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They know not what they do? Bolshevik Understandings of the Agency of Perpetrators, 1918-1930

James Ryan

'A whole superstructure of different and specifically formed feelings, illusions, modes of thought and views of life arises on the basis of the different forms of property, of the social conditions of existence [...] The single individual, who derives them through tradition and upbringing, may well imagine that they form the real determinants and the starting-point of his activity.'

Karl Marx, 1852

This article examines how the Bolshevik party and state officials in early Soviet Russia understood the agency of their enemies, an important question to ask in order to illuminate the particular dynamics and complexities of state violence in the Soviet context. The focus here is on criminal justice, and on the relationship between the state and peasantry. The article traces the evolution of Bolshevik thought on these issues from the revolution until the onset of Stalinism, providing important intellectual context for the violent campaigns of the 1930s. The discussion exposes theoretical ambiguities, ironies and inconsistencies that characterize the intellectual history of the Soviet state's violent and punitive practices.

This article examines how perpetrators were represented in Bolshevik thought over the course of the first decade of Soviet power. It considers the implications of this for understanding the relationship between the state and various categories of the population, and the attendant violence of the state, in early Soviet Russia. The 'perpetrator' in question is not that primarily discussed in a recent edition of *Slavic Review* - the perpetrator of state violence - but rather the counter-revolutionary or the criminal designated as such by the Bolshevik party-state.² In that important discussion in *Slavic Review*, Lynne Viola explains the especially indeterminate and under-studied 'gray areas' of distinguishing victims and perpetrators of violence in the Stalinist Soviet Union, but she also mentions the fluidity of the category of the enemy (or perpetrator) as identified by the state. One of the questions that she poses in this regard – 'Could one transcend the past?' – is to a large degree our conceptual concern in this article.³ Posed generally, this question was located at the core of the Soviet project. The teleological goal of attaining Communism required a new type of society, populated by 'new people' who had overcome the psychological, biological and

habitual inheritances of the past. Posed more specifically, this question was of immediate, practical concern for a state that found itself confronted by counter-revolutionary opposition and a general problem with law and order.

The principal questions addressed here will concern the perceived agency of perpetrators (although these issues were not discussed explicitly by Bolsheviks in terms of 'agency'). To what extent were those involved in alleged counter-revolution (or actions considered to have such consequences) or criminality perceived by the state to be consciously responsible for, or aware of the consequences of, their actions? To what extent were their actions the products of deception instigated by others, or the impact of material deprivation? Following logically from those questions, to what extent could perpetrators be reformed and integrated into Soviet society? How did the answers to those questions inform the theoretical and practical approaches of the state towards such individuals or groups? More basically, did questions of agency really matter at all? These questions relate to evolving understandings of human nature in Soviet Russia/the Soviet Union. Raymond Bauer, in his study of Soviet psychology published nearly sixty years ago, observed that 'When one can describe the basic conception of human nature which is held in a given society he [sic] has come a long way toward understanding the nature of that society.'⁴

The question of the agency of perpetrators is indeed important for understanding the theory and practice - and their dialectics - of Soviet state repression and violence. However, the intention here is not to privilege this question as a means of understanding Soviet state violence. Rather, a specific focus on how the ruling party and state officials ascribed agency to perceived enemies – and indeed how they often overlooked the agency of individuals to focus instead on membership of a suspect collective category – will afford insights into the particular dynamics, irregularities and complexities of state violence in the Soviet context. In theory, Leninism rejected notions of a type of 'biological-racial paradigm' with which to filter a population, adopting instead a 'sociological paradigm' that focused on individuals within the framework of their social circumstances, and their past/present political and social disposition.⁵ This allowed for a Bolshevik 'hermeneutics of the [individual] soul.' Hence, the question of potentially life-and-death importance before a Soviet courtroom or police commission was not simply one's class or national belonging, but primarily one's past behaviour and present disposition. In theory, Soviet punitive policy (and the Gulag system in particular) was justified and even celebrated for its attempts to 'reforge' and 're-educate' deviants, and to transform 'nature,' both environmental and human. In reality, however, there

existed considerable ambiguity within Leninism around the question of categorical belonging and the agentic autonomy of individuals, especially as discriminatory class differentiation and class struggle were integral components of the ideology.

Much scholarship on Soviet state violence over the last fifteen years or so, and especially that focused on Soviet minority ethnicities, has demonstrated that at times violent practices appeared to be the results of something akin to an immutable-biological and even racialized approach to categorizing suspect population categories. This was the case especially after the Second World War, but it also applied clearly from the mid-1930s as state efforts to purify society intensified in accordance with the social upheavals brought about by Stalinist policies, the increasingly threatening international climate, and the dictates of an eschatological revolutionary time-frame. In addition, one of the 'basic units' of Stalinist-era violence, as Golfo Alexopoulos has argued compellingly, was an approach based on the collective punishment of the families and kin of those considered 'enemies of the people' or 'enemy nations.' Yet the children, especially, who were targeted by such violent practices were typically considered capable, eventually, of renouncing their kinship connections and asserting loyalty to the Soviet collective. The persistent tension between nature and nurture, as we will see, is a central aspect of Bolshevik representations of agency.

What, then, do we mean by human 'agency'? This term is commonly understood to signify purposiveness, intentionality, consciousness/awareness, and free will, and it relates to a sense of self-hood. There will, or agency, is however exercised within social contexts and constraints. There is also a temporal dimension to agency, relating to how individuals (and collectives) relate themselves to the past and to the possibilities of the future. Marx provided a strikingly haunting image of this when he wrote that 'The tradition of all the dead generations weighs like a nightmare on the brains of the living. Human agency, then, may be understood in a sociological sense as:

the temporally constructed engagement by actors of different structural environments – the temporal-relational contexts of action – which, through the interplay of habit, imagination, and judgment, both reproduce and transform those structures in interactive response to the problems posed by changing historical situations.¹³

The particular Marxian conception of the inseparability of agency and structures (social, temporal) is well-known, and is illustrated clearly in the epigraph. The individual's thought processes are derived ultimately from the material basis of society in the form of property ownership, and consequent social relations. What is most interesting in Marx's outline of agency, for present purposes, is its complex, multi-layered nature of consciousness or awareness. That is, even when individuals consider themselves attuned to the psychological determinants and motives of their actions, Marx asserted that unless they understood the class structure of society and the relationship between base and superstructure, they would be operating, to some extent, under illusion. In the well-known formulation of Engels's, they would possess 'false consciousness.' In the Marxist-Leninist understanding of the perennial question of the relationship between free will and determinism, the weight would appear to be on the side of determinism. Yet it must be borne in mind that in its revolutionary, missionary-like emancipatory purpose, there was necessarily plenty of scope therein for the autonomy of the self. In the self.

This article will examine the Bolshevik approach to the agency of perpetrators by focusing on two issues that allow examination of this question particularly well and in some detail: criminal justice, and conceptions of peasant disorder. The regime did not exactly relate to criminals and peasants in similar ways; much of the peasantry, after all, was supposed to provide support for the proletarian revolution as natural allies of the workers. In Bolshevik thought, however, both categories were especially imprinted, unwittingly and in different ways, with the iniquities of the old regime; both posed distinct threats to the successful construction of a socialist society; and both were putatively stratified along lines of class and agency, with gender distinctions also important. Indeed, most of the deadly violence of the Soviet state in the 1930s were directed against peasants (and then 'former kulaks') and so-called 'socially dangerous elements,' including recidivist criminals, as well as suspect ethnicities. The article will provide important intellectual context for understanding such violent campaigns, but its purpose is to trace the evolution of Bolshevik thought on these issues before the onset of Stalinism per se. To continue this theme into the 1930s would require an additional paper. The article will demonstrate the often complex, multilayered and uncertain nature of Bolshevik conceptions of agency, strongly informed by ideology but also by more practical considerations. This question exposes theoretical ambiguities, ironies and inconsistencies that characterize the intellectual history of the Soviet state's violent and punitive practices. 16 Bolshevik ascriptions and representations of agency, or indeed lack thereof, could support either a lenient and reformatory or a repressive approach to the perpetrator,

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depending on the particular circumstances and ideological dynamics at work. For the most part, Bolshevik understandings of these issues would help prevent the emergence of a truly 'genocidal ideology' (to use Amir Weiner's expression) in the Soviet Union.¹⁷ Theoretical commitment to reform and to an understanding of individuals as individuals persisted, and the party was self-consciously opposed to the 'zoological,' racialized thinking of the Nazis. However, practices of Soviet state repression and violence were often driven by more pragmatic security concerns that challenged or modified these theoretical implications, and the relevance of the questions of individual agency and malleability.¹⁸ Hence, examination of this question of agency facilitates understanding of the origins of campaigns of mass violence and social cleansing in the Soviet Union.

Reform versus Repression

The Bolshevik party took over a country in late 1917 suffering its fourth year of war and undergoing a social revolution, and it struggled to establish state order. In particular, the new power was confronted with crises in supplying food from the countryside to urban areas, and in ensuring an operational transport system. ¹⁹ In addition, from the very outset of the revolution, the Bolsheviks faced armed opposition from their opponents of varying political hue, and by the summer of 1918 they were faced with full-scale frontal civil war. The intensification of the civil war, widespread peasant revolts, and fear of a full-scale assault on Soviet power from domestic opponents supported by hostile foreign powers resulted in a campaign of 'Red Terror' that was officially proclaimed in early September 1918. The Chekas (political police units) did not restrict themselves to shooting political opponents during the Terror, but continued to shoot recidivist criminals, as they had been doing for several months, and they also struck against peasants, priests, intellectuals and political activists.²⁰ The Bolshevik leadership appeared to be calling for terror against the bourgeoisie as a class, although the party's central newspaper, *Pravda*, clarified that 'It is necessary to account for all bourgeois gentlemen, as you did with the officers, and terminate all, dangerous for the affairs of the revolution.'21 Thus, from the outset of the revolution, Bolsheviks confronted the question of how they should understand the agency of their enemies, with its life-and-death implications.

