Section I:
The Immediate Postwar Trials and Their Short-Term Effects

On the Way to Nuremberg: The Soviets Commission for the Investigation of Nazi War Crimes

Marina Yu. Sorokina

The "Great Opening" of the Soviet archives after 1991 has given historians a unique chance to study "old" subjects on the basis of "new" archival sources. Rethinking history in this research context—the newly-discovered fact—the archival document often comes into opposition with the existing "official myth" of historiography, whether Soviet, American, German, or other. Very often a new archival document itself and the historical information it contains become the chief protagonists in historical investigations.

The human price paid by the people of the former Soviet Union (USSR) for the Great Victory in World War II was so high—still estimated between 20 and 27 million dead—that for the political stability of the Soviet regime the communist leadership withheld all of the pertinent documentary information and created a special "War Myth." The major metaphors which constitute its internal structure—"unknown soldier," "living and dead," "eternal flame," "victorious people," and so forth—guaranteed that "national oblivion" would serve as an important element in the consolidation of the communist authorities and the Soviet people.

Many Stalinist political myths have gradually been destroyed in modern Russia; however, the "War Myth" has proven to be one of the most resilient, because World War II still occupies a very specific place in the mentality of Russian society. The "Great Patriotic War" (GPW) is regarded as a main historical event in Russian twentieth-century history and is much more present in the minds of Russians than more recent wars (Afghanistan, Chechnya) or even Stalinist repression. Every Soviet/Russian family lost members during the GPW, and because people believe it was a "just war," it plays a very important part in heroic family histories. That is one of the main reasons the Stalinist "War Myth" has even consolidated its position in the Russian public consciousness and academic historiography. In 2005, the sixtieth anniversary of the Great Victory, Georgian producer and writer Rezo Gabriadze produced a puppet play called "The Battle of Stalingrad" which has a very simple and symbolic plot: the unknown sol-

dier killed in this famous battle of 1943 digs his way out of the grave and tells his story, a metaphor which perfectly describes how individuals and local and professional communities in modern Russia are trying to come to terms with their troubled past.

War crimes and crimes against humanity are among the most sensitive subjects of historical study because of their political, international, cultural, moral, psychological, and scientific ramifications with regard to problems of both history and modernity. The Nazis and Nazism caused unforgettable sorrow to the people of the former Soviet Union, but they had one more powerful enemy—Stalinism—which to this day manages to hide many of its own crimes thanks to the persistence of certain Stalinist official myths. The "idea of Nuremberg" as a metaphor for the priority of legal justice over retribution is not well known in Russia either in the academy or among the general public, and the full textual corpus of the International Military Trial at Nuremberg (IMT, 1945/46) has never been published there. Opposition to the official Soviet narrative regarding Nuremberg remains politically dangerous in Russia, hence it does not attract the attention of Russian academics concerned about their professional careers.[1]

The different degrees of accessibility to Western and Soviet archives during the Cold War era explain why relatively little is known about how the Soviet side of the International Nuremberg Trial was arranged and conducted.[2] Josef Stalin himself was one of the most persistent lobbyists for the idea of an international trial of fascism beginning in 1942, but why did this political monster insist on the implementation of international law? Who were the authors of the basic legal ideas and procedures used and proposed by Soviets for the Nuremberg Trials? Who composed the whole score and chose the instruments to play? Who distributed these instruments within the orchestra of the Soviet prosecution in Nuremberg and according to what criteria? Was this orchestra really a unified ensemble, or rather an internally conflicted body? What was the constellation of institu-

1 See *Bibliografia rabot o Nurnbergskom protcesse nad voennymi prestupnikami* (Moscow: Institut gosudarstva i prava, 1986). On a recent international conference held in Moscow and devoted to the sixtieth anniversary of the IMT, see Natalia S. Lebedeva and Yurii M. Korshunov, "Mezdunarodnaia nauchnaia konferentcia 'Nurnbergskii process: uroki istorii,'" *Novaia i noveishaia istoria* 2 (2007), 92.

2 A fragmentary picture may be found in Aleksandr I. Poltorak, *The Nuremberg Epilogue* (Moscow: Progress Publishers, 1971); Natalia S. Lebedeva, *Podgotovka Niurnbergskogo protsessa* (Moscow: Nauka, 1975). A new account based on various archival sources was just published by Francine Hirsch, "The Soviets at Nuremberg: International Law, Propaganda, and the Making of the Postwar Order," *The American Historical Review* 113 (June 2008), 701–730.

tional and personal parts in this orchestra? These and more questions relating to the Soviet side of Nuremberg are still awaiting study.

One way to approach this research is by examining Russian archival holdings relating to the IMT, both personal and institutional collections in the state archives. For example, the heart of the documentary evidence used by the Soviet prosecution at Nuremberg and Tokyo (1950) consisted of the documents collected under the auspices of the Soviet Commission for the Investigation of Nazi War Crimes (ChGK).[3] In accordance with Article 21 of the Charter of the IMT at Nuremberg, the Commission's files, like official government documents and United Nations reports, had the status of incontrovertible evidence. The 27 "Reports" published by the Commission were widely used in diplomatic notes of the Soviet People's Commissariat of Foreign Affairs (NKID) and at the various Allied peace conferences during the war years; on into the 1960s they continued to be used for domestic Soviet trials of Nazi criminals and their accomplices.

