

## **De-Stalinising Eastern Europe: the dilemmas of rehabilitation**

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## De-Stalinising Eastern Europe: The Dilemmas of Rehabilitation

Matthew Stibbe and Kevin McDermott

I think you will agree that there is not much to choose between Russia and Germany, but I think you will also agree that the present regime in Germany must come to a dead end, whereas Russia does seem to point ultimately, although perhaps a very long way away, in the direction of sanity....<sup>1</sup>

These words were written by Jack Pritchard to the Conservative MP for Hampstead, George Balfour, on 26 September 1938, four days before Neville Chamberlain and Édouard Daladier signed the Munich agreement with Adolf Hitler and Benito Mussolini. Pritchard was a Hampstead-based furniture designer, left-liberal intellectual and anti-appeaser. At the time of writing, Moscow had directed a wave of bloody purges and accompanying mass terror against its own people, and organised three well-publicised show trials, the last of them against Nikolai Bukharin and associates. While many on the left in Britain continued to support the Soviet system, even after the Molotov-Ribbentrop Pact of August 1939, and dismissed as western or ‘imperialist’ propaganda claims that Stalin was deporting, enslaving and murdering as many communists and non-communists as Hitler, doubts began to appear and were reinforced by the publication of books such as Arthur Koestler’s *Darkness at Noon* (1940).<sup>2</sup> Yet in the long run, Pritchard was right. Whereas Nazi Germany went down in the final and totally mad ‘destruction’ and ‘self-destruction’ of 1944-45,<sup>3</sup> the Soviet Union did finally begin to reverse its use of terror and redirect itself along the path of ‘sanity’.

The change of direction was belatedly acknowledged in the west following the leaking of news of Nikita Khrushchev's 'secret speech' to the 20<sup>th</sup> Congress of the Soviet Communist Party (CPSU) in February 1956, but its origins can actually be traced back to the very first weeks and months after Stalin's death in March 1953.<sup>4</sup> Indeed in many ways the eastern bloc and cold war 'crises' of the year 1953 – the cancellation of impending purges and the implementation of the first big amnesty for Gulag prisoners in the Soviet Union in late March; the announcement of a Soviet-imposed 'New Course' in the GDR and Hungary in early June; the uprisings in the Czech city of Plzeň (1-2 June) and in East Germany (17-18 June) and their bloody suppression; the (non)-reaction to these developments in the west; and, finally, the continuation of West German Chancellor Konrad Adenauer's policy of Westintegration and rearmament under NATO's umbrella after his success in the parliamentary elections in September – form the background to the events discussed in this volume.<sup>5</sup>

### **Historical and Historiographical Overview**

The volume seeks to explore the process of rehabilitating former victims of Stalinist terror in five Soviet republics: Russia, Ukraine, Moldavia, Latvia and Belarus, and in six countries in the post-war Soviet 'sphere of influence': Hungary, Poland, the GDR, Czechoslovakia, Romania and Bulgaria. Key questions that it considers essential for understanding the legacy of Stalinist terror after 1953 include: when, why and on what terms were victims rehabilitated?; what were the main demands and expectations of the rehabilitees and their families, and how far were these demands satisfied?; what were the political implications of the rehabilitation process for incumbent communist leaderships?; why were some Soviet and East European Stalinists able to remain in power after 1953 and/or 1956, while others were permanently removed?; and to what extent were former perpetrators able to evade justice as

well as minimise or cover up the extent of Stalinist-era atrocities more generally? Other questions are important too: were communist victims treated any differently after 1953 to non-communist victims of Stalinist terror?; to what extent was it possible to hold rehabilitated political prisoners to the silence and gratitude that was expected of them?; how far was policy on rehabilitation determined by the ‘centre’ (Moscow), how far by national and local party leaderships, and how far by outside pressures, including émigré and expellee associations, victims’ representatives and media outlets based in the west?; and last, but not least, how did East European citizens, both communist and non-communist, react to the releases and rehabilitations, and what political impact, if any, did diverse social attitudes have on the post-Stalinist regimes?

Before any of these questions can be addressed, however, it is first necessary to provide a brief historical and historiographical overview. Already in the first three months after Stalin’s death the number of prisoners in the Soviet Gulag fell from around 2.5 million to 1.3 million, largely as a result of the amnesty of 27 March 1953 which reduced the tariffs for those convicted of non-political crimes. Following several further waves of releases, amnesties and revision or commutation of sentences, the vast majority of MVD camps and colonies had been emptied by 1960 and only 550,882 inmates remained. Most of the close to three million persons estimated to be living in banishment in remote parts of the Soviet Union in 1953 – whether former political prisoners who had reached the end of their sentences, members of forcibly resettled national or ethnic groups, or peasants from the western regions of the USSR deported as kulaks – also had the remaining restrictions on their freedom of movement lifted between 1954 and the early 1960s.<sup>6</sup> Millions of children orphaned by the terror and subsequently brought up in state-run institutions, and relatives of Gulag prisoners who had faced harsh forms of discrimination in the spheres of education, welfare, right to travel and employment, likewise benefitted from the post-Stalinist ‘Thaw’.<sup>7</sup>

Meanwhile, as a result of petitions from individual citizens or recommendations made by various sentencing review commissions, courts were instructed to re-examine large numbers of political cases, and between 1954 and 1961 up to 800,000 Soviet citizens, some dead, some living, and tens of thousands of foreigners, were formally rehabilitated in the sense of having their convictions overturned.<sup>8</sup> Khrushchev, while himself heavily implicated in some of the crimes committed under Stalin, nonetheless became a firm advocate not only of the restoration of ‘socialist legality’ (meaning, among other things, ending the use of torture in police interrogations) but also of the release and rehabilitation process, telling delegates at the 1956 party conference that the ‘unprecedented violation of revolutionary legality’ during the years 1936 to 1953 could not simply be forgotten or swept under the carpet.<sup>9</sup> In 1961 he ordered the removal of Stalin’s body from the Mausoleum on Moscow’s Red Square, and in 1962 he personally intervened to make possible the publication of Aleksandr Solzhenitsyn’s novella about the Gulag, *One Day in the Life of Ivan Denisovich*.<sup>10</sup> One leading German expert on the Stalin era, Jörg Baberowski, has even described the far-reaching changes brought about by Khrushchev as a ‘cultural revolution and civilising achievement which changed the lives of millions’.<sup>11</sup>

Given that the measures outlined above also had major implications for the communist countries of Eastern Europe, and for western republics of the Soviet Union which had witnessed large scale deportations to the east during the Stalin era, it is astonishing how little attention has been paid to the rehabilitation issue in previous literature.<sup>12</sup> On the one hand, these countries and republics now had to reintegrate some of the prisoners released from the Gulag – those, not few in number, who had a claim to be repatriated or resettled in their original homelands after years of living in captivity or forced exile. As Matthew Stibbe demonstrates in his chapter, this posed a particular challenge to the GDR and its claim to represent the ‘better Germany’ in the 1950s. On the other hand, the East European states had

also instigated their own terror systems during the years 1948-53. In some of the Soviet bloc countries this involved the staging of high-profile show trials against alleged ‘Titoists’ or ‘Zionists’, and in all of them, the imprisonment of large numbers of real and presumed ideological opponents and ‘class enemies’. The Czechoslovaks, Romanians and East Germans even continued to hold frame-up political trials, albeit in camera rather than as public events, in 1954 and 1955.<sup>13</sup> Thereafter pressure grew to follow the Kremlin’s lead and end the practice of extra-judicial purges, mass incarceration and overt political repression. Equally, Soviet bloc countries were urged to establish sentencing review bodies and rehabilitation commissions of their own, with some satellite nations – notably Hungary and, to a lesser extent, Poland – proving more willing than others, and one country in particular, Czechoslovakia, experiencing a delayed, but far-reaching, form of de-Stalinisation in the 1960s which failed with the crushing of the Prague Spring in 1968. Ironically but tellingly, the only Warsaw Pact state that refused to participate in the 1968 invasion of Czechoslovakia – Romania – was also the one that had gone least far in terms of restoring justice to domestic victims of terror. Instead, as Calin Goina shows in his chapter, although three separate amnesties took place in the early 1960s, the country’s formal break with Stalinism was more or less restricted to the years 1968-69, when selected individuals were publicly rehabilitated to serve the new nationalist direction taken by the maverick dictator Nicolae Ceauşescu.