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There was a consensus that execution should be reserved for those 'irreconcilable' to the new order, but not on who constituted that category. Martin Latsis, a leading Cheka figure, infamously asserted that Chekists should not search for evidence of a suspect's wrongdoing, but, rather, the 'essence of Red Terror' was that a suspect's fate should be determined by their class. ²² Latsis's comments prompted Lenin to stipulate that 'red terror' was required only for 'the forcible suppression of exploiters who attempted to restore their rule. ²³ Writing in *Pravda* during the Terror, Nikolai Osinskii, head of the Supreme Council of the National Economy, explained that the 'destruction of the bourgeoisie as a class' should not mean 'the physical extermination of all the bourgeoisie. Reiterating the materialist Marxist understanding of social thought, he asserted that assault on the economic basis of the bourgeoisie would serve to 'castrate' that 'breed of people. ²⁴ However, there was a greater tendency within the Chekas to impute an essentially unreformable nature to class enemies, or at least little concern on Chekists' part with attempting to reform them. In Voronezh province, Chekists resolved in mid-September that they would rather 'destroy the whole bourgeois class than give it victory. ²⁵

Indeed, there were significant differences in ideas between the Chekas and the Justice Commissariat (NKIu), the other institution of the Soviet state charged with dealing with undesirable elements. ²⁶ The Soviet conception of criminal justice was highly progressive in comparative European terms, based firmly on a positivist understanding of crime that placed responsibility substantially on social circumstances rather than the volition of the criminal, and hence penal policy was oriented toward the rehabilitation of offenders. ²⁷ Miacheslav Kozlovskii, one of the leading formulators of Soviet criminal justice, explained in the journal of NKIu in 1918 that 'Every crime is a product of irreconcilable class antagonisms,' and not a person's 'free will. ²⁸ If crime was determined principally by forces external to the criminal, how then should the law deal with a criminal who was not, ultimately, responsible? Kozlovskii, who appeared to be setting forth the general view of NKIu, disagreed explicitly with the notion that crime would continue to result from 'human instincts' even under desirable social conditions. His apparent belief in the perfectibility of humankind was a function of the strongly nurturist approach of NKIu. However, Kozlovskii did not suggest that strongly punitive measures, even 'terror,' would have no place in Soviet law. Soviet penal policy, he reasoned, would not be based on 'retribution' but would seek,

rather, the 'correction' of the criminal; yet at the same time the state would need to defend society from criminal elements. In this sense, punishment was labeled in Soviet discourse 'measures of social defence' ('meryi sotsial'noi zashchityi'), although in theory 'social defence' was equated with reform of the criminal.²⁹

The head of the Punitive Department of NKIu, L. Savrasov, explained that the intention of Soviet punitive policy was the "treatment" of criminal elements.' Each inmate would be diagnosed to determine what measures of treatment were required, and as such prisoners would not be separated according to the severity of their crimes but, rather, the requirement of their treatments.³⁰ The inmate would undergo a medical examination to check for signs of physical and psychological 'degeneration,' and would be separated into one of several various detention institutions.³¹ The purpose of 'correction' or 'treatment' was to 're-educate' these 'unwilling victims' of the previous social order, 'through change in their psychology and adaptability to the existing conditions of life.' The task of re-education would involve both labour and 'cultural-educational work' in the institutions.³³ It would harmonise, thereby, with the central goal of the party to effect 'cultural revolution,' to raise the cultural and educational levels of Soviet citizens, in an attempt to raise the 'New Man' of the future.³⁴

Soviet legal theorists, then, understood crime as the product of social circumstances, but they also recognized the role of individual agency, even if in a rather deterministic sense. Individuals reacted to circumstances in different ways according to psychological make-up, and social conditions could produce individuals with nasty inclinations.³⁵ Soviet criminology until the late 1920s was theoretically sophisticated, informed by and at least on an intellectual par with Western scholarship.³⁶ Daniel Beer, referring specifically to Soviet biomedical discourse of the 1920s, notes that the assumption that 'only "environmental" explanations of crime could be accommodated within the frame of Marxist theory is not borne out by the criminal scholarship.³⁷ The psychiatrist Alfred Shtess could write in the weekly journal of NKIu in 1922 that 'Diagnosis

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of the mental constitution of the criminal is a vitally important question in the discovery of the nature and genesis of crime.' Indeed the psychological determinants of crime would become more prominent in Soviet criminological discussions in the 1920s. The Soviet approach to criminology, based on a modernist ethos of scientific rationality and a civilizing mission, assumed that the causes of crime could be scientifically observed (through 'bio-psychological' clinical and socioeconomic analyses) and remedied. This was the guiding assumption of the Moscow Soviet's Laboratory for the Study of the Criminal and Crime, established in 1923, and the State Institute for the Study of Crime and the Criminal, established two years later. In a book setting out the approach to its work, based on 'scientific determinism,' the Moscow Laboratory emphasised that 'we cannot, of course, look at a criminal as a bearer of a malicious free will.' Rather, 'every one of our [humanity's] steps, every thought' is the result of the complex interplay of the biological and the social.

For the medical experts who occupied prominent positions in Soviet criminology, mental affliction or psychopathology of some sort, derived from social conditions, were the real sources of crime.⁴² The biomedical discourse of Soviet criminology even suggested that the degenerative psychological effects of a corrupting environment could become biologically encoded in the individual and hereditarily transmitted, thereby ensuring a greater disposition to crime. 43 Evgenii Krasnushkin, one of the country's foremost forensic psychiatrists, placed the Soviet approach to criminology within the broader context of criminologists' rejections of Cesare Lombroso's seminal study of 1876 that asserted the notion of the innate, atavistic criminal 'species.' There were no born criminals, Krasnushkin asserted, but nonetheless criminals (at least habitual criminals) were psychologically and physically defective. They displayed differences in 'nature' relative to ordinary people, the product, ultimately, of the environment that nourished and the diseases that afflicted them (syphilis, substance abuse, etc.). Krasnushkin believed that heredity was less significant in determining criminal behaviour than acquired disease.⁴⁴ However, the ultimate effect of such biomedical discourse was to challenge belief in the ability of the state to reform criminals (and class enemies), and to allow for a focus on the 'nature' of criminals rather than simply the environment that nurtured them, even though they were considered unfortunate products of that environment. This reflected a more general conflict, as Sharon Kowalsky has

observed, between the Bolsheviks' progressive vision of cultural transformation and the 'persistent remnants of the past that the Bolsheviks attempted to destroy as they established new norms of proper "Soviet" behaviour.'45

Indeed, through the biomedical discourse that characterized continuities across late imperial Russian and Soviet criminology, the dangers posed to society by criminal elements could theoretically justify extreme measures of 'social defence.'46 Criminologists did not always acknowledge it in their writings, but, as Daniel Beer pithily summarizes, Soviet punitive policy makers 'necessarily had to confront the problem of what to do with those individuals whose moral and mental faculties were so degraded [by corrupting environments or circumstances] that they posed a threat to the health of society.'47 Yet, even when the state rejected the possibility of reforming certain individuals or groups, this 'did not amount to an endorsement of the finality of biological determinism;' rather, it suggested acknowledgement that the effects of degeneracy could not be reversed during that individual's lifetime, or that the necessary means were beyond the state's current capacity. Hence, as Beer has demonstrated, an effectively biological understanding of crime could theoretically co-exist with a rejection of crude biological determinism.⁴⁸ In fact, from as early as late 1918 Savrasov posed the question whether it would always be possible to 'correct' the criminal, and hence whether there should not be more sever punishments, referring to crimes of large-scale speculation, bribery, and very deliberate abuse of office. The notion that there is crime but not criminals, he suggested, had been taken to 'absurd' lengths in Soviet legal consciousness.⁴⁹ Savrasov accepted that his views were somewhat 'heretical,' as in Soviet penal theory 'there are no incorrigible criminals.' Nonetheless, he suggested that his 'heretical' viewpoint was more pragmatic than theoretical, reasoning that there was neither enough time nor resources to reform all criminals. In fact, paragraph 9 of the Governing principles of criminal law of the RSFSR, issued by NKIu in 1919, enshrined the principle of 'physical extermination' of incorrigible criminals in 'exceptional cases.'50

