasons that proved an intention for working on the side of the German authorities, regardless of what kind of work it was – a nurse, cleaning lady, police officer. However, an interpretation of to what extent these reasons deserve indulgence also depended on prosecutors. Despite attempts at leniency, these steps were very cautious, for the most

¹¹⁶ Ibid, p. 149.

¹¹⁷ SBU. coll.6. f. 69674FP, p. 139-140.

¹¹⁸ Ibid, p. 150.

part, the investigation shortened the sentence for those who had already served most of the term that helped to be subsequently released under the amnesty of 1955. Rehabilitation could be achieved even with the fact of interaction with the German authorities, but, apparently, the convict's personal initiative was necessary, as well as the luck of fate, when a prosecutor who will be considered a case turns out a case as deserving a leniency.

The activities of this commissions were complicated by the fact that the whole period of the de-Stalinization was implemented only after 10 years after the end of the war. The average term of imprisonment for sentencing to treason was around 10 years. While the reexamination, a lot of people got released after serving the whole term. At some point, this process played the crucial role in terms of demolishing the complete fabrications that lied on the surface of the case – only this does not allow to argue for the meaninglessness of this campaign. But since the changes have been transformed through the lens of the mistakes of the Stalinization, foremost, this reexamination was directed towards the previous system than people. But the de-Stalinization has its own limits – one thing is to accept the excesses of Stalin, the disproportionality of punishment, and another one is acknowledging the fact of inappropriate system of war and postwar justice. It requires accepting the failures of the whole party, and some members of the legal system who continued to work in the Kremlin in the time of the Thaw.

However, if there were no vivid persons inside the political elite who decided to express their voice on the issue of collaborators, the Soviet art, conceptualizing the war, has made its own reexamination of the problem.

Chapter III. The Remorse of collaborators and boundaries of forgiveness in cinematography

Cinema had been the predominant field of art during the whole period of the Soviet Union's existence; as Lenin remarked, "of all the arts, cinema is the most important". Being under the meticulous control of state censorship and expected to implement state purposes, Soviet cinema produced extensive ideological and artistic content to bolster the state culture. Initially a tool of gaining support among illiterate peasants in the Civil War, cinema was transformed during the 1930s into an instrument of exploring important topics in Soviet life¹¹⁹. During the Second World War, cinematography played an essential role in propaganda, portraying partisan warfare, Nazi atrocities, and personal sacrifice in fighting the enemy. Almost all Soviet war films feature the image of a traitor who sought to undermine the Soviet regime by aiding the Nazis for ideological and hedonistic reasons.

Movies of the Stalinist period are characterized by the demonization of those who cooperated with the Germans. The Soviet narrative emphasizes that all spies, collaborators and traitors of the Motherland were part of anti-Soviet society who hailed from prosperous greedy peasants (kulaks) and ex-noble families. They are always portrayed as greedy, impudent and brazen people who deserve the same fate as Nazis¹²⁰. In these movies, there is no moral grey zone – either a person chooses obedience or disobedience to the state replete with her subsequent willingness to die for the Motherland.

Under the influence of the Thaw, Soviet cinematography had undergone fundamental changes. The Great Patriotic War was acknowledged not only as a heroic victory of the great Soviet people but also as a great loss of the population, accompanied with the anguish, suffering,

¹¹⁹ Richard Taylor, Ian Christie, *Inside the Film Factory. New Approaches to Russian and Soviet Cinema* (London: Routledge, 1994), xiv.

¹²⁰ For instance, *Rainbow* (Donskoy 1943), *Aleksander Parkhomenko* (Lukovv 1942), *She Defends the Motherland* (Ermler 1943).

and deaths of ordinary citizens and their loved ones on the occupied territories and home front. This change allowed filmmakers to view disparate war experiences through the eyes of individuals, combatants or civilians¹²¹. Artists were allowed to shade the portrayal of the Stalinist film hero, as well as to point out the binary nature of heroes and villains. For instance, a film critic A. Kaganov criticized the simplicity of portraying the antagonist as a materialistic character and the protagonist only as above material concerns, arguing that real life is more complex and contradictory¹²². Khrushchev's de-Stalinization allowed filmmakers to move from portraying hegemonic masculinity to expression of suffering, doubts, and weaknesses¹²³.

Moreover, it became permissible to address the dire experiences of prisoners of war – a topic full of contradictions in the Stalinist era. In 1959, S. Bondarchuk directed a movie *The Fate of a Man*, which is shown through the eyes of a soldier, captured by the Nazis. The film has several scenes of Soviet prisoners of war, living through this traumatic experience. Some of them express the breakdown of solidarity and the willingness to betray comrades for survival; others, like the main character Andrei Sokolov, are ready to strangle traitors for defending innocents¹²⁴. In *Clear Skies* (1961), Grigory Chukhrai illustrates the fate of another prisoner of war, Aleksei Astakhov, who was able to run away to the Motherland after his captivity. In peacetime, he thereby encounters distrust and suspicion, which lead to his pain and alcoholism. Only after the death of Stalin, was he restored to the Air Force as a pilot, which meant his rehabilitation and return to Soviet life. This film stunned and pleased the public, since it was ranked as the best movie of the year, according to *Soviet Screen* magazine¹²⁵. It also condemns Stalin's purges against 'unreliable elements' in postwar period. Thus, both political and public domains ceased their

¹²¹ The most well-known examples are *The Fate of a Man* (1959) by S. Bondarchuk, *The Cranes are Flying* (1957) by M. Kalatozov, *Clear Skies* (1961) by G. Chukhrai.

¹²² M. Dumančić, *Rescripting Stalinist Masculinity: Contesting the Make Ideal in Soviet Film and Society, 1953-1968* (Chapel Hill, 2010), 58-59.

¹²³ Ibid, 21.

¹²⁴ It refers to the scene in a church where one Soviet prisoner calls up to give out a communist among soldiers to Germans. Sokolov prevents this and strangles a traitor, *The Fate of a Man* (1959) by S. Bondarchuk.