In the 1970s the number of political prisoners rose again across the Soviet bloc, in spite of the signing of the Helsinki agreements in 1975. Although they were no longer allowed to use physical force or torture, the communist security services could still harass people, spy on them, blackmail them, collect evidence for use against them in criminal state prosecutions, and even have them confined to psychiatric institutions.<sup>14</sup> In reality a full reckoning with Stalin’s legacy was not possible until communist rule came to an end in the late 1980s and

early 1990s. Yet even now the process of rehabilitation is still ongoing, both in Eastern Europe and in the successor states of the Soviet Union.

### **Rehabilitation, Restitution and Transitional Justice in Global Context**

The collapse of a variety of left- and right-wing dictatorships across the world at the end of the twentieth and beginning of the twenty-first centuries has cast Soviet history from 1953 to 1991 in a new light. It has also raised more general questions about how states and societies cope with the transition from a violent past to what is hoped will be a more just and peaceful future, while underlining the fact that the dilemmas faced by communist and post-communist regimes in dealing with Stalinist era crimes were far from unique.<sup>15</sup> One could mention, among other examples, the human rights abuses practiced by various military juntas in Latin America as well as in Spain, Portugal and Greece in the period up to 1974-75, or the atrocities committed by South Africa's apartheid governments between 1948 and 1990. However, the most obvious point of comparison in our case would be with West Germany after 1949. Here historians have shown how an initial emphasis on Germans as victims, shown for instance by frequent calls in the early 1950s for amnesties for convicted Nazi war criminals and for the lifting of employment bans and other restrictions imposed under Allied de-Nazification measures, gradually gave way to a growing recognition of the importance of facing up to the past, particularly after the Eichmann trial in Jerusalem in 1961. In Ulm in 1958 and more conspicuously in Frankfurt-am-Main in 1963-65, federal cases were launched in West German criminal courts against former members of the security police and SS mobile killing squads (Einsatzgruppen), officials at the Auschwitz death camp, and other perpetrators of Nazi atrocities, with Holocaust survivors appearing for the first time as prosecution witnesses for the German state; and in June 1969 the 20-year statute of limitation

was completely lifted for acts of murder and genocide committed during the Second World War.<sup>16</sup>

By this time the primary victims of the Third Reich were increasingly (although by no means universally) recognised in wider ‘discourses of restitution’ as being non-Germans, especially by the younger generation of Germans born after 1939. Internationally as well as domestically, this was symbolised by the spontaneous decision of Social Democrat Chancellor Willy Brandt to kneel before the monument to the fallen of the 1943 Warsaw Ghetto Uprising during an official visit to the Polish capital in December 1970.<sup>17</sup> However, when it came to achieving redress for individuals, West German law allowed financial compensation and restitution to be granted to former or current German nationals only. What is more, the latter also had to demonstrate that they had been unjustly or unlawfully persecuted by the Nazi regime – and not just treated harshly by it. Under the London Debt Agreement of 1953, claims for crimes committed against non-Germans were rendered the exclusive preserve of state governments and treated under the heading ‘war reparations’, placing them outside the jurisdiction of West German courts and postponing any settlement until a final peace treaty ending the Second World War could be signed. Among other things, this meant that it was only after German reunification in 1990 that compensation (and therefore full moral and public redress for the wrong done to them) could be granted to former forced foreign workers in the Nazi war economy and to non-German victims of anti-Jewish property confiscations. In 2000 the German government and leading businesses finally agreed to set up a special fund for this purpose, but before this could happen further legal arguments were necessary, including a ruling from the federal constitutional court in 1996 which for the first time permitted individual claims for reparations from foreign nationals.<sup>18</sup>



What social scientists and jurists refer to as ‘transitional justice’ has therefore played a profound role not only in the process of political transformation in Germany since 1949, but also in the reshaping of attitudes towards all victims of National Socialism, irrespective of their nationality or origin, and towards the law itself as an instrument of restitution. Moreover, since 1990 this long-term shift in perspective has become part of a globalised, and not just German, response to the legacy of the Holocaust – especially as the ‘German question’ itself no longer plays a significant role in world affairs, at least in the form that it took during the Cold War from 1945 to 1989.<sup>19</sup> The ‘Memorial to the Murdered Jews of Europe’, opened in Berlin in 2005 on a specially chosen site near to the Reichstag building and the Brandenburg Gate, now serves in effect as an international monument to humanity’s worst crime. Yet closer to home, as a recent report in the German magazine *Der Spiegel* suggests, there are still some issues from the Nazi past that have yet to be satisfactorily resolved, including the question as to whether Germans compulsorily sterilised between 1934 and 1945 on grounds of having a hereditary health condition or ‘inherited feeble-mindedness’ can finally achieve legal recognition as victims of National Socialist crimes.<sup>20</sup> Equally, members of the Green Party in Germany have been seeking to rehabilitate victims of the anti-homosexual laws (paragraphs 175 and 175a of the penal code) who were prosecuted in West Germany after 1945, following the belated recognition in 2002 of the legal and personal wrong done to those imprisoned under the same laws in Nazi Germany.<sup>21</sup> In other words, ‘transitional justice’ can delay or prevent, as well as facilitate, change; and furthermore it can help to determine, for better or for worse, who is and who is not to be counted as a victim in need of restitution and redress.

These examples are relevant to us because in Putin’s Russia there are frequent, and often uncomfortable, reminders that the Stalinist past has not yet been completely overcome, both in the political and judicial senses – even though Stalinism, like Nazism, is now part of a

globalised debate about the violent legacy of the twentieth century and the best way of providing justice for victims of state terror.<sup>22</sup> For instance, the Soviet-era monument to the victims of the Gulag on Lubyanka square in central Moscow, which was built in front of what was then still the central KGB headquarters by members of the human rights group Memorial in 1990, has yet to receive an official visit from Putin.<sup>23</sup> The latter, of course, was himself once a Lieutenant Colonel in the KGB. Furthermore, as Marc Elie indicates at the end of his contribution to this volume, there are still areas of the current Russian penal code concerning offences like ‘hooliganism’ (used to imprison members of the feminist punk band Pussy Riot, among others) that hark back to the judicial assumptions and sentencing practices of the 1930s.<sup>24</sup> On top of this, anti-Ukrainian Greater Russian nationalism and propaganda depicting ethnic Russians as ‘victims’ has bred a more positive reassessment of the Nazi-Soviet pact of 1939 and a silence about the subsequent horrors inflicted by Stalin on eastern Poland, Bessarabia, Northern Bukovina and the Baltic states, including mass executions and deportations.<sup>25</sup> Official recognition, rehabilitation and restitution are thus far from a given for Stalinist terror victims even today. However, perhaps more importantly for our purposes, the appearance of new categories of victim and victimhood in official discourses also demonstrates that, over and above any particular national specificities, rehabilitation – and with it restitution or the righting of historical wrongs – can be a volatile, highly contested and seemingly never-ending process which takes on different meanings in different historical and social contexts.