Following the civil war and adoption of the New Economic Policy (NEP) in 1921, the country was placed on a firmer legal footing. Crime rates, however, remained very high, with the effects of alcoholism often appearing as a contributing factor (once again reflecting the distance between Bolshevik ideals of cultural revolution and the realities of Soviet society).⁵¹ NEP allowed for a

limited restoration of capitalism, and for the party it was characterized by a general climate of anxiety and uncertainty resulting from a pervasive fear that the revolution would be endangered. Legal theorists and criminologists, as noted, were devoting more attention to the personalities of criminals in their articles, and it is clear that by the early 1920s opinion in NKIu had more or less come to postulate that not all criminals would be reformed. The editorial collegium of the NKIu journal, the Soviet Justice Weekly (Ezhenedel'nik Sovetskoi Iustitsii), drew attention to the possible agentic differences in question: Whether or not the crime was the result of 'malicious will' ('zloi *voli*'), and whether or not perpetrators were aware of the consequences of their actions. ⁵² Speaking at the All-Russia congress of penitentiary specialists in 1923, the deputy procurator of the Russian Republic, Ruben Katan'ian, distinguished three categories of criminal: Those 'unstable' elements who were easily influenced to turn to crime (and hence relatively easy to reform); those who could be 'retained' for proletarian society; and, finally, those 'hopeless elements' who could not prove useful for the new society.⁵³ Most significantly Nikolai Krylenko, then deputy Commissar of Justice, declared at the same congress that 'in present circumstances' the principal purpose of criminal justice was the protection of society, not the protection or reform of individuals.⁵⁴ The first Soviet Criminal Code, adopted in 1922, stated as its purpose the defense of the state from crime and from 'socially-dangerous elements.'55 In fact, Article 49 of the Code allowed courts to deprive persons considered 'socially-dangerous' of the right to reside in certain areas, even if they had not committed any crime but had connections to a criminal environment. In 1924 the USSR Council of People's Commissars (government) amended this to allow for deportation of such persons from the USSR, even if acquitted in court of the crime accused of.⁵⁶

Legal theorists and criminologists continued to debate the practicalities of reform of criminal elements, especially with regard to recidivism and class belonging. Peter Solomon has identified the 'progressive' strand of Soviet penal policy that predominated in the 1920s as based on leniency of sentence but also differentiation of category of prisoner, with harsher sentences for recidivists and class enemies, although he does not examine the discussions around this.⁵⁷ One contributor to the *Soviet Justice Weekly*, in April 1922, accepted that rehabilitation was the 'cornerstone' of Soviet punitive policy, but rejected as 'very mistaken' the view that crime resulted 'exclusively' from unfortunate circumstances. Some criminals were 'deliberate' and 'cunning,' he explained, for whom punishment in the true sense should be reserved. Nonetheless, his qualification that

'punishment' should last 'for the present transitional period' suggested that he did not envisage this as final judgement.⁵⁸ On the other hand, from as early as 1922, several articles in the *Weekly* raised concerns about the tendency of courts and the regular police to conceptualize a criminal contingent or a criminal 'class,' and to deal with such persons outside of regular judicial process.⁵⁹ Critics of such tendencies and practices viewed them as distortions of the concept of 'social defense,' and violations of individual rights. One article drew attention to a campaign announced by the central investigative agency of the regular police to round up thieves on the basis of previous convictions, which was successfully prevented by NKIu. In Moscow city and province in early 1921, however, the police and courts had established a mechanism (which had ceased by 1922) that allowed courts to send suspicious persons to prison on the basis of a previous conviction, in the absence 'at the present moment' of any criminal activity.⁶⁰

Regarding recidivists, I. Slavin opined in the *Weekly* that only a small percentage of them could be considered 'socially-dangerous,' or significant threats to social order. Moreover, he argued that the socioeconomic determinants of crime in the early 1920s were even more serious than before, a result of hunger and unemployment.⁶¹ Other commentators suggested that an important reason for recidivism rested with the inadequacies of the Soviet penal system itself, namely the absence of sufficient (or even any) 'cultural-educational work' in prisons, and the social stigma faced by those who had served time once released.⁶² However, as Paul Hagenloh notes, while legal theorists continued to debate these issues, the political and regular police had in the course of the 1920s 'settled on an approach to "dangerous" criminal cohorts' that ensured that such groups were often targets of extrajudicial police repression.⁶³

The other category of criminal that challenged Soviet legal theorists' theoretical commitment to reform measures in the 1920s was the class enemy, the bourgeoisie. The nature-nurture tension in Bolshevik thought was most apparent in this regard. Just before the introduction of NEP Feliks Dzerzhinskii, the head of the political police and the Commissar of Internal Affairs (NKVD), lamented that Soviet prisons were 'overflowing' with workers and peasants, not class enemies. He sought 'comradely leadership' rather than prison for working elements suffering from 'poor consciousness,' but he sought intensified repression of bourgeoisie perpetrators that would involve the creation of concentration camps solely for bourgeois inmates.⁶⁴ Aleksandr Beloborodov,

appointed Commissar of Internal Affairs in 1923, echoed his predecessor about the need for a 'strict class line' in punitive policy. Beloborodov suggested that semi-literate or illiterate workers and peasants could not be considered conscious agents of crime. Such a view suggested the imposition of a particular conception of 'backwardness' or 'primitiveness' on the lower classes, something that also took gendered form through Soviet criminologists' views of deviant women as especially prone to 'primitiveness' and irrational behavior due to their female physiology. 65 However, as regards 'Nepmen' (entrepreneurs), speculators, etc., Beloborodov asserted that they acted out of 'malicious class will' ('zloi klassovoi voli').66 There was, then, a clear theoretical inconsistency here between the general notion that criminality did not result from 'free will,' an idea that continued to be expounded in the 1920s, and the assertion that class enemies acted according to class will.⁶⁷ By 1924 this idea of an intensified class approach formed part of what was known as the 'new course' in penal policy, which involved stronger repressive measures in the form of special isolated prisons for 'class enemies' and professional criminals (even if the latter were from the lower classes), and attempts to reduce prison overcrowding through reduced sentences and releases of workers and peasants who had committed petty crimes out of ignorance.68

This 'new course' in punitive policy seemed to embed more deeply the notion that the class enemy would not be reformed. Shmuel Fainblit, of the legal department of the Workers' and Peasant's Inspection, mentioned in an article in late 1923 that the class enemy 'we, you see, punish, but do not reform' ('karaem, a ne ispravliaem'). ⁶⁹ Such a notion, however, was belied by the fact that the maximum prison sentence allowed by the Criminal Code was ten years. Greater clarity was provided by the young Moscow University professor Andrei Piontkovskii in his extensive 1924 book on the general outline of Soviet criminal law, published under the auspices of the Institute of Soviet Law. Piontkovskii wrote that 'the bourgeoisie will always remain the bourgeoisie,' and he explained that the 'educative' function of Soviet criminal justice would have no real effect on the psychological make-up of class enemies, although the state's punitive policies would help to prevent them from infringing public order. However, and not without contradiction, he did suggest that 're-education of criminals from the bourgeoisie' would eventually be possible, but only as a consequence of the 'deformation' of the bourgeoisie as a class that would occur in the process of socialist construction. ⁷⁰ That is, reform of criminals from the bourgeoisie was, according to

Piontkovskii, explicitly *not* considered the task of Soviet criminal justice; this would be an effect, rather, of the wider transformation of society under Soviet rule. Piontkovskii and leading figures in Soviet penitentiary affairs such as E. Shirvindt did, however, object to any crude rendering and 'distortion' of the class principle. Soviet penal policy should serve the interests of the proletarian revolution, without crudely assessing offenders on the basis of their class origin.⁷¹

Understanding Popular Opposition

Soviet power was supposedly that of the workers and peasants, or more accurately, the dictatorship of the workers and poorest peasantry. However, apart from the White armies and their international backing during the civil war, the greatest challenges to Bolshevik rule until the Nazi invasion arose from popular, mainly peasant, discontent. In the Marxist-Leninist social hierarchy, industrial workers were the vanguard of the toiling *narod*, more aware of the nature of social realities, and entrusted to lead the peasants. Peasants occupied an ambivalent position as a consequence of their status as small-scale producers, stratified to varying degrees between the proletariat on the one hand and the bourgeoisie on the other. In terms of the psychological and cultural battle as conceived by the ruling party, peasants could be won over to support either the proletariat or bourgeois private enterprise. During the civil war the state confiscated all surplus peasant grain at fixed, largely worthless prices, and peasant resistance to the state's demands met with violent class rhetoric as well as violent force. However, NEP allowed and indeed encouraged peasants to trade in grain in order to help restore economic growth, and perforce the regime had to tolerate the peasant as a rational economic agent. The ideological tensions that this relationship produced helped to shape the replacement of NEP with policies of forcible collectivization and dekulakization, which, as some scholars have stressed, constituted a 'war on village culture' in addition to the state's assertion of complete control over the economy.⁷²

Throughout the period considered in this article, much popular discontent was explained (in public and private party and state discourse) through economic hardship, thereby presenting it as rational and an economic challenge for the state to meet. The party, however, was strongly inclined to see the nefarious influence of its enemies behind outbreaks of disorder, especially strikes and uprisings. Popular discontent, in such instances, could then be explained partly as a result of popular 'ignorance' or 'darkness.' Police reports (information *svodki* and summarized monthly *obzoryi*) sent to the party's leaders during the 1920s explained workers' strikes and discontent principally as results of non-payment of wages and other economic factors, although in the early

part of the decade the role of agitation by Mensheviks and Socialist-Revolutionaries (SRs) was often cited as crucially important as well. 73 It was in the countryside, though, that the regime faced its greatest challenges. During the civil war – and afterwards, in some places – a veritable civil war existed behind the Red-White front lines with the extent of peasant uprisings and their suppression. The reasons for such rebellions included the state's policy of forcible expropriation of grain and horses; the levy of an extraordinary tax and the way this was recovered; the heavyhandedness of, and abuses committed by, requisitioning detachments and poor peasants' committees established in the summer of 1918; and forcible conscription into the Red Army.⁷⁴ Bolsheviks did not deny these reasons, publicly or privately. To take one example, the government commission sent to investigate the suppression of an uprising in a district of Iaroslavl' province described the rise of an 'anti-soviet mood' amongst the peasants that led to insurgency. This was attributed to material deprivation and opposition to conscription of both men and horses, as well as some 'mistakes' on the part of local officials. However, the report noted that 'White agents' had then managed to convert the insurgent deserter movement into an 'extensive counter-revolutionary organization.' The commission concluded that the local authorities had acted correctly when putting down the uprising, though the Cheka had probably executed some entirely innocent people.⁷⁵