From the moment of its creation, the work of the ChGK and the documents it collected—comprising more than 43,000 files (millions of pages) and located in the State Archive of the Russian Federation (GARF) in Moscow—were under restricted access, although some of the reports were published from time to time in volumes on the history of the GPW supporting the Stalinist "War Myth." Some important Commission documents concerning its inner workings were kept by the central Communist Party archive (now the Russian State Archive for Social and Political History [RGASPI]), including the personal collections of Josef Stalin, People's Commissar of Foreign Affairs Viacheslav Mikhailovich Molotov (1890–1986), and famous Russian writer and member of the ChGK Aleksei Nikolaevich Tolstoi (1882–1945).[4] Many ChGK documents are also contained in the Russian Federation's Archive of Foreign Policy in the collections for the secretariats of Molotov and Deputy People's Commissar of Foreign Affairs Andrei Ianuarievich Vyshinskii (1883–1954), who also chaired the se-

3 The full official title is the "Extraordinary State Commission [*Chrezvychainaia gosudarstvennaia komissiia*] for the Establishment and Investigation of the Crimes of the Fascist German Invaders and Their Accomplices, and of the Damage They Caused to Citizens, Collective Farms (Kolkhozy), Public Organizations, State Enterprises, and Institutions of the USSR."

4 Aleksei Varlamov, who won the Solzhenitsyn Prize for his recent biography of Aleksei Tolstoi (2005), suggests that the death of the writer in 1945 was caused by the horrors of Nazi atrocities he had seen working for the ChGK, but gives no examples.

cret Commission for Directing the Work of the Soviet Representatives at the IMT in Nuremberg.[5]

Despite the significant public and political repercussions of the ChGK investigations both in the USSR and abroad, its activities attracted independent researchers only a decade ago.[6] But even after these publications, a series of crucial questions remained unanswered. For instance, why did the Soviet leadership even decide to establish the ChGK when it already had a plethora of agencies concerned with the investigation of, propaganda regarding, and calculation of Nazi damages? Why, despite the enormous mass of information it collected, did the ChGK end up publishing only 27 brief official "Reports" in the years 1943–1945? Why, despite the full politi-

---

5 Vyshinskii was the former USSR Chief Prosecutor and curator of the Katyn Case. See Iurii Zoria, "Niurnbergskaia missiia," *Inkvizitor: Stalinskii prokuror Vyshinskii*, ed. and comp. Oleg E. Kutafin (Moscow: Respublika, 1992), 68–284.

6 Some information about the structure and activities of the ChGK appeared in the USSR in 1975 in Natalia S. Lebedeva's *Podgotovka Niurnbergskogo protsessa*, and twenty years later in Aleksandr Epifanov's *Otvetstvennost' gitlerovskih voennykh prestupnikov i ih posobnikov v SSSR* (Volgograd: Voennaia Akademia Ministerstva vnutrennikh del Rossii, 1997; 2nd ed. 2005). For more detailed descriptions of the ChGK activities, see Stefan Karner, "Zum Umgang mit der historischen Wahrheit in der Sowjetunion. Die 'Außerordentliche Staatliche Kommission' 1942 bis 1951," *Karntner Landesgeschichte und Archivwissenschaft. Festschrift fur Alfred Ogris zum 60. Geburtstag*, ed. W. Wadl (Klagenfurt: Verlag des Geschichtsvereins für Kärnten, 2001), 508–523; Nathalie Moine, "La commission d'enquête soviétique sur les crimes de guerre Nazis: entre reconquête du territoire, écriture du récit de la guerre et usages justiciers," *La Mouvement sociale* 1 (2008), 81–109; Marina Sorokina, "People and Procedures: Toward a History of the Investigation of Nazi Crimes in the USSR," *Kritika: Explorations in Russian and Eurasian History* 6.4 (Fall 2005), 797–831; Sorokina, "'The Nuremberg Witnesses': Ot ankety k biographii," *Pravo na imia: Biografia kak paradigma istoricheskogo protcessa. Vtorye chtenia pamiati V.Iofe. April 16–18, 2004* (SPb.: NITC "Memorial," 2005), 50–63; and Sorokina, "Operatcia 'Umelye ruki', ili Chto akademik Burdenko uvidel v Orle," *In Memoriam: Sbornik pamiati Vl. Alloia*, eds. Tatiana Pritykina and Oleg Korostelev (Paris: Fenix-Athenaeum, 2005), 361–389. On the Holocaust investigations of the ChGK see Lev A. Bezymenskii, "Informatsiia po-sovetski," *Znamia* 5 (1998), 191–199, and "Vospriiatie Kholokosta v Sovetskom Soiuze," *Rossiia i sovremennyi mir* 4 (1999), 153–168; and Kirill Feferman, "Soviet Investigation of Nazi Crimes in the USSR: Documenting the Holocaust," *Journal of Genocide Research* 5.4 (December 2003), 587–602. The last article by the well-known historian of the Soviet security service Nikita Petrov does not take into account the works of his predecessors: "Chrezvychainaia gosudarstvennaia komissiia i ee rol' v sudebnykh presledovaniiah vonnoplennykh Vermahta v SSSR. 1943–1950 gg," *Avstriitcy i sudetskie nemtcy pered sovetskimi voennymi tribunalami v Belarusi 1945–1950 gg.*, eds. S.Karner and V.Selemenev (Minsk/Graz 2007), 49–78.