The experience of Eastern Europe since 1953 fits in with this general observation. Admittedly here there were no foreign victims of the ‘mini-Stalinist’ regimes of the late 1940s and early 1950s to atone for, just domestic victims, while today – with the exception of Belarus – membership or aspiring membership of the EU militates against authoritarian or closed legal and political practices. Yet, as several of the essays in this volume indicate, this

region too is no stranger to the highly contested and seemingly never-ending nature of the rehabilitation process. Furthermore, the shifting and at times contradictory needs of surviving terror victims and of the families of the deceased, whether for acknowledgement of their suffering and the restoration of their good names, or for privacy and silence, has often come into conflict with the competing claims of (transitioning) nation-states, the legal profession, political parties, the 'reformed' security services, the media and other (self-appointed) guardians of official 'memory' or 'societal interest'.<sup>26</sup> In this respect, the history of rehabilitation in Eastern Europe overlaps considerably with that of rehabilitation in the Soviet Union since 1953 and the Russian Federation since 1992.

### **Timelines and Chronology**

Turning now from the global and comparative to the regional and historically specific, one key overarching issue that needs to be addressed from the outset is that of chronology or how to account for the differing pace and extent of rehabilitations in different Soviet republics and East European countries, each with their own particular socio-economic conditions, political cultures and experiences of Stalinist repression. Indeed, a central theme of this volume is the importance of seeing post-Stalinist rehabilitation along a multi-dimensional continuum characterised by varying time-spans, modes of delivery, levels of intensity and degrees of openness, depending on particular local, national, regional and international factors. Even if we were to focus on the Soviet Union alone, what Tony Judt calls the 'controlled de-Stalinization'<sup>27</sup> of the Khrushchev era cannot be restricted to the year 1956, but rather constituted a series of measures which began in fits and starts in 1953 and was not completed until the early 1960s. At home, but also in countries like Hungary, Poland and the GDR, the intention was to strengthen the socialist system through economic reforms and the lifting of terror and outright repression. The uprisings of 1953 and 1956 certainly slowed this process

down, but it did not bring it to a permanent halt. De-Stalinisation was also linked to some of Khrushchev's wider foreign policy objectives, including 'peaceful coexistence' with the west, reconciliation with Tito's Yugoslavia and the establishment of closer relations with other 'non-aligned' nations such as Egypt and India.<sup>28</sup>

Precisely because it served the new Soviet leader's political ambitions, the post-1953 'Thaw' is often said to have ended the terror without having achieved a full restoration of the rule of law or a complete reappraisal of the relationship between the party, state and criminal justice system.<sup>29</sup> Indeed, Elie, in his contribution to this volume, suggests that only one third of former political prisoners had been able to get their cases re-examined by Soviet courts by 1960; the remainder had merely benefited from early release or pardons without rehabilitation, formal acquittal or exoneration. For disappointed West European communists and Hungarian reformers in particular, Khrushchev also had fresh blood on his hands in the sense that he approved the execution of the Hungarian leader Imre Nagy in June 1958 even though, over 18 months after the crushing of the Hungarian uprising, he no longer posed any kind of ideological or political threat.<sup>30</sup> The repercussions of 'Budapest 1956' and its aftermath were felt outside the Soviet Union too. In Bulgaria, for instance, as Jordan Baev shows in his chapter, labour camps were reopened at the end of 1956 and the rehabilitation process was put on ice apart from a brief window between 1959 and 1962.

Yet taking a different perspective and moving along a different time line, we can see that Khrushchev's reforms in 1953-56 and his renewed efforts to distance himself morally from Stalinism at the 22<sup>nd</sup> congress of the CPSU in October 1961 were merely the beginning and certainly not the end of a longer-term process.<sup>31</sup> For instance, although the political momentum behind rehabilitations stalled again in 1962-63 in the USSR, Bulgaria and pretty much everywhere else in Eastern Europe (with the partial exception of Czechoslovakia), and although public criticism of Stalin was in effect banned after 1964 under the catch-all offence

of ‘slandering the Soviet social and state system’,<sup>32</sup> one source suggests that between 1962 and 1983 as many as 157,000 people still had political convictions from the years 1936 to 1953 quietly overturned by Soviet courts.<sup>33</sup> Even in Soviet Moldavia, where, as Igor Cașu suggests, rehabilitations of elite victims of the purges had virtually come to an end in 1958, 923 individuals successfully applied to have their convictions overturned between 1962 and 1988, representing an average of 35 a year. Nonetheless, in the Brezhnev era perpetrators of Stalinist-era crimes could also find themselves being rehabilitated, particularly if their offences were mitigated by service to the Fatherland during the Great Patriotic War. After 1962, and especially after Khrushchev’s fall from power in 1964, Soviet policy certainly became more hard line in its approach to former terror victims, but to talk of a policy of ‘re-Stalinisation’, as some historians do, would be an overstatement.<sup>34</sup>

Much greater progress towards righting the wrongs of the past was made in the late 1980s, during the Gorbachev era, including in 1988 the nullification by the Soviet Supreme Court of the convictions and death sentences carried out against top Bolsheviks and military leaders at the time of the three great show trials of 1936-38.<sup>35</sup> In total around one million Soviet citizens were rehabilitated between 1989 and the end of 1991, when claims were looked at for the whole Stalinist period from 1929 to 1953, and not, as previously, just the years after 1936.<sup>36</sup> However, even this did not draw a final line under the past or solve the problem of restitution at national or international level. Instead, post-communist regimes in all the countries affected have passed – and continue to pass – new pieces of legislation regarding rehabilitation of former victims of Stalinist terror.<sup>37</sup>

### **Typologies of Victimhood and Rehabilitation**

Those seeking rehabilitation after 1953 had been exposed to a number of different forms of state repression. Some had been arrested, tried, imprisoned, deported and/or shot at the behest

of extra-judicial bodies (the so-called troikas), while others had been assigned by administrative means to various terms of exile or forced labour, and others still had been sentenced in judicial fashion by courts or military tribunals, albeit usually combined with use of fabricated evidence, false confessions, unreliable witnesses and so on. Most victims had been accused of some kind of anti-Soviet or anti-state activity, or of conspiring with the 'enemies of socialism' to overthrow the communist system and restore capitalism. However, some had been persecuted for who they were (kulaks, members of 'bourgeois' national groups and other 'class enemies') rather than for what they had supposedly done. Disentangling 'economic' from 'political' offences was also a very tricky task, especially when it came to issues like currency speculation, industrial sabotage or opposition to the collectivisation of farms, which were often punished more harshly to meet the demands of 'class justice'.