¹²⁵ Denise Youngblood, *Russian War Films. On the Cinema Front, 1914-2005* (Lawrence: University of Kansas, 2006), 129.

silence. Important Party leaders like G. Zhukov¹²⁶, E. Furtseva¹²⁷, and R. Rudenko¹²⁸, insisted on defending the rights of prisoners of war, saying that “the form of distrust in relation to this category is unacceptable and should be condemned”¹²⁹.

Despite the gradual expansion of the scope of permissible, it seems that there was still a strict limit of admissible illustrations of the ambivalences and choices of war. Sometimes, movie directors pushed their boundaries so far that films explicitly critiqued the Soviet state’s mismanagement of the war¹³⁰ which was unacceptable even during the Thaw. For instance, the film *Peace to Him Who Enters* (1961) was perceived by the Ministry of Culture, which was headed at that time by Furtseva, as a negative portrayal of Soviet soldiers. In the film the three soldiers in Berlin in May 1945 seem not to know what is going on and why they are here. In spite of its eventual release, the film was only partially distributed on Soviet screens¹³¹.

Despite the ongoing experiments of Soviet directors, the invasion of Czechoslovakia and phasing out de-Stalinization policy determined the subsequent fate of Soviet Union’s censorship. The subject of the Great Patriotic War was never exempted from party-controlled censorship. But from the beginning of 1967, the Soviet censorship expected to see the heroization and glorification of the state and expected films to educate people ideologically through a dialectical and social realist approach¹³². There are several reasons for these transformations. One was the propagation of a victory myth in 1965 and subsequent exploitation of the war memory. The war was viewed as central to strengthening the Soviet Union as an object of cultural identification¹³³ and, eventually, as a source of national identification. The Soviet state and its peoples played crucial roles in

¹²⁶ Grigory Zhukov – a Soviet general and the Marshal of the Soviet Union, a leading commander in the Second World War.

¹²⁷ Yekaterina Furtseva – the first secretary of the Central Committee of the CPSU, the Minister of Culture in 1960-1974.

¹²⁸ Roman Rudenko – the Procurator-General of the USSR in 1953-1981.

¹²⁹ A. Artizov, *Reabilitaciya: kak eto bylo. Dokumenty Prezidiuma CK KPSS i drugie materialy*, t. 2 (Moscow: MFD, 2003), 115.

¹³⁰ “*The Soldiers*” (1956) directed by Aleksandr Ivanov was completely banned until 1991.

¹³¹ Denise Youngblood, *Russian War Films. On the Cinema Front, 1914-2005* (Lawrence: University of Kansas, 2006), 130.

¹³² J. Woll. *Real Images. Soviet Cinema and the Thaw* (NY: I.B. Tauris & Co Ltd, 2000), p. 201-202.

¹³³ T. Wolfe, “Past as Present, Myth, of History. Discourses of time and the Great Fatherland war,” *The politics of Memory in Postwar Europe*, (2006), 266-267.

winning this war, which was the embodiment and greatest moment of Russian glory. The state gave preference to such films as the *Liberation*¹³⁴ film series about great leaders of the war, rather than stories about common individuals, with the goal of reifying the glory of victory rather than addressing controversial topics to which the population might have related.

However, as the Thaw planted the seeds of refreshing filmmaking culture, filmmakers in the 1970s continued to expand forbidden topics. Developing themes that revised the Manichean rhetoric at the end of fifties, filmmakers in next decades produced several art works that aimed to demystify the ‘official version’ and depict what has never being said before¹³⁵. At the same time when *Clear Skies* was received limited distribution, and the state requested heroic movies, some directors produced films which in a subtle way combined both topics – the heroism of Soviet citizens and, at the same time, their anti-heroism. Gradually starting from the image of prisoners of war, Soviet cinematography finally upgraded to more controversial topic – the issue of collaborators, which was rethought in a new format and approach. Two films, *Trial on the Road* (1971) and *The Ascent* (1977), as other countless war movies, portray collaborators who aided the Germans, but with one important difference – the collaborators expressed *remorse*. One of these films (*The Ascent*) was finally released, whereas, the other one (*Trial on the Road*) suffered from censorship and was banned up to perestroika. Thus, both films felicitously illustrate the boundaries within which the portrayal of collaboration was still acceptable, and what type of representation was perceived as a violation of the existing policy of state memory.

¹³⁴ *Liberation* (1970) directed by Y. Ozerov is a film series about the liberation of the Soviet Union’s territory, focusing on major Eastern Front campaigns and commanders of them.

¹³⁵ G. Buttafala, “Alexei German, or the Form of Courage,” in *The Red Screen: Politics, Society, Art in Soviet Cinema*, (London: Routledge, 1992), 275-276.

Remorse and empathy in moral communities

Emile Durkheim defines morality as a unifying element of human solidarity which led to the formation of common discipline, an attachment to groups, and conscience collectiveness¹³⁶. In other words, a set of shared beliefs and statements integrates people into one extensive group. Those who violated formal or informal rules of the community are considered actors who imposed violence or harm against society. Here, the act of deviation is expressed not only as an individual experience but rather as a social practice in conventional community¹³⁷. In the case of violence, moral communities coerce either to express remorse or not by those who did it. Prohibition against the expression of remorse is usually practiced in those communities where people veered drastically from their previous purposes and practices they were previously affiliated¹³⁸. For instance, during the war, compassion, empathy, or remorse were designated as unmanly, “feminine” and wretched feelings which soldiers should not have¹³⁹. Weisman illustrates another example of a state’s intervention into citizens’ morality, arguing that “ in the Nazi Germany, beginning in 1933, school children would be taken to asylums for the mentally ill, those who were neurologically impaired, and those who were severely physically disabled, there to gaze at the display of human misery because in the words of one instructor... The purpose of these visits was to shift public perception from viewing the patients as sick persons who should be cared for by the community towards seeing them instead as objects of revulsion who were draining resources away from those who were healthy and could contribute to the new Germany. Here remorse over the mistreatment or neglect of the sick would be replaced by disgust over their physical imperfections and resentment at the burden that they placed on others”¹⁴⁰.

¹³⁶ Emile Durkheim, *The Elementary Forms of the religious life*, trans. by J. Swain (London: George Allen & Unwin Ltd, 1912), 122.