For the police and the party, the rhetorical emphasis in explanations of peasant uprisings during the civil war – in external and internal language - was typically upon the role played by malicious anti-Bolshevik agitators. Many of the police reports presented a schema that undermined the authentic agency of the peasants, portraying them as a dark, unenlightened mass that could be turned one way or the other depending on who won the battle to reach them with agitation. In this regard, Bolsheviks demonstrated a shared understanding of the 'dark,' benighted peasants with the Russian intellectual, professional and political elite across the revolution's divisions. Yanni Kotsonis has described this conception of 'backwardness' as an ideology in itself, providing an explanatory framework 'to diagnose and lend meaning to facts' such as peasant rebellions, and thereby strengthening the party's resolve in its enlightening, civilizing mission. One article in a Red Army journal in 1919 described a commonly-heard peasant expression – to the effect of 'for Soviet power but against the Communist Party' – as 'alien,' 'kulak' words, but 'not their own.'

When they rose against Soviet power, the presence of 'dark forces,' usually Right SRs and kulaks (well-to-do, allegedly exploitative peasants), were often described as having made use of material difficulties to incite the unenlightened masses of 'little consciousness/awareness' ('malosoznatel'nost'') against Soviet power. The repression of such instigators, who were supposedly impeding the sacred march of the revolution, the police therefore suggested as absolutely necessary. ⁸⁰ The reports also demonstrate the belief, apparently shared throughout the party-state apparatus, in the ability of well-conducted party agitation to turn the tide of discontent or passivity towards Bolshevik rule; the message frequently communicated was that with the arrival of the party's agitators, there was an almost immediate change of mood amongst the peasants. ⁸¹

The purpose of the reports, then, was to gauge popular moods, identify the regime's opponents so that they could be dealt with, and allow for the shaping of popular attitudes. 82 However, the reports did not follow a simple template, and there are many examples of somewhat alternative scenarios. In some cases the mood of the population of a locality as a whole was described as 'counterrevolutionary.'83 Some police reports and reports from other sources made no mention of the role of 'counter-revolutionary' agitation in generating discontent, or they described revolts of mobilized men that were 'supported' (rather than incited) by kulaks and White Guards. 84 It is quite interesting that Soviet external language sometimes directly addressed the responsibility of ordinary peasants for these uprisings, despite the overriding sense in Bolshevik discourse that they were being misled. The front page of *Pravda* on 20 November 1918 began with a message for the 'working peasants' that explained that uprisings were being led by kulaks and that peasants were easily deceived; nonetheless, the 'deceived' working peasants were committing 'crimes against all the working people.' The author displayed little sympathy, warning that Soviet power would punish severely any such criminal actions. 85 Similarly, a columnist in a Tambov newspaper in April 1919 described how peasants were being led to 'Cain-like actions' against the interests of the workers and peasants, warning that, following suppression of the uprisings, it would be difficult to differentiate (for punishment) those who acted consciously from victims of provocation or forcible enlistment. 86 Yet, the previous month the same columnist had accepted that the terrible

abuses being committed by state and party agents in the countryside were understandably doing more to incite peasants to revolt than counter-revolutionary agitation.⁸⁷

How, then, was the class enemy in the countryside identified and defined? By 1919 Bolsheviks accepted that the revolution and land reform had 'levelled' economic divisions within the peasantry to a considerable extent, with the vast majority now located in the category of 'middle' peasants. There was in any case a certain mythology around Bolshevik class categories; as Donald Raleigh explains, working-class identity had become, in some respects, 'a social-psychological and political projection in which any act of opposition to Soviet power brought symbolic expulsion' from its ranks. ⁸⁸ When police reports or the speeches of party leaders referred to 'kulak revolts,' it is not entirely clear whether this meant the ascription of insurgent peasants to the ranks of the class enemy, or merely that the leading role was assumed to be played by 'kulaks.' ⁸⁹ In any case, a general Bolshevik suspicion of peasants was never very far from the surface. Evgenii Varga, a Hungarian academic at the Soviet Academy of Sciences and a party member, provided a strikingly blunt assessment. Writing in the early 1920s, he asserted that the majority of peasants would defend Soviet power against any restoration of the old order, but they were opposed to state interference in their economic affairs and were, in fact, 'even hostile' to socialism. ⁹⁰

The adoption of NEP meant that the party had to tolerate the small-scale peasant economy for the foreseeable future, as well as the strengthening of and growth in the ranks of the 'wealthy' peasants and kulaks. Throughout the 1920s, concern was raised in the party about the growing stratification of the countryside, with many poor peasants having become dependent economically on the wealthier. More sober commentators, whose views were predominant in party discourse in the mid-1920s, consistently pointed out that kulaks constituted no more than 4% of rural households, which encouraged the belief that their threat was not very significant and would be relatively easy to manage. Indeed, from 1923 until 1926, Soviet agrarian policy was essentially pro-'well-to-do' peasants. This strategy rested on the optimistic view that the socialist state would be able to control capitalist tendencies and direct them along socialist lines, and at the same time ensure the cultural and political upbringing (*vospitanie*) of the people. Yet, as Sheila Fitzpatrick puts it, 'Communists still instinctly regarded kulaks as the enemy.' Moreover, the cultural education of the peasantry – a crucial component of the projected success of NEP - failed to materialize as intended.

Illustrating this, an NKVD publication explained the majority of the high number of crimes committed in the countryside in the mid-1920s through the persistence of the ignorance, 'savage morals' and drunkenness associated with everyday rural life and customs. ⁹³

For most of the 1920s, the influence of 'kulaks' in generating peasant discontent remained a feature of police reports. Kulaks were characterized therein not simply by their relative economic strength but also by a suggestion of deliberate class consciousness, indicating that they were separate from the general peasantry. 94 Some reports described how kulaks 'search for any means for the economic enslavement of the poor,' and 'mercilessly exploit' them. 95 For the most part, however, peasants in general were portrayed as rational economic agents, with discontent largely the result of state errors. Indeed, as recent studies of NEP have shown, until at least 1925 and probably 1926, there appeared to be a mutual willingness on the part of state and peasantry to work together on the basis of market relations. This relationship began to break down once the party-state turned its 'face to the village' more intently from late 1924, in order to strengthen the relationship with the peasantry and to 'revitalize' rural soviets by making them more politically reliable. 96 The party, concerned about what it viewed as a countryside still very much outside the reach of its civilizing mission, observed increasing peasant activism with a mixture of unease and encouragement, indicative of a perceived intensification of class struggle. It is in this regard that we can observe the outer limits of Bolshevik ideological discourse, the strength of the Bolshevik ideological mindset, and the improbability of a continuation of a meaningful compromise between state and peasantry into the 1930s. Once again the issue of peasant agency was critical, whether in terms of imputed lack of political awareness or malicious intent.

The theoretical basis of NEP was a union between workers and peasants. Yet, in the second half of the 1920s the attention of the police and party was focused firmly on the increasing demands of rural inhabitants for equality with urban workers, whom the peasants believed received favours from the regime. In particular, there was widespread demand for the establishment of peasants' unions (equivalent to trades unions) to defend peasant interests. Police reports consistently maintained that the intention behind the establishment of such unions - which in places was supported by local party and Komsomol (communist youth league) members - was overwhelmingly economic, with political and 'anti-soviet' motivations much fewer and even 'negligible.'97 What was unacceptable to the party leadership and police, however, was the fear

that such unions would become instruments by which the class enemy would undermine the proletarian dictatorship. Some police reports warned that this was precisely why wealthy peasants were agitating for them. 98 This fear, based on the memory of peasant rebellions in previous years, was very strong. The head of the Siberian branch of the OGPU (political police) reported to Dzerzhinskii in June 1925 that a continued improvement in the economic position of the peasantry would lead to 'an appetite for power,' and would create a favourable situation for domestic and foreign counter-revolutionaries who would intensify agitation for peasant unions. Counterrevolutionary groups, he reminded Dzerzhinskii, were calculating primarily on the peasants. 99 It is instructive to consider the speech given by Lev Kamenev at a plenum of the Moscow soviet in March 1925, in which he returned to the notion of peasants speaking in an alien voice. There was 'no more serious political task,' he stated, than 'to study the mood of the peasantry.' Yet when peasants declared that 'the workers work little, but live better than the peasants,' or when they sought to 'oppose' workers' unions with peasants' unions, these were 'false peasant demands' that played into the hands of elements harmful to Soviet power. 100 The state was very willing to listen to the peasants when they complained about issues such as excessive taxation, according to Kameney, but it is clear that there was a narrow window for negotiation.