cal engagement of the ChGK, did its summary document not receive Stalin's permission for publication and thus languish in the ChGK archives? Finally, why did the Soviet leadership—which might have made wide and public use of this documentary evidence to expose Nazism for what it was—instead seal up the archival materials for decades, even from its own people?

The answers must come from future publications. This article takes a more detailed look at the competition between national and international approaches during the creation of the Soviet Nazi War Crimes Commission, including the people involved, and argues that from Stalin's point of view the ChGK did have an important political role to play. In showing Nazism in all its evil dimensions and illustrating the justice of the Soviet struggle against Germany, its main geopolitical mission was to support the Soviet Union's postwar stand as a new global gambler.

1941: First Initiatives

The official history of the Soviet Commission on Nazi War Crimes began on November 2, 1942, when Mikhail Ivanovich Kalinin (1875–1946), chairman of the Praesidium of the Supreme Soviet, signed a decree establishing it.[7] Nine years later, on June 9, 1951, the commission was terminated by order of the Soviet Council of Ministers, and its documents, staff, and budget were all given to the Soviet Ministry of Internal Affairs (NKVD).

The very idea of establishing a special public agency for the investigation of Nazi war crimes was raised in the USSR at the very beginning of the Great Patriotic War, in August 1941. But it took more than a year to launch it as a policy-making instrument. Four different proposals were based on four different understandings of how to situate the USSR in a larger world. The choice made by the Soviet leadership among the initial proposals and their transformations during this year reflects on the one hand the diversity of personal approaches within the top Soviet politicians and public figures involved, and on the other some of the ways Joseph Stalin intended to reach one of his global political aims: to present his country

7 This decree was published in *Pravda* 308, November 4, 1942. About Politburo guidance see *Politbiuro TsK RKP(b)-VKP(b): Povestki dnia zasedanii, 1919–1952. Katalog, vol. 3, 1940–1952* (Moscow: ROSSPEN, 2001), 292, § 341.

after the end of the war as an equal international partner of the Western Allies.

The first proposal regarding the creation of the Soviet Nazi War Crimes Commission appeared as early as August 26, 1941, when its author, Iakov Semenovich Khavinson (1901–1992), director of the Telegraph Agency of the Soviet Union (Telegrafnoe agenstvo Sovetskogo Sojuza; TASS), sent a note to his immediate ideological patron, Aleksandr Sergeevich Shcherbakov (1901–1945), secretary of the Central Committee (CC) of the Soviet Communist Party (SCP) and director of Sovinformbiuro, suggesting the creation of "a wide and authoritative public committee" as a systematic source of information about Nazi crimes in the occupied territories of the USSR.[8]

Khavinson was one of the most experienced and most trusted Soviet journalists and propagandists of that period. He was born to a poor Jewish family in the Ukraine and, like many young persons of his generation and social status, became a member of the Communist Party in 1918, when he was seventeen years old. His professional career was always deeply connected with the Soviet Communist Party and its press. He did not manage to attend a university, but in 1932, after the Great Purge, he was recruited by the CC SCP apparatus in Moscow and became head of its Journal Division (sector zhurnalov). In 1935 Khavinson began to work for one of Stalin's closest collaborators, Andrei Andreevich Zhdanov (1896–1948) in the Leningrad regional SCP Committee (obkom partii), and in 1936 for TASS in Moscow (as director 1939–1943). In 1942 he also became head of the Sovinformbiuro's Department of Counterpropaganda, but after an incident with Stalin in 1943 he found himself an ordinary member of the editorial board and head of the foreign department of the newspaper Pravda until 1946.[9] Later Khavinson served as Pravda's permanent correspondent for international affairs (under the pseudonym "M. Marinin").

Both editor and censor at the same time, Khavinson, unlike a lot of his Communist Party fellows, managed to survive during the Stalin era, and Stalin's death in 1953 returned him for a while to the top level of Soviet press management. Finally, in 1957 he was appointed editor-in-chief of the newly created and unique special Soviet academic journal dealing with problems of international relations, Mezdunarodnaia ekonomika i mez-

8 Russian State Archive for Social and Political History (RGASPI) f. 17, op. 125, d. 51, l. 24–25.

9 Legend has it that Khavinson was dismissed by Stalin for his ignorance of English. See Piotr Cherkasov, *IMEMO. Portret na fone epokhi* (Moscow: Ves' mir, 2004), 127.

dunarodnye otnoshenia (International Economy and International Relations),[10] which he directed for more than thirty years, till 1987.[11]