More controversially for the rehabilitation process, some released prisoners had been sentenced as war criminals, accused of collaboration with the Germans during the Second World War or, worse still, of direct involvement in murderous actions against Jews and partisans. This makes it less easy to classify them as victims of Stalinist terror. Nonetheless, as our contributions on the western republics of the USSR and on Poland, the GDR, Czechoslovakia and Bulgaria demonstrate, those convicted of wartime offences could also benefit from amnesties or have their sentences reduced as part of the more general re-examination of judicial practices that followed Stalin's death. Countries that had been occupied by the Germans during the war usually had the most difficulty in confronting this issue. According to Iryna Ramanava, in her chapter on Belarus, the treatment of former collaborators and the definition of different degrees of culpability for involvement in Nazi war crimes was also one of the most hotly contested aspects of a new round of judicial revisions in the late 1980s and 1990s, and is still an unresolved question in Minsk even today

– so much so that negative memories of wartime ‘fascist’ traitors are now part of a more positive reassessment of ‘Soviet values’ and a corresponding tendency to downplay Stalinist-era purges and mass repression.

While defining victims is hard enough, the term ‘rehabilitation’ itself creates even greater difficulties. In the communist era it was rarely used by Soviet or Eastern European authorities as it implied an admission that the state was guilty of perpetrating past injustices, including repression of elites and whole social groups. In private individuals may have been rehabilitated, but in public the talk was usually of ‘amnesties’ and ‘pardons’, thus drawing attention to the supposed beneficence of the communist system. Yet it is intriguing that even in western and post-communist eastern historiography on this theme it is comparatively rare to come across specific definitions of the varying forms of rehabilitation.<sup>38</sup> To redress the balance we have identified four types of rehabilitation: judicial; political; socio-economic; and moral. We also include the related notion of amnesties or pardons.

### Judicial Rehabilitation

Judicial rehabilitation signified that the ‘crime’ and sentence were legally annulled by the courts, the now ‘innocent’ ex-prisoner was effectively exonerated, and implicitly at least, it was recognised by the communist authorities that gross miscarriages of justice had taken place. This, in turn, opened up the possibility of financial restitution and other forms of compensation for the suffering endured, itself a potential economic burden for the state. This process went furthest in Czechoslovakia in 1968, when a law was enacted, temporarily as it turned out, granting full judicial and social rehabilitation to those wrongfully convicted, including large numbers of non-communists. However, no other communist state, including the USSR at the time of Khrushchev’s ‘Thaw’, went so far in this direction. Instead, cases were reviewed on an individual basis. While this inevitably made judicial rehabilitation a

very slow process, it also enabled victims to take part in and shape the rehabilitation debate, as they were obliged to petition the authorities for a review of their own cases (see, for example, Elie's chapter on Soviet policy). In Poland too the rehabilitation process was partly driven by determined individuals who demanded to have their cases (or those of deceased family members) reopened, as Piotr Kładoczny shows in his contribution. For those who were unwilling to accept a mere amnesty, he contends, the legal route remained the only path to full exoneration, and an inherently perilous one in the sense that it offered no certainty of success or closure. The same was the case in Belarus, where – according to some of the examples cited by Ramanava in her chapter – judicial reviews could end up confirming the guilt of the accused, even if the original charges were 're-determined' and the sentence correspondingly reduced.

#### Political Rehabilitation

Political rehabilitation took place when the party authorities accepted that the ideological charges against the victim were false and reinstated former prisoners into the ranks of party, occasionally even allowing a return to responsible positions in the apparatus. This was highly problematic to say the least for incumbent party leaders, because on a personal level so many of them were tainted by the repressions of the Stalinist period and had no wish for their past actions to be critically examined. As Andrea Pető demonstrates, in Hungary the communist leadership involved itself in numerous contortions between 1954 and 1956 when faced with repeated demands made by Júlia Rajk, widow of the executed Minister of Interior László Rajk, for her own and her husband's political rehabilitation. Ideologically, political rehabilitation was also extremely dangerous in that it could easily cast the entire communist project into doubt and raise very awkward questions: how was it possible that party functionaries condoned such gross illegalities and violations of justice, permitted the mental



and physical torture of suspects, encouraged contempt for the rule of law and independent judiciaries, and trampled on human dignity in the name of a higher goal? In these circumstances, it is no wonder that communist leaders routinely dragged their heels on rehabilitation. Nonetheless, a surprising number of former victims sought – or were urged to reapply for – party membership, either from ideological conviction and a belief that Khrushchev had restored ‘Leninist norms’, or because this was the best way of securing economic or career advancement. Others followed the example of Júlia Rajk in seeking posthumous restoration of membership for deceased relatives. As one pro-communist Soviet woman wrote in an application for the reinstatement of her dead mother’s party card: ‘Judicial rehabilitation.... without Party rehabilitation is still not rehabilitation’.<sup>39</sup>

At other times, communist regimes even forced through the rehabilitation of selected individuals as part of a reworking of the ‘political imaginary’. As Goina shows, the Romanian dictator Ceaușescu literally ordered the posthumous rehabilitation of one terror victim, Lucrețiu Pătrășcanu, in 1968 because this fitted with his desire to rewrite Romanian history textbooks in order to emphasise Romania’s distance from Moscow and break the previous all-consuming stress on the primacy of Russia’s influence on Romania’s development as a political and cultural nation. A broadly similar, although less top-down and certainly less anti-Russian, process was observable in Slovakia where the National Uprising against the collaborationist Tiso regime in 1944 was ‘returned to official memory’ after 1962 alongside the rehabilitation of several Slovak communists accused of class betrayal and ‘bourgeois nationalism’ in the 1950s. Among them was the future party General Secretary Gustáv Husák who had his party card returned in 1963. More generally, the Slovak national movement and the flowering of Slovak culture in the nineteenth century was restored to the pantheon of ‘progressive moments’ from the past and integrated into existing Marxist-

Leninist understandings of Czechoslovak history, with the apparent approval or at least acquiescence of the pre-1968 party elite in Prague and Bratislava.<sup>40</sup>

The communist leadership in the GDR had no intention of changing the ‘political imaginary’ in East Germany, however. Instead, as Stibbe shows, in the mid-1950s it resorted to a quiet and carefully controlled form of political rehabilitation as a necessary step to defend its self-image after the Soviet Union released and repatriated several dozen purged German party veterans whose stories of betrayal and hardship in the 1930s now threatened to undermine the claim that the East was successfully leading the people towards the construction of a progressive and more humane alternative to West German capitalism. Small wonder, then, that when rehabilitated communist veterans were asked to write their memoirs for the party, they were encouraged to focus on the First World War and Weimar periods, now billed as times of great revolutionary promise and youthful idealism, while being directed to remain silent about the trials and tribulations they had faced in Soviet exile after 1935.<sup>41</sup>

#### Socio-economic Rehabilitation

Socio-economic rehabilitation meant a number of different things. In the best case scenario, where prisoners were rehabilitated and formally recognised as innocent, they had a theoretical right to restitution in the sense of a restoration of confiscated property and compensation for the loss of freedom and forced labour required of them in prison or in the Gulag. Yet even if this kind of restitution was not on offer (and it rarely was, at least before 1989), a full reintegration of released prisoners into society at least implied a right to employment commensurate with their skills and education, a right to decent housing, social welfare and pensions, and an expectation that their children would not be discriminated against in terms of education and jobs. As we know, reality was often very different, although

Stephen Cohen argues that, once the official formalities were completed, the majority of rehabilitees ‘eventually received.... living space, a job or a pension, health and dental care....and other modest benefits of the expanding Soviet welfare system’.<sup>42</sup> This probably only applied to urban dwellers, however, and even here, as Oleg Bazhan points out in his chapter on Soviet Ukraine, the Council of Ministers had to intervene to oblige employers, factory managers and directors of construction sites to hire former prisoners. The fear, which was not without foundation, was that those who remained out of work for a long time would turn to crime or other forms of anti-social behaviour.