¹³⁷ R. Weisman. *Remorse, Law and the Social Control of Emotion* (New York: Routledge, 2016), 8.

¹³⁸ Ibid., 13.

¹³⁹ Ibid., 14.

¹⁴⁰ Ibid., 15.

Expressing remorse played a significant role in the ways in which defendants in Soviet political purges and persecutions were judged. Exhibiting remorse before the party leader and the Motherland was obligatory in order to request from authorities a pardon. Again, it was a mode of communicating to an authority. During his 1936 trial, Grigory Zinoviev¹⁴¹ had been sending messages to Stalin, expressing his feeling of guilt for all activities which the leader allegedly acknowledged as a crime¹⁴². “Sincere remorse” of an accused could help to reduce the term of imprisonment, if the authorities were ready to express mercy¹⁴³. As Nancy Adler shows, some communists, being accused of crimes they did not commit, still had felt guilty and concerned about a possible insult to the honor of the leader and the party¹⁴⁴. The biographies of collaborators who received Red Army Medals after being remobilized into the Red Army after a few years of the service to Germans¹⁴⁵ shows that there was another way to express an acknowledgement of guilt before the Motherland and pursue subsequent redemption. Nevertheless, not everybody was ‘allowed’ to have this feeling – the ability to repent was more a deviation than common practice. The expression of remorse, moreover, was not always accepted by the state. As judicial protocols of collaborators have shown, other subjective factors such as young age, social origin, the presence of children, etc. could influence Soviet indulgence toward a repentant prisoner¹⁴⁶.

After the reconquest of territories lost to the Germans, Soviet propaganda actively tried to impose this image by publishing in the local press articles the exposed traitors and accomplices. Some scholars argue that at least at the initial stage of Nazi occupation there was no such a clear

¹⁴¹ Grigory Zinoviev (1883-1936) – Bolshevik revolutionary, the head of the Communist International. He was executed in 1936 in times of Great Purges.

¹⁴² G. Hosking, *Trust and Distrust in the USSR*, 10.

¹⁴³ Nancy Adler illustrates the case of one prisoner of war who was accused of espionage against the USSR. In 1945, by mercy of the state, he was sentenced to 10 year of imprisonment instead of 20, due to his age and remorse he has shown, more N. Adler, *Keeping Faith with the Party: Communist Believers Return from the GULAG* (2012), 133.

¹⁴⁴ N. Adler, *Keeping Faith with the Party: Communist Believers Return from the GULAG* (Bloomington: Indiana University Press, 2012).

¹⁴⁵ Makhalova, I. “Heroes or Perpetrators? How Soviet Collaborators Received Red Army Medals,” *The Journal of Slavic Military Studies*, Vol. 32, 280-288.

¹⁴⁶ More, Rebitschek I. “Fiendbilder auf dem Prüfstand- Sowjetische Kollaborateure im Fokus der Revisionskommissionen, 1954 und 1955,” *Jahrbücher für Geschichte Osteuropas* 65 (2017), no..2, 262-281.

distinction between *us* and *them* among subject populations¹⁴⁷. Sometimes, the Ukrainian population was eager to condemn those who were considered collaborators by a new Soviet government in order to demonstrate loyalty to the Soviet state. Such participation in emotional rituals could confirm the patriotism of the liberated population¹⁴⁸. Any acknowledgement of a traitor's repentance and public empathy was brutally suppressed in the Stalinist era. For instance, at the beginning of 1942, Aleksander Dovzhenko, a Soviet-Ukrainian director, had begun work on his screenplay for *Ukraine in Flames*, a story about the Soviet evacuation and Nazi occupation of Ukraine during the Second World War. He portrayed collaboration as necessary for survival. Meeting and spending time with several politicians during the war, Dovzhenko personally read the scenario to Khrushchev, who praised his work and recommended its publication, highlighting the necessity of such stories: "Let them read it; let them know that it is not so simple"¹⁴⁹. Georgy Malenkov, the Chairman of the Council of Ministers, was also personally informed about the screenplay which he approved for publication¹⁵⁰.

Nevertheless, when Stalin came across the script, it was duly banned and condemned as revisionist and nationalist propaganda. Subsequently Dovzhenko encountered official denunciation and abuse, and he became, as a consequence, completely isolated and abandoned¹⁵¹. Such diametrically opposed reactions illustrate that the party leadership in Moscow (as a state) pondered simple categories, while the local leadership (closer to the population) evacuated from Ukraine, having experienced the complexities and ambiguities of their own activities during the evacuation, was ready to acknowledge the complexity of the situation¹⁵². But as the political agenda prevailed over all spheres of life, the policy of retribution and intransigence became the principal attitude towards collaboration. Thus, a feeling and reaction to collaboration, which was

¹⁴⁷ M. Borovyk, "Collaboration and Collaborators" in *Ukraine During the Second World War: Between Myth and Memory*, 285-308, 293.

¹⁴⁸ Ibid, 293.

¹⁴⁹ A. Dovzhenko, *The Diaries, 1939-1956* [Dnevnikovye Zapisi, 1939-1956], (Kharkiv:Pholio, 2013), 259.

¹⁵⁰ Ibid, 262.

¹⁵¹ Peter Kenez, *Black and White. The War on Film in Culture and Entertainment in Wartime Russia*, (Bloomington: Indiana University Press, 1995), 175.

¹⁵² G. Liber, *Aleksander Dovzhenko: A life in Soviet Film* (London: British Film Institute, 2002), 194.

combined with a linguistic trap intensified by the words *a traitor* and *an accomplice*, was determined by the dissemination of this political statement and ultimately established as a cultural peculiarity¹⁵³.

A clue to the public images of feelings about remorse might be searched for in ritual, myth and art. The Great Patriotic War as a source of national identification implies specific obligations to those who wanted to identify with the state on equal terms. The veterans who came to schools every year on Victory Day to retell stories of their exploits in the war expected bouquets of flowers, and students who pretended to listen to them recalled the fact that they had no other choice¹⁵⁴. This excellent example represents the citizens' duties of emotional involvement which includes pride for the Motherland, grief for the fallen soldiers, and sorrow for everybody who had been through the war. Any deviation from these emotions was socially sanctioned. Since the war was already associated with self-identification in 1970s, any disrespect or questioning of the heroic war victory and memory was perceived as an act of violence. And since collaboration was directly related to an enemy who threatened the state and nation, the attitude towards the collaborator should be at least skeptical and, preferably, irreconcilable.