The idea proposed by Khavinson in 1941 was not new to Soviets. During World War I the Russian Extraordinary Commission for the Investigation of Violations of the Rules and Customs of War had been created in 1915 under the leadership of Senator Aleksei Nikolaevich Krivtsov, and it was composed of educated people in the legal profession—public and military prosecutors and investigators. Krivtsov's commission made a great show of carefully collecting and organizing all evidence of the enemies' atrocities and published its findings serially, with a legal apparatus, in millions of copies, including excerpts in English, French, and Russian.[12] In 1917 the Bolshevik Revolution broke off the work of this commission, and its files (over 9000) have never become the subject of scholarly research or public discussion in Russia.[13]

Surprisingly, Khavinson's proposal referred not to this earlier Russian project, but to the Western experience of World War I, when a number of countries organized public committees on atrocities consisting of eminent public figures and representatives of culture, the academy, and law. Suggesting a similar Soviet institution with the aim of international propaganda, Khavinson stressed that the main consumer for the future "product" would be foreign public opinion. The Soviet committee, he said, must similarly include world-famous Soviet scholars, legal experts, doctors, writers, and Red Cross activists whose reputation would guarantee in the eyes of the international public the independence and professionalism of the future committee's evaluations and conclusions. In Khavinson's opinion such persons included USSR Academy of Sciences academicians Nikolai Nilovich Burdenko (physician and committee chair), Aleksandr Aleksandrovich Bogomolets (physician), Piotr Leonidovich Kapitsa (physicist), and Aleksei Nikolaevich Bakh (biochemist); medical professor Maksim Petrovich Konchalovskii; lawyers Nikolai Vasilievich Kommodov, Ilia Davi-

10 Ibid., 125–138.

11 This time Khavinson was dismissed by Evgenii Maksimovich Primakov, director of the Institute for International Economy and International Relations, Minister of Foreign Affairs (1996–1998), and Prime Minister of the Russian Federation (1998/99).

12 See for instance *Nashi vragi: Obzor deistvii Chrezvychainoi sledstvennoi komissii dlia rassledovaniia narushenii zakona i obychaev voiny avstro-vengerskimi i germanskimi voiskami*, vol. 1 (Petrograd, 1916).

13 The materials can be found in the Russian State Historical Archive (RGIA) f. 601 (Chrezvychainaia sledstvennaia komissia A. Krivtsova).

dovich Braude, and Sergei Konstantinovich Kaznacheev; writers Sergei Nikolaevich Sergeev-Tsenskii and Aleksei Silych Novikov-Priboi; the director of the House of Scientists, Maria Fedorovna Andreeva; and Soviet People's Artist Alla Konstantinovna Tarasova. delete

Another initiative dealing with the idea of prosecution of Nazi war criminals parallel to Khavinson's came to the Kremlin from the Russian world-famous physicist and director of the USSR Academy of Sciences Institute for Physical Problems academician Piotr Leonidovich Kapitsa (1894–1984),[14] who, on September 8, 1941, sent his proposal on creation of a public committee for investigation of Nazi war crimes directly to Joseph Stalin.[15] Kapitsa had spent several years (1921–1934) in Cambridge (UK) working for the Ernest Rutherford Cavendish Laboratory. A Fellow of the Royal Society (1929), when he was on a professional visit to the USSR in the autumn of 1934, he was detained there by Stalin's order and embarked on an intensive correspondence with the tyrant.[16] A man of a great personal courage, Kapitsa publicly defended his views on a variety of subjects, from economics to the organization of science and international scientific exchange. Even in the worst periods of repression he managed to defend his colleagues, saving some of them from death in Stalin's prisons. In November 1945 Kapitsa refused to work on nuclear weapons development, and in 1946 he was dismissed from his post as director of the institute and retired to his country house until after Stalin's death in 1953. The next thirty years of Kapitsa's life were completely devoted to scientific research, and in 1978 he was awarded a Nobel Prize in physics.

Unlike Khavinson, Kapitsa suggested that Stalin establish an international public committee including Allied members known for their contacts with the USSR: Paul de Kruif (1890–1971), the American microbiologist and scientific novelist; John B. Priestley (1894–1984), an English writer, Common Wealth Party leader (1941), and popular broadcaster on the BBC; Hewlett Johnson (1874–1966), the priest at Canterbury Cathedral (the "Red Dean of Canterbury") and a personal friend of the Soviet Ambassador to Great Britain Ivan Mikhailovich Maisky (1884–1975); and Lady

14 See *Kapitza in Cambridge and Moscow. Life and letters of a Russian Physicist*, eds. J. W. Boag, P. E. Rubinin, and D. Shoenberg (Amsterdam: North-Holland, 1990).

15 The letter was published twice, in *Izvestia TcK KPSS* 10 (1990), 216–217, and in *Rodina* 4 (2005).

16 See *Pisma o nauke, 1930–1980*, ed. Piotr Rubinin (Moscow: Moskovskii rabochii, 1989), and *Kapitza, Kreml' i nauka*, eds. Vladimir Esakov and Piotr Rubinin (2 vols., Moscow: Nauka, 2003).