Whereas the kulak threat was not prominent in police reports during the first years of NEP, it rose in prominence from 1924 such that by 1927 it had become a principal focus of the monthly political *obzoryi* prepared by the OGPU for party leaders. From 1926 the party moved away from the pro'well-to-do' policy of previous years by introducing heavier taxation on the stronger peasants, and it intensified attempts to organize the poor, especially before elections. Such measures, naturally, displeased the more enterprising peasants, who objected to what they saw as economically unproductive and discriminatory stoking of class struggle, and a return to the dreaded civil warera poor peasants' committees. ¹⁰¹ In the police reports – which may have been increasingly shaped by changing political winds as well as shaping those changes ¹⁰² - such sentiments were explained as the expressions of 'wealthy' peasants or kulaks, who were organizing with intent to 'paralyze' the independent organization of poor and middle peasants by preaching 'class peace.' ¹⁰³ Elsewhere, 'kulak' agitation for the election of only non-party candidates (peasants often complained that they were merely asked to approve party appointees at soviet elections) was

described as 'demagogic' distortion of Soviet policies.¹⁰⁴ In addition, when local soviets resisted the new taxation policy, they were described in the reports as being composed of 'alien and harmful' elements.¹⁰⁵ Tracy McDonald, while acknowledging the very real social tensions within the villages, explains that this type of situation was 'read [by the party] in class terms, but it could just as easily be read as a rational, political village response.'¹⁰⁶

This scenario of intensified class struggle made sense according to the original Bolshevik conception of NEP as a period of contradictory and potentially fatal class politics. ¹⁰⁷ However, though the kulaks were much maligned in police and party discourse, there was significant confusion within the party about how to identify and define them, with some stressing property criteria and others the use of hired labour or implements. ¹⁰⁸ The category of hired labour was itself an ambiguous criterion. In advance of the significant Fifteenth Party Congress in 1927, an expert report prepared by the Worker-Peasant Inspection Commissariat suggested that no more than 20% of hired labour in the countryside could be considered 'exploitative' in a true sense. 109 Molotov, speaking at the Thirteenth Party Congress in 1924, acknowledged that sometimes a 'large' proportion of the rural population was wrongly categorized as kulaks. 110 Peasants themselves seemed to approach the question from a traditional moral economy perspective; they agreed on the criterion of exploitative forms of hired labour, but they also identified a kulak 'soul.' 111 It is true that Bolsheviks did not invent rural class divisions, and Bolshevik identity-categories were sometimes adopted by peasants themselves. 112 Yet peasants often did object to those categories and their normative assumptions, counter-posing instead their own distinctions between hardworking households and weaker peasants as 'idlers.' 113

In 1927, police reports depicted intensified hostility on the part of wealthy peasants and kulaks towards Soviet power.¹¹⁴ Whereas in 1925 the party's Politburo insisted that the middle peasants were the predominant social and economic rural stratum,¹¹⁵ by 1927, as NEP began to unravel, the OGPU was transmitting a different message. Its reports suggested that up to 80% of excess grain (i.e. after tax) was in the hands of the wealthy and the kulaks, and that these elements were

deliberately and recklessly engaged in 'speculation' by withholding from the market to await more favourable terms of trade. 116 Despite the marked evolution of police reporting since the start of the decade, some reports continued to provide explanations for peasant behaviour that might have called into question the direction of policy. 117 The often more nuanced local reports sent to the OGPU sometimes suggested that the poor peasants were the main withholders of tax. 118 Even the OGPU's political *obzor* for July 1927 suggested that in the Volga and Siberia, the 'peasantry' (undifferentiated) was unwilling to market grain at current prices, yet willing to seek agreement with the state. 119 Nonetheless, by 1928 the peasantry as a whole could appear the problem, and the success of kulak agitation was reported more frequently. In fact, a lengthy OGPU report of that year attributed 'all cases' of mass peasant demonstrations during the previous two years to the agitation and provocation of 'anti-soviet elements.' 120 The alleged role of kulaks, and the category indicated by the new term 'podkulachnik,' meaning peasants under the control of kulaks, were utilised to explain peasant resistance to the state's intensified efforts to secure grain following the onset of the grain-supply crisis of 1927-28. 121 In the course of 1928, the narrative of intentional kulak resistance and sharp intensification of class struggle became a central aspect of party discourse. One contributor to the Central Committee's journal for rural communists contended that 'if we ignore classes and class struggle in our country, then it is impossible to understand why the crisis with grain-supply occurred not in 1926-27, but in 1927-28.¹²²

Yet even as party discourse had become firmly focused on the alleged dangers of the kulaks by 1928, a more complex representation of agency ensured a divergence of opinion on the crucial question whether or not kulaks would be allowed to join the rapidly expanding collective farms. Moshe Lewin opined that the absence until the last moment of indications of the brutal policy of de-kulakization, pursued from 1930, was due to the fact that the party was 'neither clear nor certain' about 'the social nature of the kulak.' For some communists, the kulak was a 'sworn, irreconcilable enemy of socialist construction' and should be excluded from the *kolkhozy*. During the first half of 1929, however, the official party line was that kulaks should not in principle be excluded from the possibility of adapting to socialist living inside the new farms, once the possibility of capitalist exploitation had been removed. 124 By the latter months of 1929, with

increasing reports of alleged kulak-inspired disorder within *kolkhozy*, there was greater emphasis in party discourse on the 'class nature of the kulaks' that rendered them irreconcilable to the Soviet order. The kulak, as Lynne Viola explains, was 'denied agency' by Bolshevik discourse, and was ascribed a caste-like social status. The party leadership soon achieved consensus on the necessity to exclude kulaks from the collective farms, which led to the process of de-kulakization in the villages.

Conclusions

The evolution of Bolshevik understandings and representations of agency is quite central to an understanding of how the party understood the Soviet populace and interpreted deviant behavior. This question is particularly fascinating because of the complex and multi-layered approach to agency suggested by Marxist-Leninist ideology, which allowed the Soviet regime to explain away much popular deviance as the result of 'darkness' or 'little consciousness.' Such an understanding of consciousness even allowed for the possibility of reform of malicious offenders and class enemies, thereby distinguishing the purpose of the Soviet camp system from Nazi death camps. 127 In theory at least, Soviet punitive policy was at the forefront of progressive European penology, suggesting from the outset that incarceration should be utilized as little as possible, and that the purpose of punishment was not punishment as such but to restore the criminal to society. When criminal law was codified in 1922, the maximum prison sentence was set at ten years. In its eschatological vision, Leninism aimed at the creation of a pure and harmonious future society, but in the meantime it generated considerable anxiety about the prospects for realizing this vision, especially with the adoption of NEP in 1921. There arose in Soviet penal policy a tension between the reformatory impulse and the necessity of ensuring social defense from the 'contagion' of criminality and deviance, as well as the practical issue of the state's ability to devote the necessary resources to reform. This tension may be understood in terms of the more general relationship between intentions and realities in Soviet history. In addition, the dictates of the revolutionary time-frame to achieve communism limited the party's capacity for patience and tolerance. 128 By the middle of the 1920s, the use of extrajudicial police measures to remove 'socially-dangerous elements' was common, and would intensify in the course of the following decade.

There are many factors at work when explaining Bolshevik decision-making. Regarding punitive policies, pragmatic concerns of state security were crucially important, but there was a deeper

obstacle to the practical embodiment of the progressive, lenient approach to the perpetrator: namely, the tension between nature and nurture in Bolshevik thought. Leninism envisaged the eventual withering away of class distinctions, but during the socialist transition, it required a discriminatory class refraction of social realities. This led, as Graeme Gill puts it, to a 'sort of essentialist approach' that associated 'class membership (at times class origin) with particular values' and political orientations. ¹²⁹ If worker or peasant perpetrators were typically understood to lack 'awareness,' and to require the party's tutelage to bring them from 'darkness' to 'light,' class enemies were typically assumed to act with conscious intent consistent with their class interests. From the latter years of the 1920s especially, the Bolshevik proclivity to resort to simplistic class formulae, when faced with a more threatening and unruly situation in the country, is apparent. ¹³⁰ The identification of class enemies, though, was not a simple or consistent operation, and it often depended on behavior. Lynne Viola explains that 'Bolshevism had famously upended Marx's dictum that being determines consciousness. In the Soviet context, consciousness, or actions and attitudes, determined being, or class. ¹³¹

Finally, this article has touched on the question of subjectivity in the Soviet context, one that has generated much scholarly interest and discussion since the mid-1990s. Our concern here, though, has been with subjectivity as viewed by the regime, not as articulated by Soviet subjects themselves. In his assessment of some of the pioneering studies of Soviet subjectivity, Eric Naiman concludes that, rather than an empowered individual who has attained self-realization, the 'ideal Stalinist subject' was in fact highly circumscribed within the norms of Stalinist discourse, not so much a 'New Man' as an 'abridged man.' This article has demonstrated that the party-state's conception of subjectivity allowed both an empowering assertion of agency, as individuals could release themselves from the constraints of their upbringing and habits, and yet a constriction, even absence, of real agency according to certain pre-conceived convictions of how people should think and behave, and how certain categories of people naturally behaved.