Thus, when collaboration is portrayed sympathetically in film, it can be seen as a manifestation of "weakness," and even violence against the war memory. Thus, Film Studios and Central Committees, which decided about releasing a movie, tended to object to those containing the portrait of a traitor who could be potentially sympathetic to viewers. That is why the two films from the early 1970s, *The Trial on the Road* and *The Ascent*, attracted the attention of the state.

¹⁵³ C. Geertz, *The Interpretation of Culture* (New York: Basic books, 1994), 63.

¹⁵⁴ Ibid., 277.

From a Traitor to Hero: the ban of the *Trial on the Road*.

The policy of ubiquitous ideological revisions tied to the denunciation of Stalin's cult of personality affected all aspects of the Soviet life, including the cinema. Those who were involved in all spheres of film production experienced jubilation, as being released from onerous political chains.¹⁵⁵ The portrayals of great leaders making heroic history of late Stalinist cinema made way for 'ordinary' Soviet men and women, embodying the "true life" of Soviets and the human weaknesses they encountered¹⁵⁶. Soviet art, therefore, strived for a new set of emotions, such as sincerity, honesty, immediacy, transparency, and popular participation¹⁵⁷. Since that time, films presented complexity and ambivalence in characters, the accustomed image of black and white schema shaded into grey. New approaches to the history of the civil war and the WWII are illustrated on the screen in subtle, profound ways¹⁵⁸. Under the influence of this movement to sincerity, numerous talented directors had studied and graduated from the State Institute of Cinematography. Talented and well-known directors, previously undesirable for the state, were allowed to create and teach. Aleksander Dovzhenko and Sergei Gerasimov, the most prominent figures of the Soviet cinematography at VGIK, groomed promising new directors such as Elem Klimov, Andrei Tarkovsky, Larisa Shepitko, Alexey Gherman, etc.¹⁵⁹. Brought up relatively liberal period of self-expression in art, they, nevertheless, still had still to tread carefully lest they attract too much attention from the central government.

Alexey Gherman was studying at the Russian State Institute of Performing Arts in times of cinematographic experiments, implemented by the Soviet directors. Graduating in 1960, he underwent several perturbations for his revisionist interpretation of the past. Being neither an anti-Soviet dissident nor pro-Soviet formalist¹⁶⁰, he nevertheless became an "inconvenient" author for

¹⁵⁵ J. Woll, *Real Images. Soviet Cinema and the Thaw* (2000), x.

¹⁵⁶ Ibid., 8.

¹⁵⁷ Ch. Evans, The "Soviet Way of Life" as a Way of Feeling. Emotion and influence on Soviet Central Television in the Brezhnev Era, *Communiquer en USSR et en Europe socialiste*, No.56/2-3,(2015), 4.

¹⁵⁸ J. Woll, *Real Images. Soviet Cinema and the Thaw* (2000), xiii.

¹⁵⁹ D. Petrie, R. Stoneman, *Educating Film-makers: Past, Present, and Future* (Bristol: Intellect Ltd,2014), 22.

¹⁶⁰ L. Arkus, *The Modern history of domestic cinemapography* [Noveishaya istoriia otechesvennogo kino 1986-2000] (Moscow: SEANS, 2001), vol. 1, 250.

authorities for his demystifications and alternative remembrance of Soviet history¹⁶¹. Like many other directors, the central topic of the Gherman's films was concerned with the framework of Soviet history under Stalin's supervision, yet specifically he focused on aspects of the Soviet past omitted in the official memorial agenda¹⁶². He was fired several times from film studios for ideological errors in films he directed. *Trial on the Road* or *Operation "Happy New Year"* (Проверка на дорогах или Операция 'С Новым годом') was not an exception.

The film was based on a story of Yuri Gherman, which he wrote and published in *Novy Mir* magazine, a bastion of artistic liberal tradition in the 1960s. The film was shot in 1971, when instruction of how to depict the war was already transformed from the period of relative liberal accessibility to depict ambiguous issues to the state's demands for contributions to the war myth and war memory. Leonid Brezhnev, at the 25th Congress of the Communist Party of the Soviet Union, stresses the necessity to prevent the disappearance of memory with the passing of veterans, witnesses and participants of the war¹⁶³. Portrayals should capture the heroic exploits of soldiers and citizens in the face of Nazi aggression, preempting people against casting shadows on the memory of the heroic Soviet mission and war effort. For Gherman, the depiction of the past was necessary for understanding it, by making the audience experience the world as it was experienced by people who lived the past¹⁶⁴ by virtue of resurrecting complex and obscure historical lacunas. Due to the black and white documentary, frozen-wintery artistic language, the filmmaker creates a highly professional anti-war movie, showing several forbidden aspects of state war memory.

Trial on the Road narrates the story of Alexander Lasarev, a Soviet soldier who had been fighting alongside Germans as a collaborator. Troubled by his betrayal, he escaped from the German service back to the Soviet side. Initially, he was taken into captivity and, being desperately broken as thousands Soviet prisoners of war, he agreed to collaborate in order to survive. After a

¹⁶¹ A. Graham, 'Immersion in time': history, memory and the question of readability in the films of Aleksei German, *Studies in Russian & Soviet Cinema*, vol.6, No. 2, (2014), 178.

¹⁶² A. Anemone, Aleksei Gherman: The Last Soviet Auteur, in *A Companion to Russian Cinema* (Oxford: Wiley Blackwell, 2006), 543-544.

¹⁶³ D. Youngblood, *Russian War Films. On the Cinema Front, 1914-2005*, 2006, 127.