Nancy Astor (1879–1964), a member of British House of Commons. Kapitsa also recommended Vernon Bartlett (1894–1983), an English journalist and member of Parliament who had been in Moscow at that time, arranging for a better exchange of information between the USSR and the British Commonwealth.[17]

Surprisingly, Kapitsa's letter did not name any Soviet representatives. Perhaps this approach was intended to demonstrate to the "Father of the Nation" the scientist's desire to win influential foreign colleagues over to the Soviet side but at the same time leave the final decision to Stalin himself. In any case, from the remarks on the letter we know that Stalin read Kapitsa's proposal and forwarded it to Viacheslav Molotov, who met with the Kapitsa on September 15, 1941. There is no information about this meeting either, but it is quite clear that Kapitsa's initiative, like Khavinson's, was postponed for some time, perhaps because of the dramatic situation on the military front.

1942: New Challenges

The idea of a public investigation agency was revived in the USSR in the middle of 1942, after the successful Soviet winter offensive of 1941/42 and the July 1942 appeal of the European governments-in-exile to the Allies and the Vatican to take serious notice of the Nazis' atrocities.[18] In a political sense it grew out of the Soviets' desire to rebuild postwar Europe according to the socialist model, an aspiration which forced the Soviet government to respond to the appeals of the governments-in-exile of the states in Nazi-occupied Europe to stop and punish Nazi war criminals. Already in November 1941 the Soviet government through Viacheslav Molotov had decried the systematic and planned character of German violence in the occupied territories of the Soviet Union and declared the necessity to punish all "Fascists."[19] The Soviets also mentioned that they had been keeping detailed accounts of German crimes, but at that time this was more a declaration of principle than a reality.

---

17 Later he wrote about his experiences in *And Now, Tomorrow* (London: Chatto & Windus, 1960).

18 See the *United Nations Information Organisation, Punishment for War Crimes, vol. 1: The Inter-Allied Declaration Signed at St. James's Palace, London, on 13th January, 1942, and Relative Documents* ([London]: H.M. Stationery Office, 1942).

19 See *Noty narkoma inostrannykh del tovarisha Molotova o germanskih zverstvah* (Moscow: Izdatelstvo literatury na inostrannykg iazukah, 1945).

In the early stages of the war, many Soviet organizations, from local soviets to academic institutions, were involved in collecting information that exposed the war crimes of fascism. Essentially this movement saw the appearance of a broad, organic, popular initiative which was dangerous to the Stalinist regime in its lack of control and regulation, and that was one more reason to be at the head of such spontaneous public initiatives. By the middle of 1942 the People's Commissariats of Defense and Internal Affairs were given the task of channeling, and later of concentrating into their own hands, information about war crimes committed by the Nazis and their accomplices. Finally, it became clear that the war would continue for a long time, and the question of determining the USSR's total wartime losses with the aim of claiming reparations was put on both the international and the national agendas.

By the summer of 1942, when the Western Allies were beginning to discuss the basics of the future United Nations War Crimes Commission, the Soviet leadership had concrete plans to create their own agency. This time the initiative came from the head of the Propaganda and Agitation Department of the SCP CC (Agitprop) Georgii Fedorovich Aleksandrov (1908–1961). Instead of Khavinson's and Kapitsa's ideas of a "public committee" based on the European model, on July 20 Aleksandrov suggested to his party patrons a draft decree establishing an "Extraordinary State Commission for the Investigation of the Atrocities, Violence, and Other Crimes Committed by the German Army on the Territory of the Temporarily Occupied Soviet Territories, and for a Tallying of the Damage Caused by the German Fascist Troops to the Population of the USSR and to the Soviet State."[20]

A Marxist philosopher by education and Russian nationalist by ideology, Aleksandrov was a rising administrative and political star of the new Stalinist nomenklatura, which replaced the "old Bolsheviks" after the Great Purges of the 1930s. He was a president of the Highest Communist Party University (Vyshaia Partiinaia Shkola) in 1939 and the head of Agitprop from 1940 to 1947, but at the same time, in 1943, he arranged his election to the USSR Academy of Sciences and became a full member of it.[21] It was a very prudent action. After Stalin's new purge of top Communist Party managers, Aleksandrov survived and from 1947 to 1954 was appointed a director of the Philosophy Institute of the Academy of Sciences. For a brief period in 1954/55 he was nominated the USSR Minister of Cul-

20 RGASPI f. 17, op. 125, d. 79, l. 9–11.

21 Archive of the Russian Academy of Sciences (ARAN), f. 411, op. 3, d. 228.

ture. After the promulgation of scandalous facts regarding his personal life in 1955, he was forced to leave both the Communist Party and Moscow, and he spent the last years of his life as a research fellow at the Belorussian Academy of Sciences in Minsk.