- ¹ K. Marx, 'The Eighteenth Brumaire of Louis Bonaparte,' chapter three, in Karl Marx and Friedrich Engels, *Collected Works*, Vol.11. See
- < http://www.marxists.org/archive/marx/works/1852/18th-brumaire/> [accessed 27 July 2013].
- ² See L. Viola (with commentary by W. Z. Goldman and P. Fritzsche), 'The question of the perpetrator in Soviet history,' *Slavic Review*, 72 (2013), 1-31.
- ³ See Viola, 'The question of the perpetrator,'10.
- ⁴ Raymond A. Bauer, *The New Man in Soviet Psychology* (Cambridge, 1959), p.2.
- ⁵ See here P. Holquist, 'State Violence as Technique: The Logic of Violence in Soviet Totalitarianism,' in *Landscaping the Human Garden. Twentieth-Century Population*Management in a Comparative Framework, ed. A. Weiner (Stanford, CA, 2003), pp.38ff.
- ⁶ I. Halfin, *Intimate Enemies: Demonizing the Bolshevik Opposition, 1918-1928* (Pittsburgh, PA, 2007), p.19.
- ⁷ See here E. Dobrenko, *Political Economy of Socialist Realism*, trans. Jesse M. Savage (New Haven, CN, 2007), pp.103 ff.
- ⁸ See A. Weiner, *Making Sense of War. The Second World War and the Fate of the Bolshevik Revolution* (Princeton, NJ, and Oxford, 2003), p.26; A. Weiner, 'Nature, nurture, and memory in a socialist utopia: Delineating the Soviet socio-ethnic body in the age of socialism,' *The American Historical Review*, 104 (1999), 1114-55; E. D. Weitz, 'Racial politics without the concept of race: Reevaluating Soviet ethnic and national purges,' *Slavic Review*, 61 (2002), 1-29; T. Martin, 'Modernization or Neo-Traditionalism? Ascribed nationality and Soviet primordialism,' in *Stalinism: New Directions*, ed. S. Fitzpatrick (2000), pp.355 ff; and T. Martin, 'The origins of Soviet ethnic cleansing,' *The Journal of Modern History*, 70 (1998), 813-61.
- ⁹ G. Alexopoulos, 'Stalin and the politics of kinship: Practices of collective punishment, 1920s-1940s,' *Comparative Studies in Society and History*, 50 (2008), 91-117.
- ¹⁰ M. Emirbayer and A. Mische, 'What is agency?,' *American Journal of Sociology*, 103 (1998), 962.

- ¹¹ Emirbayer and Mische, 962.
- ¹² Marx, 'The Eighteenth Brumaire,' chapter one, see
- http://www.marxists.org/archive/marx/works/1852/18th-brumaire/ [Accessed 27 July 2013].
- ¹³ Emirbayer and Mische, 970.
- ¹⁴ John Torrance has pointed out that Lenin 'had no explicit theory of false consciousness,' referring to workers who had not yet acquired correct class consciousness as 'unconscious.' J. Torrance, *Karl Marx's Theory of Ideas*, (Cambridge, 1995), p.16. This was brought to my attention by Dr. Brendan McGeever.
- ¹⁵ See I. Halfin, *Terror in My Soul: Communist Autobiographies on Trial*, (Cambridge, MA, 2003), p.188. On the dynamics of the communist sense of self, and the issue of individual redemption, see also J. Hellbeck, *Revolution on My Mind: Writing a Diary Under Stalin* (Cambridge, MA, 2006); I. Halfin, *Red Autobiographies: Initiating the Bolshevik Self* (Seattle, 2011); and O. Kharkhordin, *The Collective and the Individual in Russia: A Study of Practices* (Berkeley, CA, 1999).
- ¹⁶ It is quite common in the recent historiography of Soviet state violent practices for scholars to refer to the ambivalences and irregularities by which they were characterized, rendering it problematic to apply generalized statements and generalized theoretical perspectives to an understanding of such violence. For a good example of this, see Weitz.
- ¹⁷ For this argument, see, in addition to Holquist, 'State violence as technique,' Weiner, 'Nature, nurture,' 1147. My understanding of 'genocide' follows that of Jacques Semelin, who defines it as 'the intention to achieve the total annihilation [as opposed to subjugation] of a group.' J. Semelin, *Purify and Destroy: The Political Uses of Massacre and Genocide*, tr. Cynthia Schoch (New York, 2007), p.340.

¹⁸ See also Weitz. 18.

¹⁹ See P. Gatrell, Russia's First World War. A Social and Economic History (Harlow, 2005); L. T. Lih, Bread and Authority in Russia, 1914-1921 (Berkeley, CA, 1990), and P. Holquist,

Making War, Forging Revolution: Russia's Continuum of Crisis, 1914-1921 (Cambridge, MA, 2002).

²⁰ I. Rat'kovskii, *Krasnyi terror i deiatel'nost' VChK v 1918 gody* (St. Petersburg, 2006), pp.170 ff., and J. Ryan, *Lenin's Terror. The Ideological Origins of Early Soviet State Violence*, (2012), chapter five.

²¹ *Pravda*, 31 August, 1918.

²² See *Krasnyi terror*, 1 November 1918, in *VChK upolnomochena soobshchit'...1918g*, ed. V.K. Vinogradov (Moscow, 2004), p.276.

²³ V.I. Lenin, 'A Little Picture in Illustration of Big Problems,' V.I. Lenin, *Collected Works*, Vol.28, see http://www.marxists.org/archive/lenin/works/1919/jan/x02.htm [accessed 10 May 2008].

²⁴ N. Osinskii, "Ognennaja pech" proletariat, Pravda, 11 September 1918, 2.

²⁵ Ezhenedel'nik VChK, No.2, in Vinogradov (ed.), VChK upolnomochena soobshchit, 'p.125.

²⁶ I discuss this theme at greater length in James Ryan, 'The sacralization of violence: Bolshevik justifications for violence and terror during the Civil War,' *Slavic Review*, 74 (2015), 808-31.

²⁷ See P. H. Solomon, Jr., 'Soviet penal policy, 1917-1934: A reinterpretation,' *Slavic Review*, 39 (1980), 195-217; and P. Beirne and A. Hunt, 'Lenin, Crime, and Penal Politics, 1917-1924,' in Piers Beirne (ed.), *Revolution in Law: Contributions to the Development of Soviet Legal Theory,* 1917-1938 (Armonk, NY, 1990), p.107. This approach had been evident already in the operation of criminal justice in late imperial Russia following the introduction of jury trials, whereby liberal discontent with the autocratic system combined with Christian notions of mercy and compassion. See L. McReynolds, *Murder Most Russian. True Crime and Punishment in Late Imperial Russia* (Ithaca, NY, 2013).

²⁸ M. Kozlovskii, 'Proletarskaia revoliutsiia i ugolovnoe pravo,' *Proletarskaia revoliutsiia i pravo*, No.1 (1 August 1918), 26-7.

- ²⁹ *Izuchenie lichnosti prestupnika v SSSR i za granitsei* (Moscow, 1925), p.4. For an excellent sociological-theoretical account and critique of the development of state punitive practices in modern societies, including Marxist and neo-Marxist approaches, see D. Garland, *Punishment and Modern Society: A Study in Social Theory* (Oxford, 1990).
- ³⁰ L. Savrasov, 'Prestuplenie i nakazanie v tekushchii perekhodnyi period', *Proletarskaia revoliutsiia i pravo*, No.5-6 (1-15 October 1918), 24; L. Savrasov, 'K voprosu ob organizatsii obshchikh mest zakliucheniia,' *Proletarskaia revoliutsiia i pravo*, No.7 (1 November 1918), 40-42.
- ³¹ Gosudarstvennyi Arkhiv Rossiiskoi Federatsii, hereafter GARF, f.A353 (Justice Commissariat), op.2, d.617, ll.6-9.
- ³² GARF, f.A353, op.2, d.23, l.46.
- ³³ The reality of prison in early Soviet Russia was far removed from the intention, as NKIu officials made clear to the government. There was a general lack of cultural-educational work, and in many places prisoners were treated very badly. See for examples GARF, f.A353, op.2, d.23, l.42ob; GARF, f.A353, op.3, d.589, l.12: NKIu.Tsirkuliaryi Tsentral'nogo karatel'nogo otdela, 1919.
- ³⁴ For a very good overview of this, see D.L. Hoffman, *Stalinist Values: The Cultural Norms of Soviet Modernity* (Ithaca, NY, 2003). See also M. David-Fox, *Crossing Borders: Modernity, Ideology, and Culture in Russia and the Soviet Union* (Pittsburgh, PA, 2015), pp.104-32.

 ³⁵ See L. Savrasov, 'Motiv v ubiistve,' *Proletarskaia revoliutsiia i pravo*, No.8-9-10 (15 November-15 December 1918), 44-5, and Berman, 'K voprosu ob Ugolovnom kodekse,' *Proletarskaia revoliutsiia i pravo*, No.11, 44.
- ³⁶ L. Shelley, 'Soviet criminology: Its birth and demise, 1917-1936,' *Slavic Review*, 38 (1979), 617; see also E.K. Krasnushkin, 'Kabinet po izucheniu lichnosti prestupnika i prestupnosti,' in *Izuchenie lichnosti prestupnika*, p.34.

- ³⁷ D. Beer, *Renovating Russia. The Human Sciences and the Fate of Liberal Modernity, 1880-1930* (Ithaca, NY, 2008), p.187.
- ³⁸ A. Shtess, 'Kriminal'no-psikhologicheskie issledovaniia pri tiur'me,' *Ezhenedel'nik Sovetskoi Iustitsii*, No.21-22 (16 June 1922), 11.
- ³⁹ Shelley, 'Soviet Criminology,' 617; S. Kowalsky, *Deviant Women: Female Crime and Criminology in Revolutionary Russia*, 1880-1930 (DeKalb, IL, 2009), pp.58 ff.
- ⁴⁰ See GARF, f.r-4042 (Main Administration of Places of Confinement [GUMZ], NKVD), op.4, d.132, ll.5-7.
- ⁴¹ Izuchenie lichnosti prestupnika, p.3 (see n.31).
- ⁴² See, for examples, GARF, f.r-4042, op.4, d.159, l.41, and E.K. Krasnushkin, 'Kabinet po izucheniu lichnosti prestupnika i prestupnosti,' 25-9. Krasnushkin, one of the founders of the (later infamous) Serbskii Institute in Moscow, pointed to statistics from the Moscow police in the mid-1920s that suggested that 68.1% of offenders fell into the category of 'psychologically defective persons.' See E.K. Krasnushkin, 'Chto takoe prestupnik?,' in *Prestupnik i prestupnost'*, Sbornik 1 (Moscow, 1926), p.14.