¹⁶⁴ A. Anemone, Aleksei Gherman: The Last Soviet Auteur (2006), 560.



while, he ended up coming to partisans in the Wehrmacht uniform to surrender and atone for his crimes before the Motherland. Being obliged to prove his loyalty, like the biblical Lazarus, he endeavored to rise up from his own disgrace and resurrect Soviet honor. The foremost conflict of the film is built on

the fundamental issue of the limits of forgiveness and the candor of Lazarev's remorse – whether his homecoming to the Soviet side is motivated by the fear of being arrested and executed after the Nazis were defeated or the transparent desire to atone for his crime? Some partisans never warm up to the idea of granting him a chance to prove his loyalty. The main opponent to his redemption, Major Petushkov, justifiably maintains his skepticism and mistrust: the Nazis killed his son and wife, and there is a probability that one of these surrenders, akin to Lasarev, had a hand to their death. The partisan Lokotov solicits a second chance for Lasarev and offers to give him a test to prove himself. The conflict of the two commanders embodies this continued hesitation – giving the right to Petushkov's position, Alexei Gherman nevertheless puts faith in man as the foundation of everything where this faith is expressed in Lokotkov's relation to Lazarev. He also has hesitations, but he is capable of some kind of peasant religious wisdom that Petushkov is lacking. Larazev proves his truth and desire for atonement. After several successful campaigns to eliminate the Germans, he perishes heroically sacrificing himself for the Soviet people. The heroic death of the collaborator here is a direct act of violence against the memory of the war.

Goskino was angered by this portrayal of the war for several reasons. The author, avoiding ideological clichés of that time, touched on a number of ideological statements relating to wartime, including the policy towards prisoners of war and chaotic trials returning “home.” According to censorship reports, the illustrative conflict between Lokotkov (partisan's commander) and

Petushkov (a major) prompted censors to outlaw the film. This narrative violated the discourse of partisan identity and solidarity, as well as their significant aid on the occupied territories. The representation of commanders' being frequently at odds due to moral and ideological disagreements incited the authority's condemnation. Yet focusing on conflict within, Gherman creates a picture of the struggle not with the Germans but each other¹⁶⁵. The heartfelt image of Lokotkov's refusing to sacrifice people's life (in this case, prisoners of war) in the name of defeating the Germans contrasts starkly to Petushkov's unconditional impulse to follow orders. Such explicit connotation with the doctrinal brutality of Stalinism supposedly produced the censor's demand to include scenes of Petushkov, telling about death of his son and wife, in order to justify his hatred and inclemency¹⁶⁶.

Showing the story from perspective of one village suffering both from deeds of partisans and Germans, Gherman illustrates that for civilians there was little difference between the Soviets and the Nazis, and that the occupation itself would have been impossible without the active support of civilians, for whom collaboration was not a result of ideological differences yet a path to survival. It didn't fit appropriately into the habitual perception of the betrayed enemy. The censorship caviled not only at Lasarev's characterization but also the casting of Vladimir Zamanskii, the actor played Lasarev, whose 'eyes were too tragic' and inappropriate¹⁶⁷. The figure of involuntarily traitor reflected a third way of the collaborator's image, neither betrayed for

¹⁶⁵ A. Anemone, *Aleksei Gherman: The Last Soviet Auteur* (2006), 549.

¹⁶⁶ O. Kovalov, *Etiudy o Germane*. <http://www.cinematheque.ru/post/142618/print/>; RGALI 2944/4/ 2168: 79, Goskino demanded to make Petushkov more excusable for his action from E. Zvonkine, "Auteur Cinema during the Thaw and Stagnation" in *A Companion to Russian Cinema* (Oxford: Wiley Blackwell, 2006), 189.

¹⁶⁷ F. Razzakov, *Our favorite cinematography about the war* [Nashe luibimoe kino o voine] (Moscow: Algoritm, Eskmo, 2005), 381.

ideological reasons nor slandered and innocent. Thus, a traitor is embodied as a quintessential victim of history that makes him a tragic and sympathetic hero, deserving no judgements.

Gherman remembered: “These ‘volunteers’ sometimes were walking in the Soviet uniform, sometimes the



German one. They carried guardian functions, they built roads as adjuvants. The alternatives of them were quite complicated: either to die or to give up. Some went over to the enemy for food, others voluntarily... In Russia, there is nothing in the middle – either all the Vlasovites who should be hang on a string, or they are unhappy ideological heroes-liberators. I made a research about them in detail. I believe that most of them were scum after all. Because, first and foremost, this is your Motherland, this is an important thing”¹⁶⁸.

Trial on the Road was banned for 15 years due to what were termed falsifications of the partisan’s activity during the war, since he shifted the soldiers’ pain from a struggle with the Germans to the struggle with themselves¹⁶⁹. In conclusion, the main screenwriting editorial board had concluded that ‘the film distorts the image of heroic times, of the Soviet people who went into a mortal struggle with the Nazi invaders on the occupied territories... Lokotkov’s image does not have those features that would describe him as an experienced commander and partisan leader’¹⁷⁰. In other words, those who show weakness and condescension, in particular to betrayers, should not personify Soviet power.

¹⁶⁸ A. German, “Proverka na dorogah” [Zapisala Natal'ya Ryurikova] *Kinoscenarii*, № 3, 1995.

¹⁶⁹ Ibid., 549.

¹⁷⁰ From A. Shemyakin, “Proverka na dorogah. Lokotkov” *Seans*, № 8, 2001.

The authors of the film were accused of trying to challenge and contradict *the Liberation* film series, which was released in the same year¹⁷¹. In this sense, *Trial on the Road* contradicted an accepted narrative of a glorious and triumphal victory. Lasarev, as both a traitor and a victim of the war, presents an ambivalence of the war, and the inconclusiveness of his image gives viewers a right of not to choose the radical position in relation to prisoners of war and collaborators. An attempt not to take sides predetermined the banning of the film.

