

Articles

South-East European Federalism and Contemporary Bosnia and Herzegovina

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Abstract: *The influence of federalist ideas, practical experience and elements of federalism have been present in South-Eastern Europe since the second half of the XIX century, initially in a truncated form of the dual Austro-Hungarian monarchy. Federalism twice appeared briefly at the foundation and shortly prior to the demise of the "Kingdom of Yugoslavia." A confederation of regional resistance movements during the Second World War developed later into a "socialist federation," initially imitating the Soviet Union on a reduced scale (DFY, FPRY, SFRY). The collapse of this structure in 1991-1992 was accompanied by bloody armed conflicts and wars. The idea of a still wider Balkan Federation was floated in 1947 but never got off the ground. In addition, a small part of SE Europe (Moldova) had been for decades a republic in the quasi-federal Soviet Union which broke down in 1991. To the string of unsuccessful federalist experiments one should also add the "Federal Republic of Yugoslavia" (1992-2003), which lost its province Kosovo/Kosovo in 1999 and was transformed in 2003 into "The State Community of Serbia and Montenegro." This loose confederation might in turn disintegrate in summer 2006. At present peculiar federalist arrangements are present within "Bosnia and Herzegovina" (with two "entities" – the "Federation B & H," the "Serbian Republic" and the separate Brčko District). Moreover there have been proposals to resolve the "frozen conflicts" in Moldova and on Cyprus by creating confederal structures. This paper looks into the present malfunctioning post-Dayton arrangements in Bosnia and Herzegovina and the dilemmas related to badly needed institutional reforms in that country. Finally it examines the reasons for numerous failures and federalist prospects for the future, including the slow expansion into the region of the European Union.*

Key words: *South-Eastern Europe, Balkans, Bosnia & Herzegovina, federalism, political system, Dayton-Paris agreements.*

Modern federalism has appeared and developed, more or less successfully, in various parts of the globe and on all continents, with the sole exception of Antarctica. South-Eastern Europe has been one of the regions where modern federalist solutions were adopted relatively late and where the influence of US federalism has been the feeblest and until, at least 1995, only indirect.

HISTORICAL BACKGROUND OF FEDERALISM IN THE REGION

The influence of federalist ideas, practical experience and elements of modern federalism have been present in South-Eastern Europe since the second half of the XIX century. A truncated and asymmetric variety of federalism had

Drug-trafficking through Russia's Post-Soviet Borders: Problems, Misperceptions, and Countermeasures¹

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INTRODUCTION

Illicit drug trade is a dangerous and rapidly developing kind of trans-border crime in the post-Soviet space. Its related organizations, stimulated by the high profitability (1,000% and more) of this illegal business, are very often able to react to challenges faster than the state agencies that oppose them. Subsequent to the collapse of the USSR, Russia became obligated to protect its new national borders, the total length of which (11,000 km) as well as related security issues, are comparable to those of the EU and the US "problem borders" taken together. Considering the issue of drug-trafficking, the Russia-Kazakhstan border presents the greatest problem because most heroin that is transported into Russia passes through it. It is noteworthy that heroin is the most dangerous hard drug in terms of its harm to Russian society: the majority of the more than 1.5 million Russian drug addicts depend on it. Russia's heroin market is considered to be the largest in Europe.

The focus of this paper is evaluation of Russian policy in response to issues that arise when illicit drugs cross boundaries and border areas adjoining post-Soviet states. To assess its adequacy at the macro level, at least two key features of the drug market should be considered. The first is its geographical map, including both the routes of transboundary trafficking and regularities of consumption in border provinces. The second is organization of smuggling processes with such features as the level of centralization, typical structure of criminal groups, and their methods of conspiracy. Factors of national and ethnic composition of those groups are very important in this respect because they strongly influence officials' and public perceptions as to who should be considered as the principal enemy and what should be done to solve the problem.

In the first two parts of the paper, the author responds to two sets of questions. First, how adequate is current Russian anti-narcotics policy? What role should border areas play in this light? Would it be better to create "security belts" in Russia-Kazakhstan and Caucasian borderlands or to distribute resources in other geographical directions? Second, who is the more vulnerable target of an effective anti-narcotics policy: suppliers or consumers? What enforcement methods should be stressed: repressive or "soft," i.e. social and eco-

1 Supported by the International Policy Fellowship Program, Open Society Institute, Budapest, George Soros Foundation.

conomic? The proposed recommendations are grounded both in research results and relevant foreign experiences, which are also considered in the last part of the paper.

GEOGRAPHY OF TRANSBOUNDARY DRUG-TRAFFICKING: IS THE RUSSIAN BORDERLAND A CATCHMENT FOR DRUG FLOWS?