Farmers often fared much worse, especially if they came back to areas which had experienced fully-fledged collectivisation in the late 1940s and early 1950s. As Ramanava, Irēna Saleniece and Kevin McDermott and Klára Pinerová reveal in their respective chapters on Belarus, Latvia and Czechoslovakia, returnees could indeed be treated with a great deal of suspicion by former neighbours, particularly by those who had taken over their property during their absence. Oral testimony from Latvia suggests that some returnees even contemplated going back to Siberia, where ironically they were treated with more respect and could live a better life. Likewise, in Soviet Moldavia only a few farmers got their property back, and this was only those who could prove that their classification as kulaks was unjustified. Indeed, paradoxically restoration of property took place only by upholding, rather than challenging, Stalinist-era definitions of who was and who was not a kulak. Meanwhile, Lithuanian deportees, among the last to leave the Gulag, already approached their impending freedom with a mixture of ‘excitement and worry’ since – according to the memoirs of a Latvian woman interned with them – they knew both that ‘leaving confinement was not a happy prospect if one did not have relatives or close friends waiting outside’ and – worse still – that ‘being expected and well-received was not as important as having a place to stay’.<sup>43</sup>

The broader issue here, then, is the thorny one of how returnees were to be treated after their release – as fully fledged members of society or as second, perhaps third, class citizens? If the latter, then what were the implications for further ‘dissent’ and ‘oppositional’ activity, particularly from those who clamoured for a more expansive form of justice, including full public revelation of the injustice done to them, compensation for years lost in the Gulag, and prosecution of alleged perpetrators? And what about those who were still seen as traitors in the Second World War – for instance, those who had served in special auxiliary detachments of the German army or security police? Certainly in Soviet Ukraine, as Bazhan shows, there are documented cases of rehabilitated ‘collaborators’ suffering violence and refusal of employment from local people after 1955.

#### Moral Rehabilitation

Moral rehabilitation restores the ‘good name’ of the victim and formally recognised their innocence, thereby creating a sense that historical ‘truth’ had been upheld and the wrongs of the past had been righted. It is thus linked to broader expectations about the recovery of the rule of law and an ‘honest’ or ‘open’ reappraisal of previous judicial as well as political assumptions and practices at the collective level. Or, to paraphrase Ruti Teitel, in times of political transition what is held to be ‘just’ moral rehabilitation ‘transcend[s] redress to the affected individuals and their survivors’. Instead it ‘is contingent and informed by prior injustice’, including, in this instance, the development of public knowledge of the unwarranted use by the party or state of falsified evidence, malicious denunciations, torture, abuse of administrative process, and extra-judicial forms of sentencing.<sup>44</sup>

Moral rehabilitation also raises the potentially explosive question of the guilt of perpetrators, particularly secret police investigators, and whether they should face retribution and punishment. Such treatment, however, was rare. It is true that in the Soviet Union several

high-ranking NKVD/MVD bosses were executed after Stalin's death, including Lavrentii Beria, Viktor Abakumov and others,<sup>45</sup> and in Czechoslovakia two security officers were briefly imprisoned for their illegal methods of interrogation. Nonetheless, in the 1950s the moral basis of rehabilitation was undermined by the fact that many of the perpetrators were placed in charge of investigating themselves, most notoriously in the case of Ivan Serov, who – with Khrushchev's blessing – became head of the newly re-named KGB in March 1954 and made several attempts to limit the scope of investigations into the past misdeeds of the Soviet security organs (see the contributions by Elie, Cașu, Bazhan and Ramanava). Other difficulties included lack of surviving records and evidence linked to names, particularly, as Saleniece points out in her chapter on Latvia, in respect to local 'volunteers' who took part unofficially in deportations and were often known to have plundered the victims' possessions. Without a proper, independent and transparent process for bringing the perpetrators and their helpers to justice, there was arguably no rehabilitation in the moral sense.

#### Amnesties and Pardons

Amnesties and pardons were the most common forms of redress, but they did not represent 'rehabilitation'. Those amnestied were not declared legally innocent, and hence were still regarded as 'criminals' and lived in constant fear of re-arrest. In Soviet Moldavia and Ukraine, as Cașu and Bazhan suggest, many of those who returned from the Gulag and special settlements did not have formal permission to do so and their presence in their homeland was merely tolerated by the authorities in Moscow, Chișinău and Kiev. Only children under 16 and youths in full-time education were entirely free from surveillance and other forms of official discrimination related to their past status as prisoners or deportees. In Ukraine, according to Bazhan, public proposals were heard calling on the authorities to put

amnestied prisoners to work on probationary contracts on building sites. In Poland, on the other hand, as Kładoczny indicates, the far-reaching amnesty of April 1956 was deliberately used as a (partially successful) means of discouraging individual bids for rehabilitation, the regime calculating that most of the beneficiaries would simply be glad to be released from prison and would not risk their newly-gained freedom by making trouble for the authorities.

In general, amnesties confirmed the power and authority of the state and were therefore much preferred to rehabilitation.<sup>46</sup> Sometimes they were granted to mark special occasions, like the extensive 9 May 1960 amnesty in Czechoslovakia, which was enacted to commemorate the 50th anniversary of the country's liberation by the Red Army in May 1945. At other moments they were billed as an act of generosity and mark of self-confidence in view of recent advances in the construction of socialism. The East German amnesty of 4 October 1960, announced to mark the death of state president Wilhelm Pieck and the elevation of Walter Ulbricht to chairman of the newly-formed State Council, was presented in this manner, although in reality it was a quick-fix measure aimed mainly at reducing the number of 'ordinary criminals' in prisons in anticipation of an increase in political repression (and a corresponding rise in judicial proceedings against 'state criminals') in the wake of a new campaign of forced collectivisation unleashed on the countryside.<sup>47</sup> In sum, amnesties were different to rehabilitations, and could sometimes herald an intensification of, as opposed to a reduction in, state abuses against (real or perceived) political opponents. This was not always the case, however, and depended on the particular context.

### **Ambivalence and Secrecy**

While the categories listed above are illuminating, especially when it comes to identifying individual, local, regional and national variations in experience and emphasis, this should not detract from the fundamental ambivalence of the situation facing former victims of Stalinist

terror in the post-1953 Soviet bloc. Indeed, as Ramanava demonstrates in her chapter on Belarus, one of the key features of rehabilitation, as opposed to the various amnesties and pardons, is that the whole process was undertaken as far as possible in secrecy. There was no public fanfare or coverage in the press, the release of prisoners, both communist and non-communist, went unannounced and a kind of unstable hiatus was created in society – or what Polly Jones has termed ‘the uncertain discourse of rehabilitation’.<sup>48</sup> With no consistent policy directives coming from above, with tentative reform mingling with periodic crackdowns, both ex-prisoners and their families, and society more generally, were unsure about the meaning of the party ‘line’, unsure about the bounds of the possible and the impossible. Towards the end of her study of the Gulag, Anne Applebaum notes that even after 1960 ‘many former prisoners [in the Soviet Union]...remained wary of applying’ for a revision of their cases:

Those who received a summons to appear at a meeting of a rehabilitation commission, usually held within the offices of the MVD or the Justice Ministry, would often turn up in layers of clothes, gripping food parcels, accompanied by weeping relatives, certain they were about to be sent away again.<sup>49</sup>