Aleksandrov's plan included on the Extraordinary Commission over fifty representatives of the Communist Party and other Soviet institutions —secretaries of the Central Committees of the Ukrainian and Belorussian Communist Parties (Nikita S. Khrushchev, P. K. Ponomarenko), the chairman of the Praesidium of the Supreme Soviet of the Estonian SSR (I. Ia. Vares), the public prosecutor of the USSR (V. M. Bochkov), the Deputy People's Commissars for Internal and Foreign Affairs (I. A. Serov, G. A. Miterev), the RSFSR People's Commissars of Health and Education (V. P. Potemkin, V. G. Dekanozov), the president of the Academy of Sciences of the USSR (V. L. Komarov), two economists (E. S. Varga, V. S. Nemchinov), and a writer (A. N. Tolstoi). This draft was focused on saving the internal stability of the Soviet regime by means of total Communist Party control over any investigations of war crimes, and this aim so overshadowed any other implications of the future institution that Molotov's Commissariat of Foreign Affairs was forced to suggest that Aleksandrov adapt his draft to the goals of Soviet foreign policy as well. Konstantin Aleksandrovich Umanskii (1902–1945), an expert on Western public opinion and a current member of the NKID collegium, was called in to help make Aleksandrov's draft more acceptable to Allied partners.

Umanskii had graduated from Moscow University and in the 1920s and 30s served as a correspondent for TASS Western Europe. He was known as a connoisseur of the Russian avant-garde and painting. Like Khavinson and Aleksandrov, he moved to the NKID apparatus at the beginning of 30s and was the director of the Press Department of NKID until 1939. He then served as ambassador to the United States from 1939 to 1941, and in June 1943 he was named ambassador to Mexico. Two years later, in January 1945, he died in an airplane crash under very suspicious circumstances.

The divergence of the NKID and CC apparatus views on the function of the future investigative agency was so distinct that the Aleksandrov/Umanskii draft was not ready until the very end of October 1942,[22] while U.S. President Franklin D. Roosevelt and British Lord Chancellor John Simon issued a joint statement declaring their readiness to cooperate in the cre-

22 Archive of the Foreign Policy of the Russian Federation of the Ministry of Foreign Affairs of the Russian Federation (AVP RF MID RF) f. 6 (Molotov's secretariat), op. 4, d. 69, file 7 ("On the formation of the ChGK"), l. 18–24.

ation of a United Nations commission for the investigation of war crimes on October 7. This declaration forced the Soviets to finish their unilateral discussions and for the first time announce the idea of a "special international tribunal" on fascism. On October 14, Deputy People's Commissar of Foreign Affairs Solomon Abramovich Lozovskii (1878–1952)[23] delivered a declaration of the Soviet government "On the responsibility of the Nazi invaders and their accomplices for the atrocities committed by them in the occupied countries of Europe" containing this idea to representatives of the governments of nine countries occupied by the Nazis.[24]

A long-time Communist party member (since 1901), Lozovskii served from 1921 to 1937 as the General-Secretary of Profintern (Internatcional Professional'nykh Sojuzov) and was also a deputy director of Sovinformbiuro beginning in 1941. At NKID he was a leader of a group of Soviet diplomatic managers who promoted close cooperation with Western Allies through all legal and secret channels. It was Lozovskii who in April 1942 initiated the creation of the Jewish Antifascist Committee, because of which he was arrested in 1949 and shot.[25]. Towards the end of the war (summer 1944) he had headed a special Propaganda Bureau for enemy and occupied countries organized within TASS.[26]

On October 29, 1941, Lozovskii, who stayed in Kuibyshev with foreign diplomats but was in charge of establishing the future Soviet Nazi War Crimes Investigation Commission, sent Molotov a telegram with "several names and representatives of public organizations that could be useful to serve the proposed Commission"—the chairmen of the Antifascist Youth, Women's, Scholars', Pan-Slav, and Jewish Committees (Fedorov, V. Grizodubova, N. Derzhavin, A. Gundorov, and S. Mikhoels, respectively)—plus his personal recommendation of the academician P. Kapitsa, the editor of the English-language newspaper The Moscow News M. Borodin, and the editor of the Jewish newspaper Eynikeyt S. Epshtein. The editors of a few

23 RGASPI f. 17, op. 125, d. 244, l. 103.

24 AVP RF MID RF f. 6, op. 4, d. 65, file 6, l. 56.

25 See Vasily Grossman and Ilya Erenburg (eds.), *The Black Book* (Jerusalem: Tarbut, 1970); Shimon Redlich, *War, Holocaust, and Stalinism: A Documented Study of the Jewish Anti-Fascist Committee in the USSR* (Luxembourg: Harwood Academic Publishers, 1995); and Joshua Rubenstein and Vladimir Naumov (eds.), *Stalin's Secret Pogrom: The Postwar Inquisition of the Jewish Anti-Fascist Committee* (New Haven, CT: Yale University Press, 2001).