Main Smuggling Routes

Smuggling through Russia-Kazakhstan, Russia-Georgia, and Russia-Azerbaijan borders stems from heroin production in Afghanistan, in addition to (through Russia-Kazakhstan border) marijuana and hashish production in post-Soviet Central Asia. Although the traffic of marijuana from Ukraine and the Transcaucasian states, of poppy straw from Ukraine, and of synthetic drugs from EU through Byelorussia, Ukraine, and Baltic states have had a considerable impact on the Russian drug market, heroin and raw opium (for conversion to heroin in Russia) traffic from Afghanistan is still the most dangerous. In the 1990s, this country became a main drug producing hub and the absolute leader as a supplier of opiates. Now it produces about 75-80% of their global volume.²

Several opium trafficking routes from Afghanistan are used. From that country, the raw product is converted to heroin at underground laboratories. The main ways of opiate trafficking are the Balkan route, passing through Iran, Turkey, Balkan countries and then to Southern and Western Europe and the Northern route (or "the Silk road"), passing through Tajikistan, Kyrgyzstan or Uzbekistan to Kazakhstan and Russia, and further to Belarus, Ukraine or northern Russian provinces to markets in EU countries. Various branches of the Northern route pass through the Afghanistan-Turkmenistan border to Kazakhstan and Azerbaijan, in most cases entering Russian territory subsequently.³ Some of these branches, however, are circuitous, wending through Turkey. Some "combined" routes are also used: Afghanistan - Iran - Azerbaijan or Armenia - Georgia - Russia.

For illegal drug suppliers, each of the above routes presents advantages and disadvantages. Advantages of "the Balkan route" are the shorter distance between Afghanistan and EU countries and close ties among ethnic mafia groups comprising citizens of Turkey, Iran, and EU states. However, this route passes through more "risky" zones, such as Iran, which is a world leader in opiate seizures. "The Silk Road" attracts drug smugglers because of the porosity of most post-Soviet borders, the availability of clan and ethnic ties for criminal operations in these states, Russia's heroin market - Europe's largest, and the absence of serious competition to opiates from cocaine or synthetic

2 Afghanistan Opium Survey. 2003.

3 Afghanistan Opium Survey. 2003.

drugs. However, use of the “Northern route” for the more lucrative EU market is hampered by its longer distance, numerous middlemen, and a sufficiently strict migration regime that the EU has established for citizens of CIS countries. For those reasons, citizens of EU states themselves, especially of the countries (Lithuania, Poland and others) that have recently joined the EU, have played a great part in drug-trafficking from the post-Soviet space westwards.⁴ Consequently, the Northern route is used more frequently for supplies of opiates to Russian and most post-Soviet countries’ markets, while to the EU states, most heroin is transported mainly through the Balkan route.

The global cannabis market differs from that for heroin. Because of the low price of cannabis (0.3-0.4 US dollars per gram in the CIS),⁵ and because of the more substantial volume of this drug, it presents an increased risk of discovery during smuggling while offering a lower reward. Nevertheless, favorable natural conditions for large-scale cannabis planting (and wild vegetation) in wider geographic areas of Central Asia affect the smugglers’ calculus. The key cannabis trafficking routes are much shorter than those for opiates. Central Asian production does not markedly influence the global conjuncture, but some regions of Kazakhstan and Kyrgyzstan (especially the Chu (Shu) river valley) are large suppliers of cannabis and associated drugs to Russia.

Regarding both opiates and cannabis drugs, the Russia-Kazakhstan border, which is the lengthiest continuous boundary in the world (more than 7,500 km), holds special importance both for drug trafficking and the fight against it. When smugglers cross it, they find themselves in another region and price zone, at one of the largest transit points en route to the EU, and at the same time, in one of the most capacious drug markets. According to Kazakhstan experts, 30% of imported narcotics are consumed in the country,⁶ whereas 70% are transported further, mostly to Russia. Statistical information related to seizures at the Kazakhstan-Russian border is evidence of the huge scale of narco-trafficking. For 1997-2004, when the Southeastern Regional Branch of Border Guard Service⁷ existed, the servicemen of the branch seized more than 3.5 tons of heroin. In 2004, they seized 416 kg. of drugs including 100 kg. of heroin.⁸ Unfortunately, border and customs services do not always record or share comparable statistical information about all seizures.

Transportation of amphetamine-type stimulants and cocaine occur in the opposite direction: from Europe to Asia. The volume of these flows is much

4 For example, Polish and Lithuanian citizens were among narco-couriers arrested in 2004 for an attempt to transport large lots of heroin to Germany using the “Northern route.” *Bi-Annual Seizure Report*. 2004, p. 346.

5 *Afghanistan Opium Survey*. 2003.

6 Ashimbaev et al. 2004, p. 6.

7 This branch is responsible for most of the Russia-Kazakhstan border: exceptions are the territories of Astrakhan province and the Republic of Altai.

8 *Interfax-Ural*. 2004.

more modest, but the problem should not be underestimated. It is important to consider that synthetic drug consumers in the world are numerically inferior only to cannabis drug users. A widespread stereotype associates the fight against drugs with seizures of heroin supplies, which to some extent is favorable for the expansion of synthetic drugs supplied to Russia, mainly from the outside.