⁴³ Beer, p.199.

⁴⁴ Beer, pp.200-1; see also L. R. Graham, 'Science and values: The eugenics movement in Germany and Russia in the 1920s,' *The American Historical Review*, 82 (1977), 1150. For examples of this idea in Soviet criminology, see Krasnushkin, 'Chto takoe prestupnik?,' in *Prestupnik i prestupnost'*, Sbornik 1, 1926, pp.12, 24; and A.G. Kharlamova, 'Patalogicheskaia gruppa nesovershennoletnikh pravonarushitelei po dannyim Mostruddoma,' in *Prestupnik i prestupnost'*, p.59.

⁴⁵ Kowalsky, p.8.

⁴⁶ Krasnushkin, 'Kabinet po izucheniu lichnosti prestupnika,' pp.21-6.

- ⁴⁷ Beer, p.124. Tension between reform of the individual and considerations of 'social defence' was common in the development of modern European penal policies. See C. Emsley, *Crime*, *Police, and Penal Policy: European Experiences 1750-1940* (Oxford, 2007), p.230.
- ⁴⁸ Beer, pp.200-1.
- ⁴⁹ Savrasov, 'Prestuplenie i nakazanie v tekushchii perekhodnyi period,' *Proletarskaia revoliutsiia i pravo*, No.5-6, 24-6.
- ⁵⁰ Quoted in Ezhenedel'nik Sovetskoi Iustitsii, No.9 (2 March 1922), 3.
- ⁵¹ L. Shelley, 'Soviet criminology after the revolution,' *The Journal of Criminal Law and Criminology* 70 (1979), 393. On the connection between alcohol and crime, see N. Semashko, 'Alkogolizm i khuliganstvo,' in *Khuliganstvo i khuliganyi.:Sbornik*, ed. V.N. Tolmachev (Moscow, 1929), p.7.
- ⁵² 'Novyie vekhi v karatel'noi politike sovetskoi vlasti,' *Ezhenedel'nik Sovetskoi Iustitsii*, No.28 (19 July, 1923), 627.
- 53 'Vserossiiskii s"ezd rabotnikov penitentsiarnogo dela, "Ezhenedel'nik Sovetskoi Iustitsii, No.42 (26 October 1923), 975.
- ⁵⁴ 'Vserossiiskii s''ezd rabotnikov penitentsiarnogo dela,' *Ezhenedel'nik Sovetskoi Iustitsii*, No.41 (19 October 1923), 949.
- ⁵⁵ See article 5, 'Ugolovnyi kodeks RSFSR,' reproduced in *Vestnik proletarskogo prava i iuridicheskikh norm* (Tambov, 1922), 34; and see A. Estrin, 'Ugolovnyi Kodeks i "Rukovodiashchie nachala po ugol. pravu RSFSR,' *Ezhenedel 'nik Sovetskoi Iustitsii*, No.21-22 (16 June 1922), 6-7.
- ⁵⁶ GARF, f.5446, op.5 (Council of Ministries USSR, Sovnarkom Administration 1923-24), d.10, ll.7, 73.
- ⁵⁷ Solomon, 'Soviet Penal Policy,' 197, 207.
- ⁵⁸ 'Stroinaia sistema ili bessistemnost',' *Ezhenedel'nik Sovetskoi Iustitsii*, No.16 (29 April 1922), 6-7.

- ⁵⁹ For context, see here P. Hagenloh, *Stalin's Police. Public Order and Mass Repression in the USSR*, 1926-1941 (Washington, DC and Baltimore, MD, 2009), and D. R. Shearer, *Policing Stalin's Socialism. Repression and Social Order in the Soviet Union*, 1924-1953 (New Haven, CN, 2009).
- ⁶⁰ 'Nakazuema li ugolovnaia neblagonadezhnost'. (Administrativnaia i sudebnaia praktika),' *Ezhenedel'nik Sovetskoi Iustitsii*, No.14-15 (8-15 April 1922), 5.
- ⁶¹ I. Slavin, 'Nakazuema li ugolovnaia neblagonadezhnost. (K teorii opasnogo sostoianiia),' *Ezhenedel'nik Sovetskoi Iustitsii*, No.8 (23 February 1922), 3 and No.9 (2 March 1922), 4.
- ⁶² See B. Ianchevskii, 'Prestuplenie i kara v Sovetskoi Rossii,' *Proletarskaia revoliutsiia i pravo*, No.15 (1921), 14-5; P. Aggeev, 'Organizatsiia truda dlia osuzhdennyikh,' *Ezhenedel'nik Sovetskoi Iustitsii*, No.10 (9 March 1922), 5; and GARF, f.r-4042, op.4, d.185, l.30.
- ⁶³ Hagenloh, *Stalin's Police*, p.46.
- ⁶⁴ Rossiiskii Gosudarstvennyi Arkhiv Sotsial'no-Politicheskoi Istorii, hereafter RGASPI, f.76, op.3 (Dzerzhinskii and VChK-OGPU-NKVD), d.149, l.4. The NKVD and NKIu penal systems had merged in 1922, see Solomon, 201.
- ⁶⁵ See Kowalsky. There were clear continuities in criminological discussions of female crime across the revolutionary divide in Russia. See McReynolds.
- ⁶⁶ 'Vserossiiskii s''ezd rabotnikov penitentsiarnogo dela,' *Ezhenedel'nik Sovetskoi Iustitsii*, No.42, p.977.
- ⁶⁷ This inconsistency is evident, for example, in A.A. Piontkovskii, *Ugolovnoe pravo RSFSR*. *Chast' obshchaia* (Moscow, 1924), pp.59-60; p.64. Raymond Bauer argued that the understanding of human nature dominant in Soviet psychology of the 1920s was that individuals were heavily influenced by environment, with a 'minimal role' accorded to consciousness and will. What I am suggesting here, on the basis of the statements of criminological theorists and legal officials, is that there was greater scope in Soviet thought more broadly for the role of

subjective factors and consciousness in the 1920s than Bauer suggests. See Bauer, *The New Man in Soviet Psychology*, pp.89-90.

- ⁶⁹ S. Fainblit, 'Nabliudenie za mestami zakliucheniia. (Iz praktiki Moskovskoi gubernskoi prokuraturyi),' *Ezhenedel'nik Sovetskoi Iustitsii*, No.40 (11 October 1923), 918. See here also Piontkovskii,, p.64.
- ⁷⁰ Piontkovskii, pp.64, 69.
- ⁷¹ See here E. Shirvindt and B. Utevskii, *Sovetskoe penitentsiarnoe pravo* (Moscow, 1927), p.8.
- ⁷² T. McDonald, Face to the Village: The Riazan Countryside under Soviet Rule, 1921-1930 (Toronto, 2011), p.215; L. Viola, Peasant Rebels under Stalin. Collectivization and the Culture of Peasant Resistance (Oxford and New York, 1996), p.29.
- N.M. Peremyishlennikova et al. (Vol.1, Part 1, Moscow, 2001) (hereafter *Sovershenno sekretno*),
 No.11 and No.12, pp.167, 205.
- ⁷⁴ For full-length studies of peasant uprisings during the Civil War, see V. Kondrashin, *Krest'ianstvo Rossii v Grazhdanskoi voine: k voprosu ob istokakh stalinizma* (Moscow, 2009), and P.F. Aleshkin and Iu. A. Vasil'ev, *Krest'ianskie vosstaniia v Rossii v 1918-1922gg. Ot makhnovshchinyi do antonovshchinyi* (Moscow, 2012).
- ⁷⁵ GARF, f.r-393, op.1a (NKVD administration), d.8, l.10; 6-6ob; 16-16ob.
- ⁷⁶ I borrow the terms 'external' and 'internal' language from D. Raleigh, *Experiencing Russia's Civil War. Politics, Society, and Revolutionary Culture in Saratov, 1917-1922* (Princeton, NJ, and Oxford, 2002), p.44.
- ⁷⁷ On this topic, see J. C. Scott, *Domination and the Arts of Resistance: Hidden Transcripts* (New Haven, CN, 1990), pp.45-6.
- ⁷⁸ Y. Kotsonis, *Making Peasants Backward*. *Agricultural Cooperatives and the Agrarian Question in Russia*, 1861-1914 (New York, 1999), p.4.

⁶⁸ For discussion of this, see RGASPI, f.76, op.3, d.149, ll.63-71.