***The Ascent* by Larisa Shepitko as a compromised portrayal of the war.**

The Ascent (Восхождение) directed by Larisa Shepitko is based on the story *Sotnikov* by Vasily Bykov, narrating events of the Second World War in the area of German-occupied Belarus. Two partisans, Sotnikov and Rybak, were entrusted with obtaining food for the starving partisan's detachment, a task both voluntarily agreed to accomplish due to a decent reason to help comrades. Making their way through the snowdrifts, they stumble upon the Germans, who injured Sotnikov and left him no way to escape. His fellow Rybak courageously rescued Sotnikov, helping him to be cut off from enemies. Ultimately, they are not able to completely stop the surveillance of the Germans – eventually, both were captured with several more prisoners, convicted as their accomplices in attempts to hide them. They have two choices – either to surrender and join the ranks of the German police or endure tortures of disobedience and die. Here the key outcome of the film unfolds: two personas, Rybak and Sotnikov, encounter the life-death choice as well as pangs of conscience that accompany this choice. Sotnikov, being brutally tortured and exhausted, had recognized his imminent death, while Rybak accepted the rules of the game and signed up for collaboration. The narration of this story is built on the opposition of these two partisans with different levels of sense of duty and pragmatism. Having overt religious connotations, Sotnikov presents the best version of a human-being who, by virtue of decent personal traits, is capable of enduring sufferings for the sake of what is right according to him. Akin to Jesus Christ, he

¹⁷¹ D. Youngblood, *Russian War Films. On the Cinema Front, 1914-2005*, 2006, 127.

sacrificed himself despite the fact that his personality is of greater value than those who executed him.

The significance of this representation consists of its ambivalence towards characters of this film, opposing Sotnikov. The provocative illustration of a partisan who ended up as a traitor has more intriguing aspects. Rybak's decision could be designated as the natural by-products of war rather than perfidious treason¹⁷². He is portrayed not as a pure evil human-being – rather, his eagerness to survive is manifested by a willingness to live, but not cruelty. He perceives this collaboration as a continuity of fighting with the reality. In a cell they had been imprisoned, Rybak tries to persuade Sotnikov to surrender, reasonably arguing his point of view: “Don’t be a fool, Sotnikov. You graduated from an institute for nothing. I want to live! To live in order to kill these bastards, understand? I am a soldier, and you are a corpse. And all you have got left if your stubbornness – your principles”¹⁷³. On the screen, he experiences clearly visible anguish and worry toward other prisoners. During the second part of the movie, the physiognomy of Rybak depicts him tossing in his own mind between a desire to live and to be understood in his motives by Sotnikov. In contrast to Sotnikov, Rybak is presented as an explicit reference to the biblical story



of Judas' betrayal. When the doomed already climbed up to Golgotha and were executed, Rybak's existential suffering drove him to complete desperation for what he has done. Villagers who were forced to watch an execution whispered “Judas”, leaving him no chance for forgiveness.

Eventually, he unsuccessfully tried to commit suicide by hanging. Judas' fate, he had to live with that and endure this repentance over and over again.

¹⁷² D. Youngblood, *Russian War Films. On the Cinema Front, 1914-2005*, 164.

¹⁷³ P. Wilshire, *A Narrowing Exploration of War and the Meaning of Human Existence: The Ascent*, (2016), URL: <https://offscreen.com/view/war-the-meaning-of-human-existence-the-ascent>

Despite explicit connotations with Judas, the filmmaker prefers summoning to compassion that judgment¹⁷⁴. Ultimately, the topic of betrayal, being portrayed through the feelings of suffering, doubts, anguish, and remorse, leads viewers to recognition that extraordinary circumstances can force a choice of Rybak rather than of Sotnikov. The earliest images of traitors in the Soviet cinema are radically different from this one – initially, Rybak had no plans to cross the border of his conscience, his being a partisan shows his disposition to the Soviet state and eager to fight against the enemies. The result of his treason become possible due to circumstances but not personal traits and unreliable points in biography.

Aside from the image of Rybak, there is another character working in contrast with Sotnikov, Portnov, a Soviet man who ended up as a collaborator and policeman. Cold-blooded, brutal, supercilious Portnov, in contrast to Rybak, represents a treacherous personality. The most significant interaction between him and Sotnikov reveals itself in the scene of interrogation. In this dialogue, it would be possible to imagine Portnov as Pontius Pilatus, but he is most likely as Satan from the scene of conversation between him and Jesus. As Lucifer tempted Christ not to submit to crucifixion, so Portnov tries to convince Sotnikov that his life will be interrupted by nothing. It reminds the dialogue with inner self from Sotnikov's perspective. The actors who played these characters have something in common in appearance. Both Portnov and Sotnikov had the same working experience as teachers before the war – thus, the image of Portnov makes a reflection of Sotnikov. He is the image of a traitor who is usually portrayed in Soviet films – desperate and devoid of conscience and compassion, a pure amoral evil.

Last but not least, there is another personage revealing the complexity of this anti-war message. Another person, who climbed up to Golgotha, is an old man who worked as a headman in a village. Usually, headmen were automatically perceived as collaborators working for the Nazis by contributing supplies and suppressing other civilians, despite the fact that most of the time they

¹⁷⁴ J. Costlow, "Icons, Landscape, and the Boundaries of Good and Evil. Larisa Shepitko's *The Ascent* (1977)" in *Borders Visions: Identity and Diaspora in Film* (Lanham: Scarecrow Press, 2013), 78.

were forcefully deputized by civilians themselves. Here, the first asylum partisans had found was a hut of a headman who had livestock. Rybak feels distrustful of this man, since having his own cow implies some responsibilities for the Germans. Long story short, this old man turned out to be secretly helping partisans all the time. After it was revealed, he was hanged as the others. This plot aims to remove this veil of distrust of those who were working in administrative positions for various reasons.

The film was shot in black and white, like other works of Larisa Shepitko. It helps to intensify the hostility of nature in winter which, immersing in its whiteness of snowfields, is frightened by its endlessness and at the same time appeals to purity. The atmosphere of desperation and fear was created by focusing on details of wintry natural perils. The interaction of the natural world and people are emphasized by close-ups and sophisticated framings. These elements exaggerate the physicality of experience in moments of emotional tension¹⁷⁵. The contrast between darkness and whiteness intensifies the purity of what is happening on the screen. She portrays two types of collaborators, where one of them has a feeling of a deep desperation of what he has done and what the war has done to him either. Another one, Portnov, tortures and kills innocent people, who recently had been his comrades and co-citizens, and feels no repentance to his actions. These two diametrical portrayals, offering numerous thoughts and moral principles of the filmmaker, has the most significant one – forgiveness and compassion deserves even those who made a wrong choice, if a person deeply regrets this fatal mistake. In other words, it's never too late to repent.