The implications of this essential ambivalence at the heart of the rehabilitation process, and more broadly the tortuous ‘de-Stalinisation’ campaigns of the mid-to-late 1950s and early 1960s, is an important theme in all of the contributions to this volume. Indeed, in spite of the momentous political changes in the Soviet Union between 1953 and 1964, reintegrating prisoners and dealing with the past was an extremely difficult process which involved as much deliberate forgetting on all sides as it did carefully controlled acts of remembering, truth-seeking and absolution. As we have seen, only a handful of perpetrators were ever brought to justice, while the Khrushchev regime continued to mobilise the myth of the Great Patriotic War of 1941-45 as a time when all Soviet citizens, and indeed all anti-fascists, were

‘victims and heroes together’.<sup>50</sup> Although terror ceased, and what is more quite abruptly in 1953, and although the Gulag itself ‘seemed a thing of the past’ by 1960,<sup>51</sup> the Soviet Union remained a one-party dictatorship with political dissidents still running the risk of prosecution for ‘anti-Soviet agitation’. In 1958, for instance, 1,416 people were found guilty of this offence.<sup>52</sup> Moreover, from 1962 sentences for ‘dangerous state crimes’ such as ‘treason against the homeland’ or ‘anti-Soviet agitation’ (which by now could include passing on information about Stalinist-era repression and deportations to foreign visitors) often meant transportation to harsh KGB-run corrective labour camps in Siberia and the Russian Far East, whereas most non-political offences now ‘qualif[ied] as social crimes’, with jail terms usually being served nearer to home.<sup>53</sup> Against this background, older fears, suspicions and resentments lingered on in the minds both of former victims still seeking redress from the party-state and ordinary Soviet citizens confused by the mixed messages they often received about the Stalin era.<sup>54</sup> As Miriam Dobson deftly puts it, ‘where ordinary criminal justice practices stopped and political terror began’ was a question hardly resolved in the Khrushchev era. Instead it remained ‘an ongoing source of contestation’ from 1953 right the way through to the Gorbachev era.<sup>55</sup>

### **The Party, Popular Opinion and Rehabilitation**

A final salient issue is the attitude of party members and the public to the release and rehabilitation of Stalinist victims: how far were party and popular responses to the liberation of former ‘enemies’ hostile, supportive, confused, contradictory, ambivalent? Judging from existing literature, there was a highly diverse reaction to the amnesties and rehabilitations and this in itself is noteworthy – notions of a completely ‘Stalinised’ party membership and an ‘indoctrinated’ passive populace need to be challenged. Among rank-and-file party activists and even hardened lower-level functionaries, the dominant initial reaction to the 20th



Congress sensations and the early de-Stalinisation measures was one of profound shock and disorientation bordering on chaos. Such responses were certainly common in the Soviet and Czechoslovak parties,<sup>56</sup> and it is difficult to under-estimate the acute dilemmas these reactions posed to incumbent leaders: how to rein in the threat to disorder and internal party discipline while rejecting undue ‘Stalinist’ repression? The balancing act between persuasion and coercion proved a delicate task for Khrushchev and his acolytes in Eastern Europe and their indeterminacy helps to explain the ‘zig-zag’ nature of communist rule in the ‘Thaw’ period. At the same time, however, there is evidence that communist parties, with the partial exception of the Polish and Hungarian, possessed a resilient ‘indigenous Stalinism’, which helped to bind the parties together in the crisis year of 1956, and beyond.

Opinion among non-communist citizens was also multifarious. Some welcomed the releases and the return of the victims either as a manifestation of the professed ‘socialist humanism’ of the regime or as a belated correction of a historic wrong-doing. Others were antagonistic for a variety of reasons: fearful locals complained that too many murderers, rapists, wartime fascist collaborators and thieves had been set free;<sup>57</sup> believers regarded the amnesties as ‘an act of God’, having nothing to do with the state; liberal intellectual strata saw no reason to praise the authorities for liberating innocent people; and others still used the periodic pardons to vent their general opposition to the existing repressive order.

Nevertheless, at least in the Czechoslovak case, as McDermott and Pinerová argue, fairly broad strata of the population adopted an intermediate position of ‘critical loyalty’ to the rehabilitation process (and the communist system as a whole), based largely on a shared class or ‘workerist’ perspective and a populist illiberalism, whereby many citizens condemned the premature release of middle-class ‘enemies’ and their perceived preferential access to jobs, accommodation, pensions and other benefits. Paradoxically, while such attitudes were ostensibly critical of the official amnesties and releases, they might better be interpreted as a

source of underlying, albeit fragile, affinity between diverse sections of society and the communist regime.

The reactions of the amnestied and rehabilitees themselves also differed widely. A typical mentality, no doubt partly induced by the physical and psychological exhaustion of camp life, appears to have been resignation, de-politicisation and withdrawal into private life. If we are to believe official archival sources, a minority genuinely regretted their past misdemeanours and wished to contribute to the ‘great socialist experiment’. Substantial numbers, however, continued to harbour real grievances against the system and sought ways of challenging the communist authorities. Across the Soviet Union, as Sheila Fitzpatrick has maintained, ‘formers prisoners were both a serious social problem in the 1950s and 1960s and a major source of sedition’.<sup>58</sup> They were rarely permitted to reintegrate into social and work life, were constantly harassed by the security services and quite often shunned by local people.

Both here and in Eastern Europe, even those readmitted to the party elite could not always be relied upon to remain silent in public. In his chapter on Bulgaria, Baev gives the example of Stefan Bogdanov, jailed after the Kostov trial in 1949, released in 1956, but again dismissed from state service in 1968 and later arrested and expelled from the Bulgarian party in 1981. In Hungary, which in the late 1940s had one of the highest numbers of terror victims relative to the size of its population, a politics and ‘language of grief’ (Pető) was mobilised by the rehabilitated communist and veteran anti-fascist campaigner Júlia Rajk, thereby helping to bring an end to Mátyás Rákosi’s leadership of the party in July 1956 and paving the way for the revolution that took place in October-November. And finally, as is well known, in the mid-1960s rehabilitees in Czechoslovakia played an important role in subverting the neo-Stalinist regime of Antonín Novotný, culminating in the Prague Spring of 1968. More than anything else, we would argue, it is this momentous event in the history of East European communism – with its many ‘conspicuous connections’ both to 1953 and

1956, and to 1989<sup>59</sup> – that ultimately lays bare the broader significance of the inter-connected processes of de-Stalinisation, rehabilitation and the undermining of the legitimacy of communist rule in the post-Stalinist period.

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## Notes

<sup>1</sup> Cited in D. Burke, *The Lawn Road Flats: Spies, Writers and Artists* (London, 2014), p. 122.

<sup>2</sup> On reactions of the British left to the 1930s Soviet purges, see the nuanced analysis in R. Overy, *The Morbid Age: Britain and the Crisis of Civilization, 1919-1939* (London, 2009), pp. 295-7.

<sup>3</sup> I. Kershaw, *The End: Hitler's Germany, 1944-45* (London, 2011), p. xiv.

<sup>4</sup> J. Baberowski, *Verbrannte Erde: Stalins Herrschaft der Gewalt* (Munich, 2012), pp. 497-8.