- ⁷⁹ N. Nadezhdin, 'Krest'ianstvo, Sovetskaia vlast' i Kommunisticheskaia partiia,' *Krasnoarmeets*, No.8, September 1919, 7.
- ⁸⁰ Sovetskaia derevnia glazami VChK-OGPU-NKVD. Dokumentyi i materialyi, comps. L. Borisova et al (Vol.1, Moscow, 1998) (hereafter *Sovetskaia derevnia*), No.34, p.81; No.41, p.84; No.70, p.117; No.115, pp.157, 159, 166; GARF, f.1235, op.93 (All-Russia Central Executive Committee of the Soviets, 1918), d.202, 1.80.
- 81 See for examples Sovetskaia derevnia, Vol.1, No.29, p.77; No.37, p.82.
- ⁸² V.S. Izmozik, *Glaza i ushi rezhima*. *Gosudarstvennyi politicheskii kontrol' za naseleniem Sovetskoi Rossii v 1918-1928 godakh* (St. Petersburg, 1995), pp.5-6. See also S. Finkel, 'An intensification of vigilance. Recent perspectives on the institutional history of the Soviet security apparatus in the 1920s,' *Kritika*, 5 (2004), 314-20.
- 83 Sovetskaia derevnia, Vol.1, No.67, p.115.
- ⁸⁴ See for examples *Sovetskaia derevnia*, Vol.1, No.52, p.95; No.115, p.161; GARF, f.1235, op.93, d.106, l.76; see the report from Kursk province published in *Vlast' Sovetov*, No.3-4 (March 1919), 18.
- ⁸⁵ A. Serefimovich, 'K trudovomu krest'ianinu i derevenskoi bednote,' *Pravda*, 20 November 1918, 1.
- ⁸⁶ V. Gorodetskii, 'Trud, spokoistvie i bodrost,', *Vestnik Tambovskogo gubernskogo Otdela Upravleniia*, No.7-8 (5 April 1919), 110.
- ⁸⁷ V. Gorodetskii, 'Gor'kaia istina,' *Vestnik Tambovskogo gubernskogo Otdela Upravleniia*, No.6 (22 March 1919), 84.
- ⁸⁸ Raleigh, *Experiencing Russia's Civil War*, p.366. On the question of peasant class differentiation and the effects of the revolution, see T. Shanin, *The Awkward Class. Political Sociology of Peasantry in a Developing Society: Russia 1910-1925* (Oxford, 1972), esp. chapter eight. Since the opening of the former Soviet archives, however, our understanding of the Russian/Soviet peasantry has become more nuanced and sophisticated, challenging the long-

- standing image of the traditional, conservative, homogeneous village. For a succinct example, see the introduction to McDonald, *Face to the Village*.
- ⁸⁹ By 1924, however, the expression 'kulak-peasant uprisings' had appeared in police reports (see *Sovershenno sekretno*, Vol.1, Part 2, No.122, p.951.)
- ⁹⁰ E. Varga, 'Povorot v ekonomicheskoi politike Sovetskoi Rossii,' *Izvestiia Kaluzhkogo Gubernskogo Komiteta RKP(b)*, No.9-10, Sept.-Oct., 1922, 10.
- ⁹¹ See, for example, V. Karpinskii, 'Kulak, seredniak, bedniak i partiia. (O novom kurse v derevne),' *Derevenskii kommunist*, No.23 (1 December 1925), 8-9.
- ⁹² S. Fitzpatrick, *Stalin's Peasants. Resistance and Survival in the Russian Village after Collectivization* (Oxford and New York, 1994), p.29.
- 93 S.F. Kabanov, Bor'ba s ugolovnoi prestupnost'iu v derevne (Moscow, 1928), pp.4-5; 15.
- ⁹⁴ For contextual discussion here, see T. Cox, *Peasants, Class, and Capitalism. The Rural Research of L.N. Kritsman and His School* (Oxford, 1986), esp. p.196.
- ⁹⁵ Sovetskaia derevnia, Vol.1, No.69, p.112; Sovershenno sekretno, Vol.1, Part 2, No.120, p.913.
- ⁹⁶ See H. D. Hudson, Jr., *Peasants, Political Police, and the Early Soviet State. Surveillance and Accommodation under the New Economic Policy* (New York, 2012); and McDonald, *Face to the Village*.
- ⁹⁷ See for example *Sovetskaia derevnia*, Vol.2, No.228, p.483.
- 98 See for example *Sovetskaia derevnia*, Vol.2, No.239, pp.539-41.
- 99 RGASPI, f.76, op.3, d.119, l.93ob.
- ¹⁰⁰ 'Rech' L.B. Kameneva na plenume Mossoveta. 10 March 1925,' in *Izvestiia Kurskogo Gubernskogo Komiteta RKP(b)*, No.8-9 (2 April 1925), 1.
- ¹⁰¹ See, for examples, *Sovetskaia derevnia*, Vol.2, Nos. 234 and 245, pp.509, 568.
- ¹⁰² See Hudson, Jr., *Peasants, Political Police*, pp.101-5.
- ¹⁰³ Sovetskaia derevnia, Vol.2, No.234, p.509.
- ¹⁰⁴ Sovershenno sekretno, Vol.4, Part 1, No.1, p.35.

- ¹⁰⁵ Sovershenno sekretno, Vol.4, Part 1, No.7, p.455.
- ¹⁰⁶ McDonald, Face to the Village, p.121.
- ¹⁰⁷ See Ryan, *Lenin's Terror*, p.163.
- ¹⁰⁸ See here M. Lewin, 'Who Was the Soviet Kulak?,' in M. Lewin, *The Making of the Soviet System: Essays in the Social History of Interwar Russia* (1985), pp.121-41.
- ¹⁰⁹ RGASPI, f.17, op.164, d.68, 1.79.
- ¹¹⁰ A.N. Solopov, 'Kogo schitali kulakom v 20-e godyi (k istorii predposyilok peregibov v derevne),' *Voprosyi Istorii KPSS*, 10 (1990), 65.
- ¹¹¹ Solopov, 'Kogo schitali kulakom,' 62, and L. Viola, 'The peasants' kulak: Social identities and moral economy in the Soviet countryside in the 1920s,' *Canadian Slavonic Papers*, 42 (2000), 431-60.
- ¹¹² Fitzpatrick, *Stalin's Peasants*, pp.31-2.
- ¹¹³ Sovetskaia derevnia, Vol.2, No.245, p.568.
- ¹¹⁴ Sovershenno sekretno, Vol.4, Part 2, No.12, pp.914, 921.
- ¹¹⁵ R.W. Davies, 'Grain, Class, and Politics During NEP: The Politburo Meeting of December
 10, 1925,' in *The Lost Politburo Transcripts: From Collective Rule to Stalin's Dictatorship*, eds.
 P. R. Gregory and N. Naimark (New Haven, CN, 2008), pp.181-99.
- ¹¹⁶ Sovershenno sekretno, Vol.4, Part 2, No.12, p.915; Vol.5, No.18, pp.668ff.
- ¹¹⁷ Hudson, Jr., *Peasants, Political Police*, p.100.
- ¹¹⁸ Sovetskaia derevnia, Vol.2, No.232, p.497; No.233, p.501.
- ¹¹⁹ Sovershenno sekretno, Vol.5, No.18, p.674.
- ¹²⁰ Sovetskaia derevnia, Vol.2, No.266, p.640. See also RGASPI, f.17, op.5, d.307, l.54; Sovershenno sekretno, Vol.6, No.7, pp.391-2;No.9, p.474.
- ¹²¹ Hudson, Jr., pp.100-9; and Solopov, pp.70-1.

- ¹²² Ia. Nikulikhin, 'O pravom uklone v agrarnom voprose,' *Derevenskii kommunist*, No.21 (3 November 1928), 18. See also 'Sovetskoe gosudarstvo i kollektivnyie khoziastva,' *Novaia derevnia*, No.12 (15-30 June 1928), 1.
- 123 Lewin, 'Who was the Soviet kulak?,' p.140.
- ¹²⁴ See M. Kopyilov, 'Sleduiet li kulaka puskat' v kolkhozy (Otklik na stat'iu tov. Ia Nikulikhina),' *Derevenskii kommunist*, No.8 (25 April 1929), 32-3. See also the editorial response at the end of Kopyilov's article. For further discussion, see R.W. Davies, *The Industrialisation of Soviet Russia*, Vol.1: The Socialist Offensive: The Collectvisation of Soviet Agriculture, 1929-1930 (London, 1980), pp.137ff.
- ¹²⁵ See, for example, N. Naumov, 'Borotes' s teoriei i praktikoi opportunizma,' *Derevenskii kommunist*, No.17 (14 September 1929), 2.
- ¹²⁶ Viola, Peasant Rebels under Stalin, p.35.
- ¹²⁷ On this question, see S. A. Barnes, *Death and Redemption. The Gulag and the Shaping of Soviet Society* (Princeton, NJ, and Oxford, 2011), esp. p.85.
- ¹²⁸ See McDonald, *Face to the Village*, pp.144; 200-1; Weiner, 'Nature, nurture,' 1115; and I. Halfin, *From Darkness to Light: Class, Consciousness, and Salvation in Revolutionary Russia* (Pittsburgh, PA, 2000), p.27.
- ¹²⁹ G. Gill, Symbols and Legitimacy in Soviet Politics (Cambridge, 2011), p.42.
- 130 See also Lewin, 'Who Was the Soviet Kulak?,' p.123.
- ¹³¹ Viola, 'The question of the perpetrator,' 16.
- ¹³² For a good overview, see the articles by E. Naiman, J. Hellbeck and I. Halfin in *Russian Review*, 60 (2001), 307-59.
- ¹³³ E. Naiman, 'On Soviet Subjects and the Scholars Who Make Them,' *Russian Review*, 60 (2001), 314.