The Ascent could have met the same fate as Aleksey Gherman's film. Mosfilm's conclusion on *the Ascent*'s screenplay was as follows: in addition to a demand to remove religious references, the censorship disliked the fact that "it has the misconception that the German invaders had only an indirect relation to atrocities in the occupied territories, while traitors from local administration were rightfully involved in those atrocities". An important clarification about the

¹⁷⁵ B. Bartunkiva, *Facing Death, Confronting Human Nature: The Ascent* (Larisa Shepitko, 1977), (2017), URL: <http://sensesofcinema.com/2017/soviet-cinema/1977-ascent-larisa-shepitko/>

final film: “It is necessary to more accurately develop the final scene: a film about a hero cannot end with the image of a repentant traitor”¹⁷⁶. The film was under threat of being banned. As Elem Klimov, Larisa Shepitko’s husband, remembers, the film was saved by Belarus SSR deputy Pyotr Masherov, who was invited on the release of the film and was touched by this story as an ex-partisan¹⁷⁷. Thus, the reason that the film was released lies in the approval of one important party leader. Apparently, without the help of Masherov, the film would not have been released. Moreover, without the image of Sotnikov, who incorporates all Sovietness in himself, the release would not have happened either. Without doubt, this story is primarily about unconditional heroism and love for the Motherland that distinguishes it from *Trial on a Road* where there are no ideal types of heroes.

The distribution of the film was quite low; only 10 million watched it¹⁷⁸. It had more significant influence abroad, where *The Ascent* won the Golden Bear at the 1977 Berlin International Film Festival, after which Shepitko showed the work at film festivals in Telluride and Toronto.

Besides the film itself, the reception of this movie presents a construct of the cultural values of the era. Reviews of a movie focus on moments which are significant to their point of view and ignore those aspects that seem to them less important¹⁷⁹. Critics appreciated the high professional qualities of the director as well as the deep psychology of the plot. Nevertheless, the comments are quite common in separating characters into friends and foes. They mentioned the moral fall of Rybak, from which he could no longer get out as well as the sinfulness of the choice when a life goes before honor¹⁸⁰. Reviews focus on the fact that the problems of honor and conscience inherent in the film are inextricably linked with today's problems¹⁸¹.

¹⁷⁶ V. Fomin, *The cinema and the state. The Soviet cinematography: 1965-1985* [Kino i vlast'. Sovetskoe kino: 1965-1985 gody, dokumenty, svidetelstva, razmyshleniya] (Moscow: Materik, 1996), 65.

¹⁷⁷ Ibid., 213.

¹⁷⁸ D. Youngblood, *Russian War Films. On the Cinema Front, 1914-2005*, 183.

¹⁷⁹ Ibid., 195.

¹⁸⁰ L. Karahan, “Krutoj put' «Voskhozhdeniya»”, *Iskusstvo kino*, № 10, 1976, 86; Zoya Kutorga and Ovidii Gorchakov, “Vozvrashchennoe proshloe”, *Iskusstvo kino*, no. 5, May 1977,

¹⁸¹ Zoya Kutorga and Ovidii Gorchakov, “Vozvrashchennoe proshloe”, *Iskusstvo kino*, no. 5, May 1977,

For Larisa Shepitko, the employment of the war theme, first of all, calls upon an appeal to *moral problems* where the war topic plays as an instrument for contemporary resolutions¹⁸². In one of the interviews Larisa Shepitko answered on a question, saying that “if for our parents the war was a great hardship and trial, for our generation the war is the moral watershed and the moral strain, which we are resuming all the time”¹⁸³. The film itself, however, covers much deeper topics than just a war – biblical references suggest that the theme of the war is a tool in depicting eternal issues of humanity.

Thus, the 1970s inherited two discourses which were at odds with each other. One compounded the echoes of the Thaw in attempts to delimit the shades of ambivalence and to build a complex picture of human-being. The other had explicitly politicized the myth of the war which left no space for discrepancies against the ideological heroic portrayal of the war. The topic of collaboration is not considered to be a part of anti-Soviet narration yet compassion and empathy to them had strict limitations. Collaboration by no means should have been observed as a consequence of Soviet mistakes; neither should it cast a shadow of doubt on the unconditional heroism of the Soviets. In this sense, *The Ascent* seems more comfortable to lobby this topic, since the story narrates about Sotnikov who sacrifices not only himself but other people in the name of the Motherland. In *Trial on a Road*, heroism comes from imperfections yet striving for perfection causes troubles. This picture does not seem to meet the needs of Goskino.

While the memory of the war remained vivid among participants, they remembered the injustices and excesses the war produced, the artistic path of ambiguous visualization was possible. But since the myth of the Great war determined a role of national identification, this path was lost.

¹⁸² Zoya Kutorga and Ovidii Gorchakov, 59.

¹⁸³ L. Karahan, “Krutoj put' «Voskhozhdeniya»”, *Iskusstvo kino*, № 10, 1976, 86.

Conclusion

In any action which is considered a crime, there are at least two actors – a victim and an offender. The latter is usually striving for retribution, and in the case of strong humiliation, even revenge. If one were to consider the Soviet state as a victim, it has chosen an extensive policy of retribution, sometimes turning into revenge, towards those who have been caught as collaborators of the Nazis in time of World War II. These postwar purges against traitors and accomplices can be characterized both as emotional retribution, to bring some sort of satisfaction to the state when reconquering the previously occupied territories, and as rational retribution, to officially cleanse the society of the Nazi elements. The issue exaggerates by the general situation in the state, domestically and externally. The post-war Stalinist purges set the tone for retribution against collaborators, whose situation was aggravated by the outbreak of the Cold War¹⁸⁴ and sometimes led to the falsifications in the sentences, where the collaboration with the Nazis could be linked with espionage for the Americans. The bipolar paradigm *them and us*, which was imposed by the state, marked the boundary between those who actively fought against the invaders and those who aided them, without proper clarification that this aid could presuppose the adaptation for survival. The population who have been through the war in the thick of the occupation understood the ambiguity of the reality, but Moscow was actively planting the idea of cleansing the country from Nazi spies.¹⁸⁵ The dominant narration of hateful, vicious traitors prevailed in the political agenda, and influenced art which was in the hands of propaganda. The greedy, petty, yet cowardly traitor who needs to be eliminated – this is the image of a collaborator of the Stalinist cinematography¹⁸⁶.