26 RGASPI f. 17, op. 125, d. 244, l. 103.

leading Soviet newspapers—Pravda, Izvestiia, Trud, Krasnaia zvezda, and Komsomol'skaia pravda—were also proposed.[27]

Lozovskii's telegram was left in the NKID archive and nothing moved forward because its author (like his "colleague" Aleksandrov-Umanskii) did not clearly understand why Joseph Stalin decided to invest in the ChGK enterprise. Having in mind the idea of "equal" partnership with the Western Allies in the postwar world, he thought about giving international legal legitimacy to the documents that had been both collected and created by the different Soviet agencies. As a result of this cooperation with the Allies, the Soviet leadership began not only to imitate some attributes of the Western political and legal traditions, but even to follow some of them. Hundreds of Soviet specialists in the different fields of law, medicine, art, and science were recruited to work for it. The ChGK had to be one of the Soviet institutions which directly channeled Allies on the base of international law.

The Choice

Stalin himself chose among all of the proposals relating to the ChGK, and the resulting Soviet Commission on Nazi War Crimes was given the status of a national public independent agency with broad powers: to conduct investigations of Hitler's war crimes and to determine the material damage suffered by the USSR; to coordinate the activities of all Soviet organizations in this field; to reveal the names of war criminals; and to publish official reports on their findings. Almost all of the Soviet and Party functionaries proposed by Aleksandrov were removed from its staff, leaving it reduced to just ten people.

The composition of the Commission had to demonstrate to everyone, both at home and abroad, its public nature and the independence of its investigations and conclusions. Nikolai Mikhailovich Shvernik (1888–1970), head of the Soviet trade unions, was nominated chairman of the Commission, and the other members were famous and popular Soviet figures: the first secretary of the Leningrad city and regional Party committees Andrei Andreevich Zhdanov, a member of the Politburo of the SCP CC; Nikolai (secular name Boris Dorofeevich Iarushevich, 1892–1961), Orthodox Metropolitan of Kiev and Galicia; Valentina Stepanovna Grizodubova (1910–1993), the woman pilot, the chairman of the Anti-Fascist Commit-

27 AVP RF MID RF f. 6, op. 4, d. 69, file 7, l. 33.

tee of Soviet Women and Hero of the Soviet Union; and six full members of the USSR Academy of Sciences: the legal scholar Ilia Pavlovich Trainin (1886–1949), writer Alexei Nikolaevich Tolstoi, historian Evgenii Viktorovich Tarle (1875–1955), energy specialist Boris Evgenievich Vedeneev (1884–1946), agrobiologist and president of the USSR Agricultural Academy Trofim Denisovich Lysenko (1898–1976), and neurosurgeon and future president of the USSR Medical Academy Nikolai Nilovich Burdenko (1876–1946).

From Stalin's point of view, the persons nominated as members of the Commission were those best suited at that time to create an official myth. All of them were personally beholden to him and were not only loyal to the Soviet regime, but also in constant communication with it. They perfectly understood that only close collaboration with Soviet authorities would assure them professional freedom. The example of historian Evgenii Tarle is quite telling.[28] He was well known in the West as a specialist in European international relations, but in the late 1920s for political reasons he was expelled from the Academy of Sciences and deported to Kazakhstan. In the mid-1930s, upon direct intervention by Stalin, he was allowed to return to Leningrad and regained all his previous academic positions, after which his scholarship was openly supportive of all initiatives of the Stalinist regime. In 1943 he became a member of the People's Commissariat of Foreign Affairs Commission on Treaties and the Post-war Constitution.

The ten public figures at the top were only the visible, propagandistic face of the Commission, which had a complex four-tiered structure. Nominally each member of the ChGK was responsible for one of the departments of the Commission, but in reality the members' oversight was limited to signing final documents. As protocols of the ChGK show, the Commission hardly met, and its protocols were agreed upon by "survey": out of 27 sessions in 1943/44, only four took place as actual gatherings of the members. The activity of the ChGK was actually controlled by its Soviet bosses, who formulated the "political orders" and the apparatus that carried those orders out. This apparatus consisted of the eight departments (investigating damages done to citizens, industry, transport, medicine, science, culture, etc.) and numbered about 150 people—about the size of a

28 See Boris S. Kaganovich's *Evgenii Viktorovich Tarle i peterburgskaia shkola istorikov* (St. Petersburg: Dmitrii Bulanin, 1995) and "E. V. Tarle v Kommissii po voprosam mirnykh dogovorov i poslevoennogo ustroistva, 1943–1945 gg," *Problemy vsemirnoi istorii: Sbornik v chest' akademika A. A. Fursenko*, ed. Boris V. Anan'ich (St. Petersburg: Dmitrii Bulanin, 2000), 351–361.

mid-size Soviet ministry—and was chaired by executive secretary Piotr Bogoiavlenskii.

In accordance with the statutes of the Commission adopted on March 16, 1943, regional and local commissions were created in various republics and regions of the USSR, and there were also departmental commissions set up within institutions. The regional commissions played the most important intermediate role in collecting evidence of Nazi crimes. Their personnel structure differed from that of the central Commission, consisting of the First Secretary of the regional Communist Party committee, heads of the local government and regional NKVD, and so-called "representatives of the general public." By the beginning of 1944 there were nineteen regional commissions in operation, and it is quite clear that control over their activities was in the hands of the NKVD. At the same time, every institution, from the Academy of Sciences to small factories, also created departmental commissions. And finally, a number of "special" commissions were founded from time to time within the central ChGK (like the one that focused on the Katyn Case). According to the calculations of the ChGK, more than 7 million Soviet citizens were directly involved in collecting and preparing documents for submission to the Central Commission.