<sup>5</sup> On the amnesty of 27 March 1953, see M. Sprau, 'Diktaturüberwindung in der Diktatur? Auflösung des sowjetischen Gulag in der Entstalinisierung', in B. Hofmann et al. (eds), *Diktaturüberwindung in Europa: Neue nationale und transnationale Perspektiven* (Heidelberg, 2010), pp. 180-94; and N. Werth, 'L'amnestie du 27 mars 1953: La première grande sortie du Goulag', in *Communisme*, 42/43/44 (1995), pp. 211-23. On the 'crisis year' 1953 more generally, see C. Kleßmann and B. Stöver (eds), *1953 – Krisenjahr des Kalten Krieges in Europa* (Cologne, 1999), esp. the introductory and concluding chapters.

<sup>6</sup> Figures in Sprau, 'Diktaturüberwindung', p. 182; and M. Dobson, *Khrushchev's Cold Summer: Gulag Returnees, Crime and the Fate of Reform after Stalin* (Ithaca, NY and London, 2009), p. 2.

<sup>7</sup> S. F. Cohen, *The Victims Return: Survivors of the Gulag after Stalin* (London and New York, 2011), pp. 28-33.

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<sup>8</sup> A. Hilger, 'Limited Rehabilitation? Historical Observations on the Legal Rehabilitation of Foreign Citizens in Today's Russia', in M. Berg and B. Schaefer (eds), *Historical Justice in International Perspective: How Societies Are Trying to Right the Wrongs of the Past* (Cambridge, 2009), pp. 165-86 (here p. 173). Cf. Cohen, *The Victims Return*, p. 79, who gives the figure of 700,000 to 800,000 official rehabilitations between 1954 and 1964.

<sup>9</sup> Dobson, *Khrushchev's Cold Summer*, pp. 81-2.

<sup>10</sup> Cohen, *The Victims Return*, pp. 93-4.

<sup>11</sup> Baberowski, *Verbrannte Erde*, p. 500.

<sup>12</sup> There are some notable exceptions, of course. For the Soviet Union, see the literature cited in Marc Elie's chapter below, p. ?, note 4; on Czechoslovakia, see J. Pelikán (ed.), *The Czechoslovak Political Trials, 1950-1954: The Suppressed Report of the Dubček Government's Commission of Inquiry, 1968* (London, 1971), pp. 148-243; and for contributions on the Soviet bloc more generally, see Kleßmann and Stöver (eds), *1953 – Krisenjahr des Kalten Krieges*; J. Foitzik (ed.), *Entstalinisierungskrise in Ostmitteleuropa 1953-1956: Vom 17. Juni bis zum ungarischen Volksaufstand. Politische, militärische, soziale und nationale Dimensionen* (Paderborn, 2001); and R. Engelmann, T. Großbölting and H. Wentker (eds), *Kommunismus in der Krise: Die Entstalinisierung 1956 und die Folgen* (Göttingen, 2008).

<sup>13</sup> On the show trials in Eastern Europe, see G. Hodos, *Schauprozesse: Stalinistische Säuberungen in Osteuropa 1948-1954* (Berlin, 2001); and on the terror more broadly see K. McDermott and M. Stibbe (eds), *Stalinist Terror in Eastern Europe: Elite Purges and Mass Repression* (Manchester, 2010).

<sup>14</sup> See, for example, *Prisoners of Conscience in the USSR: Their Treatment and Conditions. An Amnesty International Report* (London, 1975).

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<sup>15</sup> For a theoretical perspective, see R. G. Teitel, *Transitional Justice* (Oxford, 2000).

<sup>16</sup> On the situation in the early 1950s, see N. Frei, *Adenauer's Germany and the Nazi Past: The Politics of Amnesty and Integration*, trans. by J. Golb (New York, 2002); and on the 1958 and 1963-65 trials and the removal of the statute of limitation in 1969, see A. Grünbacher, *The Making of German Democracy: West Germany during the Adenauer Era, 1945-65* (Manchester, 2010), pp. 304 and 317.

<sup>17</sup> R. J. Evans, *In Hitler's Shadow: West German Historians and the Attempt to Escape from the Nazi Past* (London, 1989), p. 14.

<sup>18</sup> Particularly useful here is C. Goschler, 'Disputed Victims: The West German Discourse on Restitution for the Victims of Nazism', in Berg and Schaefer (eds), *Historical Justice in International Perspective*, pp. 93-110. On the 1953 London Debt Agreement and the 1996 constitutional court ruling, see also U. Herbert, *Geschichte Deutschlands im 20. Jahrhundert* (Munich, 2014), p. 1197.

<sup>19</sup> R. J. Evans, 'Why we are obsessed with the Nazis', *The Guardian*, 7 February 2015.

<sup>20</sup> A. Windmann, 'Warum gelten Zwangssterilisierte bis heute rechtlich nicht als NS Opfer?', *Der Spiegel*, no. 36, 1 September 2014, pp. 40-2.

<sup>21</sup> The relevant paragraphs were only struck from the West German penal code in 1969. See K. Tichomirowa, 'Wider das Gesetz: Noch immer warten in Deutschland einst verurteilte Homosexuelle auf Rehabilitierung', *Berliner Zeitung*, no. 203, 1 September 2014, p. 1.

<sup>22</sup> For a useful introduction, see G. Robertson, *Crimes Against Humanity: The Struggle for Global Justice* (London, 1999). Also Berg and Schaefer (eds), *Historical Justice in International Perspective*.

<sup>23</sup> N. Nougayrède, 'Putin is Rewriting Cold War History', *The Guardian*, 6 February 2015.

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<sup>24</sup> The same point is made by J. Foitzik, 'Entstalinisierungskrise in Ostmitteleuropa: Verlauf, Ursachen und Folgen', in Engelmann et al. (eds), *Kommunismus in der Krise*, pp. 35-60 (here p. 37).

<sup>25</sup> See T. Snyder, 'Putin's New Nostalgia', *The New York Review of Books Blogs*, 10 November 2014, available at <http://www.nybooks.com/blogs/nyrblog/2014/nov/10/putin-nostalgia-stalin-hitler/>. Also Nougayrède, 'Putin is Rewriting Cold War History'.

<sup>26</sup> Teitel, *Transitional Justice*, p. 98. One example of what Teitel refers to as the 'ambiguous, Janus-like aspect' of laws governing access to and use of security files on ex-victims can be found in V. Handl, 'Living with or in the Past? Czech Communists between Canonisation and Coming to Terms with their History', in Hofmann et al. (eds), *Diktaturüberwindung*, pp. 84-100, who shows how in 2006 representatives of the former ruling party in Czechoslovakia sought to alter the terms of the debate about human rights, transitional justice and rehabilitation by 'depict[ing] the loss of pension benefits for the former Communist secret-police officers after 1989 as a breach of human rights' (p. 90).

<sup>27</sup> T. Judt, *Postwar: A History of Europe since 1945* (London, 2005), p. 311.

<sup>28</sup> See also L. Canfora, *Zeitenwende 1956: Entstalinisierung, Suez-Krise, Ungarn-Aufstand*, trans. by C. Herterich (Cologne, 2012) [originally published in Italian in 2008].

<sup>29</sup> Foitzik, 'Entstalinisierungskrise in Ostmitteleuropa', p. 55.

<sup>30</sup> Canfora, *Zeitenwende 1956*, p. 106.

<sup>31</sup> Cohen, *The Victims Return*, pp. 97-8.

<sup>32</sup> Cohen, *The Victims Return*, pp. 110-11 and 128.

<sup>33</sup> Hilger, 'Limited Rehabilitation?', p. 173.