¹⁸⁴ In details about the postwar purges, O. Khlevnyuk, *Cold Peace. Stalin and the Soviet Ruling Circle, 1945-1953*, (Oxford: Oxford University Press, 2005): 272.

¹⁸⁵ M. Borovyk, *Collaboration and Collaborators in Ukraine During the Second World War: Between Myth and Memory*, 285-308

¹⁸⁶ For instance, *Rainbow* (1943) by Donskoy, *Aleksander Parkhomenko* (1942) Lukov, *She Defends the Motherland* (1943) Ermler.

But the satisfaction from revenge inevitably comes to naught. In 1956 the new government, headed by Nikita Khrushchev, proclaimed their own legitimacy with explicit reference to the Soviet illegitimacy of the Stalinist USSR. Up to these days, this period is ambiguously evaluated, primarily because those people who stepped on the path to correcting the mistakes of the past, just a few years ago had committed them. Nevertheless, the new government conducted an important rethinking of the past, which ended up in the 20th Congress of the CPSU. Only through the policy of de-Stalinization were the political attitudes toward the counter-revolutionary prisoners, narrowly, to collaborators, finally reexamined. Only through de-Stalinization and its accentuation on Stalin's mistakes did the idea that this category could also have been incorrectly assessed come to the surface. It is also quite possible that the resolution of this issue was conceived long ago among some party leaders, including Khrushchev, who had repeatedly spoken out against the ambiguity in the policy of retaliation against citizens¹⁸⁷. As the archival sources show, it is still difficult to justify a crime that has something with the Great Patriotic War, but in this period the idea of disproportional punishment is examined for the first time. The new government used the revision commission to reexamine potential injustice in the final sentences of prisoners. The local revision commissions, including Kyiv, though, were quite cautious in overturning the sentences; while the center resolved to granting all authority to regions, at the same time, they warned against imprudence in the reexamination of cases. As a result, most of the sentences were reduced to less than 10 years of imprisonment that allowed prosecutors to implement subsequent amnesty.

In 1955, the Decree on Amnesty has carried out the largest amnesty relating to collaborators, whose fault involved no more than 10 years of imprisonment that meant a crime was supposed to be not as serious. Together with German prisoners of war, this amnesty allowed to release 60,000 collaborators who had been involved in so-called *collaboration without*

¹⁸⁷ Nikita Sergeevich Khrushchev. *Dva tsveta vremeni. Documenty iz lichnogo fonda N.S. Khrushcheva*, (Moscow: MFD, 2009), 86- 87, 119, 175; V. Naumov, "Repression and Rehabilitation," in: W. Taubman, S. Khrushchev and A. Gleason (eds.) *Nikita Khrushchev*, (New Haven&London: Yale University Press, 2000), 94.

consequences, referring to those actions that did not endanger the lives of others. At the same time, it deprives innocent prisoners of rehabilitation, since the amnesty implies an act of pardon from the government for a committed crime.

It can hardly be considered that there was a deep rethinking of the policy of forgiveness within the party elite, which at that moment rethought itself only within the boundaries of de-Stalinization. It was rather unsystematic leaps in the direction of this topic without a clear understanding of what needs to be done. In 1954, the fact that the so-called ‘minor collaborators’ had already been released after the whole term of imprisonment, while serious criminals remained to serve their sentences, made the whole process seem a bit futile.

Nevertheless, these political perturbations allowed, or at least did not forbid, other spheres of society to speak up about important issues of the postwar reality. In the 1950s, the cinematography got an opportunity to reexamine the issue of prisoners of war, calling up to the victimization of them in the era of the late Stalinist regime. Such films as *The Fate of a Man* (1959) and *Clear Skies* (1961) raised up the question of the harshness of this experience, as well as the severity of fate of those who ended up into captivity and encountered suspicion and rejection in the Motherland.

In the 1960-1970s, the tendency toward a partial rehabilitation of Stalin and the creation of the myth of the Great Patriotic War challenged the possibility to move forward to an in-depth reconsideration of the issue of collaborators and prisoners of war, since it also supposed reexamining the mistakes of the state policy in the outbreak of the war. The Soviet identification of self through this war and its victory have become the main obstacle for discussions about the mistakes and challenges of the war. In other words, the glorification of the war has blurred the ambiguity and started appealing to the terms of honor and glory that expressed in the resumption of parades on Red Square, in the renewal of the Hegelian image of the great men, the gallant

Soviet generals, who brought this victory closer to us¹⁸⁸. The issue of collaboration does not fit in the concept of glory and honor since it has always been a painful continuation and reminding of all the war's horrors.. However, the wave of de-Stalinization and the Thaw has never been interrupted – for instance, Soviet cinematography illustrates a deep reflection of those events which, step by step, has ventured to portray the image of collaborator's remorse and desperation. Both in *Trial on the Road* (1971) and *The Ascent* (1977), collaborators, as well as other civilians and soldiers, experience the strongest existential crisis and traumatic ordeal, expressing in the image of remorse. Both of them are represented as victims of the war. Nevertheless, in *the Ascent*, Larisa Shepitko takes the side of the hero in her story, while *Trial on the Road* has no sides. There is no *us* and *them*, there is only the war with all its contradictions, hardships, and dilemmas. Thus, the portrayal of a repentant collaborator, sacrificing himself and atoning for his crime, violates *them* and *us* paradigm which has been already chosen as a predominant way of thinking in the context of the war.

¹⁸⁸ The reference to *Liberation* (1970) directed by Y. Ozerov is a film series about the liberation of the Soviet Union's territory, focusing on major Eastern Front campaigns and their commanders.

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