The ChGK had both a right and an obligation to collect written evidence of Nazi war crimes (e.g., German military, scientific, and medical documents) and oral testimony from victims and witnesses for the prosecution, and also to publish this information, which was collected at the different levels, summarized in special statements (akty), and then passed on to the Central Commission. The content and form of these statements were regulated by special instructions adopted on May 31, 1943, which determined the documentary base and sources necessary to establish the fact that crime had been committed—statements from Soviet citizens, questioning of victims, testimony of witnesses, reports of medical inquests, and inspections of the crime scenes. These instructions provided for the drawing-up of lists of the names of war criminals and their associates, the naming of military formations and organizations involved in committing crimes, and detailed description of the crimes committed. The full names of all victims and witnesses had to be included in the statement and any pertinent documentation—protocols of questioning, depositions by victims, findings of medical inquests, pictures, letters, German documents, etc.—attached, and every statement had to be drawn up at the precise location of the crime within a month of the district being liberated by the Red Army.

In reality these stipulations of terms and procedures were never carried out exactly, but more important for a critical evaluation of these materials as a historical source is the fact that the members of the regional and departmental commissions knew that any future compensation to be paid to their institutions or regions would be determined on the basis of these statements. Full monetary calculation of material damages was paramount —and usually very high. The local commissions were psychologically predisposed to inflate the cost of damage done, though at the same time the Soviet bureaucrats never did consider the real value of intellectual losses such as scientific equipment and collections.

Organizing the ChGK took more than four months, but the beginning of the Katyn Case in April 1943, and concern regarding its political implications, combined with the need to restore ideological control over the territories that had either already been freed or were in the process of being freed, spurred the Soviet leadership to hasten the process.

Amazingly, despite having collected a vast amount of information during the war, from 1943 to 1945 the Soviet Commission on Nazi War Crimes published only twenty-seven brief reports and two volumes of documents, which were for the most part based on these same previously published reports.[29] At first the Commission's reports were published in the central Soviet newspapers Pravda and Izvestiia, and then in special editions of 100,000 copies each. They covered such themes as the crimes of Finnish troops in the territory of Finno-Karelian SSR (1944) and Nazi crimes in various Soviet areas, including Ukrainian cities (Rovno, Kiev, Kharkov, L'vov), Belorussia (Minsk), Russian cities (Novgorod, Orel, Smolensk, etc.), the North Caucasus, and the Soviet Baltic Republics (Lithuania, Latvia, and Estonia). Clearly the direct aim of Soviet propaganda was to demonstrate that Nazi crimes affected all parts of the Soviet Union, including states and territories annexed from 1939 to 1941. Every area and every case had been carefully selected for these reports by the Soviet authorities. Andrei Zhdanov and Viacheslav Molotov had personally edited the ChGK reports of damages in Petrodvoretc, Pushkin, and Pavlovsk; Molotov and Andrei Vyshinskii those for Minsk; and permission to publish some of the reports was given personally by Joseph Stalin.[30]

---

29 See *Sbornik soobshchenii Chrezvychainoi Gosudarstvennoi Komissii o zlodeianiiakh nemetskofashistskikh zakhvatchikov (Moscow: Gosudarstvennoe izdatel'stvo politicheskoi literatury, 1946) and Dokumenty obviniaut: Sbornik dokumentov* (2 vols., Moscow: Gosudarstvennoe izdatel'stvo politicheskoi literatury, 1943–1945).

30 See the State Archive of the Russian Federation (GARF), f. R-7021 op. 116, d. 65, 67, 131–32, and 247 respectively.

The activities of the Soviet Commission on Nazi War Crimes did not stop with the end of World War II. During the second half of the 1940s the ChGK exchanged information with the Soviet Military Administration in Germany and took part in Soviet activities dealing with the problems of reparations and restitution,[31] and during the Cold War era Soviet authorities revived it from time to time for propaganda purposes.[32] However, the real contribution of the ChGK in the collecting and investigating of Nazi war crimes during this period was negligible. Soviet security agencies (NKVD–KGB) concentrated all information in their own hands, the Commission archives were closed to the public, and no one knew what would appear or when from this Pandora's Box.

Today it is clear that Stalin's plan to create a phantom "public prosecutor" of fascism was successful primarily for domestic aims. The ChGK fulfilled its representational function during the war years and postwar trials, and faithfully kept the subject of war crimes sealed off from Soviet society, but for decades the society itself refused to re-visit the negative experience of the past. The history of World War II—the "Great Patriotic War"—proved to be no exception to the list of losses that were forgotten and discarded by the country.

31 GARF, f. R-7021 op. 116, d. 247.

32 The last Commission protocol, No. 73, was dated March 28, 1960 (GARF, f. R-7021 op. 116, d. 390), but the regional archives sent information to the Commission until 1969 (d. 409).