<sup>34</sup> For an early assessment of 're-Stalinisation', see D. Pospelovsky, 'Restalinization or Destalinization?', *Russian Review*, vol. 27, no. 3 (1968), pp. 307-20; and more recently P.

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Jones, *Myth, Memory, Trauma: Rethinking the Stalinist Past in the Soviet Union, 1953-70* (New Haven, CT, 2013), pp. 239-57. Also Cohen, *The Victims Return*, p. 127.

<sup>35</sup> H. Weber, “*Weißer Flecken*” in der Geschichte: Die KPD-Opfer der Stalinschen Säuberungen und ihre Rehabilitierung, 2<sup>nd</sup> ed. (Frankfurt/Main, 1990) [1989], p. 9.

<sup>36</sup> Hilger, ‘Limited Rehabilitation?’, p. 175; Cohen, *The Victims Return*, pp. 142-3.

<sup>37</sup> Even the East German state, in the last few months of its existence in March-October 1990, when it was ruled for the first time by a democratically elected non-communist government, framed a new rehabilitation law – see M. Weyrauch, “‘Zuerst geht es um die Opfer des Unrechts, nicht um die Täter und die Rache an ihnen...’: Zur Erarbeitung eines Rehabilitierungsgesetzes in der DDR”, in R. Eckert, A. von Plato and J. Schütrumpf (eds), *Wendezeiten – Zeitenwände: Zur “Entnazifizierung” und “Entstalinisierung”* (Hamburg, 1991), pp. 111-16.

<sup>38</sup> The prime exception is A. P. van Goudoever, *The Limits of Destalinization in the Soviet Union: Political Rehabilitations in the Soviet Union since Stalin* (London, 1986), pp. 7-9. Van Goudoever identifies three main categories: formal, public and posthumous rehabilitation.

<sup>39</sup> Cohen, *The Victims Return*, p. 63.

<sup>40</sup> See M. Górný, *The Nation Should Come First: Marxism and Historiography in East Central Europe* (Frankfurt/Main, 2013), here esp. pp. 44-5.

<sup>41</sup> One important example would be the literary scholar and one-time activist in the pro-communist League of Proletarian-Revolutionary Writers, Trude Richter (a.k.a. Dr Erna Barnick) whose 1972 memoir, *Die Plakette*, stopped abruptly in 1935. Only at the very end of the GDR, in 1988-89, was permission sought, and eventually granted, to publish the second part of her memoir, beginning with her journey to Moscow in 1935 and containing a heart-

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rendering account of her first arrest in 1936, her husband's death in the Gulag in 1938, her long years of imprisonment and her second arrest in 1949. For further details, see the archival materials in Stiftung Archiv der Parteien und Massenorganisation der DDR im Bundesarchiv Berlin, SgY 1380/3 and DR 1/2197, Bl. 151-65. Also T. Richter, *Totgesagt: Erinnerungen* (Halle and Leipzig, 1990).

<sup>42</sup> Cohen, *The Victims Return*, p. 76.

<sup>43</sup> H. Celmina, *Women in Soviet Prisons* (New York, 1985), p. 115.

<sup>44</sup> Teitel, *Transitional Justice*, pp. 6 and 126-7.

<sup>45</sup> According to Cohen, *The Victims Return*, pp. 100-1, only between 50 and 100 of the worst offenders were forced to stand trial in the Soviet Union in the early to mid-1950s, with 25 to 30 receiving the death penalty and the remainder serving jail terms of varying lengths. A further 2,370 secret police officers were sacked or demoted. Even the figure of 46,000 posts lost in the KGB between 1954 and 1963 does not itself indicate a thorough or consistent purge from the ranks of those responsible for Stalinist-era abuses.

<sup>46</sup> For a broader examination of the definition, relevance and use of amnesties during periods of political transition, whether as a means of acknowledging and overcoming, or alternatively, avoiding and denying 'the existence of legacies of mass abuse', see M. Freeman, *Necessary Evils: Amnesties and the Search for Justice* (Cambridge, 2009), here p. 18.

<sup>47</sup> F. Werkentin, *Politische Strafjustiz in der Ära Ulbricht: Vom bekennden Terror zur verdeckten Repression*, 2<sup>nd</sup> ed. (Berlin, 1997) [1995], pp. 351-5. Linked to this, in 1959-60 the GDR faced an unprecedented wave of flights and attempted flights to the west which only ceased with the building of the Berlin Wall in August 1961.



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<sup>48</sup> P. Jones, 'Introduction: The Dilemmas of De-Stalinization', in P. Jones (ed.), *The Dilemmas of De-Stalinization: Negotiating Cultural and Social Change in the Khrushchev era* (London, 2006), p. 6, here paraphrasing the work of Miriam Dobson.

<sup>49</sup> A. Applebaum, *Gulag: A History of the Soviet Camps* (London, 2003), p. 460.

<sup>50</sup> Baberowski, *Verbrannte Erde*, p. 506. Of course, this made it all the more difficult to rehabilitate 'collaborators' in public, as officially there was no acknowledgement in the Stalin and Khrushchev eras of collaboration during the war, still less of any participation by Soviet citizens in Nazi atrocities against Jews and other victims of mass murder and genocide. See also A. Beevor, 'Why Putin should be at Auschwitz', *The Guardian*, 21 January 2015.

<sup>51</sup> Applebaum, *Gulag*, p. 466.

<sup>52</sup> Hilger, 'Limited Rehabilitation?', p. 172, n. 33. See also V. A. Kozlov et al. (eds), *Sedition: Everyday Resistance in the Soviet Union under Khrushchev and Brezhnev* (New Haven, CT, 2011).

<sup>53</sup> Celmina, *Women in Soviet Prisons*, p. 71. Helene Celmina was herself arrested in Riga in 1962 for speaking to a couple of tourists who belonged to the French Communist Party about Stalin's crimes against the Latvian people, and was later convicted of 'anti-Soviet agitation' for possessing 'foreign' (i.e. western) literature. Denied the right to serve her four-year sentence in her home republic of Latvia, she was deported to camp #17-A in Siberia.

<sup>54</sup> Baberowski, *Verbrannte Erde*, p. 501; Dobson, *Khrushchev's Cold Summer*, esp. pp. 1-2; Cohen, *The Victims Return*.

<sup>55</sup> Dobson, *Khrushchev's Cold Summer*, p. 6.

<sup>56</sup> On the Soviet party, see P. Jones, 'From the Secret Speech to the Burial of Stalin: Real and Ideal Responses to De-Stalinization', in Jones (ed.), *The Dilemmas of De-Stalinization*, pp. 41-63; on the Czechoslovak, see the contribution by McDermott and Pinerová in this volume.

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<sup>57</sup> See M. Dobson, “‘Show the Bandit-Enemies No Mercy!’: Amnesty, Criminality and Public Response in 1953’, in Jones (ed.), *The Dilemmas of De-Stalinization*, pp. 21-40.

<sup>58</sup> S. Fitzpatrick, ‘Popular Sedition in the Post-Stalin Soviet Union’, in Kozlov et al. (eds), *Sedition*, p. 13.

<sup>59</sup> O. Tůma, ‘Conspicuous Connections, 1968 and 1989’, in M. Kramer and V. Smetana (eds), *Imposing, Maintaining, and Tearing Open the Iron Curtain: The Cold War in East-Central Europe, 1945-1989* (Lanham, MD, 2014), pp. 501-14.