Regional Geography of the Dissemination of Illicit Drugs in Russia

Correct estimation of the scale or at least trends in the dissemination of illicit drugs in Russia is the necessary condition for adequate policy making. Unfortunately, this problem can be considered as only slightly solved at present. Such estimations originate mainly from several state departments: the Federal Agency for the Control over Drugs and Psychotropic Substances – Gosnarkokontrol', the Ministry of Internal Affairs, the Federal Security Service, the Federal Customs Service, and the Ministry of Health Care and Social Development. The estimates are often partial and not correlated with information of other departments. Independent expertise in the field is only weakly developed because relevant information is often inaccessible.

Problems related to correct estimation can be exemplified by evident divergence in assessments of the number of drug addicts in Russia. During a one-year period (autumn 2004 – summer 2005) state officials from various departments “increased” this number from 2 million (Prosecutor-General Vladimir Ustinov, November 2004)⁹ to 4 million (Minister of Interior Affairs Rashid Nurgaliev, December 2004)¹⁰ and 3-8 million (Director of the Department for Interdepartmental Interaction in the Preventive Sphere of Gosnarkokontrol' Boris Tselinskii, June 2005).¹¹ In July 2005, the Ministry of Health Care and Social Development stated that there are 1.5 million drug addicts and 6 million people who have taken narcotics.¹² At the same time, mass-media and officials (including those from Gosnarkokontrol) often manipulated these figures in an attempt to present the situation as catastrophic and to persuade society to accept extraordinary measures: they focused the attention of public opinion on the number of 6 million. The regional situation is similar: estimating the number of drug addicts, some officials multiply the number of registered drug addicts by four, others by ten.

To improve the adequacy of estimations related to the respective roles of geographic routes of the drug trade in Russia, the dynamics of drug addiction and drug-related crimes in border and transit regions should be analyzed. The relevant data, obtained from The Russian State Statistical Committee (Goskomstat) in November 2005, include: 1) the number and relative share (for 100,000

9 Igoshina. 2004.

10 Cry.ru. 2004.

11 NEWSru.com. 2005.

12 Mironov. 2005.

inhabitants of a particular province) of officially registered drug addicts at regional narcotic health centers; 2) the annual increase in number of these citizens; and the 3) number and share (for 100,000 inhabitants) of drug-related crimes for 1999-2004.

It must also be taken into account that the representativeness of such data is far from sufficient. The number of officially registered drug addicts in Russia is only a small fraction (probably not more than a quarter) of their true number; moreover, their proportion of the population would reasonably vary among provinces, depending in many cases on the effectiveness of local social policy. Many drug-related crimes have not been registered at all, although a great share of crimes that are being registered were committed by ordinary addicts. Therefore, in light of this research, this statistical information reflects only some manifestations of drug-related activity discovered and registered by law-enforcement bodies. Taking into account these considerations, the author specifically addresses not so much quantitative indicators and estimations as the relative position of a province in comparison to other provinces according to the above-mentioned indicators. If such tendencies, fixed by several indicators simultaneously, coincide, the reliability of comparative conclusions is inferred to be sufficiently high.

To discover tendencies in drug addiction and drug-related criminality for 1999-2004, the top ten regions, ranked by relative and absolute indicators, were distinguished. In this case, emphasizing only ten (not more or less) regions seems to be adequately representational: it can be justified by the fact that the "top ten" provinces explain more than 50% of the data related to registered drug addicts and 35-45% of drug-related crimes in Russia.¹³ For the reasons described previously, only relative ranks of regions, rather than absolute figures, are used to produce the following table.

Therefore, taking into account absolute and relative indicators for 1999-2004 considered in aggregate, the "top five"¹⁴ include Novosibirsk, Samara, and Tyumen oblasts, and Krasnodar and Primorskii kraises. Only two of those provinces (Krasnodar Krai and Tyumen Oblast) border post-Soviet states. On the whole, in 2004 all the considered top ten regions taken together include 46 provinces, among which 9 border Kazakhstan (but only Tyumen Oblast, Altai Krai and Novosibirsk Oblast were frequently among these top ten); 1 (Krasnodar Krai) is adjacent to Georgia, and 2 (Krasnodar Krai and Rostov Oblast) border on Ukraine. It is noteworthy that no Russian province bordering Belarus or the Baltic states was ever among the "leaders" of 1999-2004.

Overall, the importance of borderland areas in the structure of drug consumption and drug-related criminality is not equal among various areas.

13 Calculated by the author according to the statistical information used.

14 In this case, just five (not ten) regions are definitely distinguished by the aggregate of the mentioned indicators for the period from 1999 until 2004. Other regions are distinguishable only by separate indicators for shorter periods.

Table: "Top Ten" Russian Provinces by the Numbers of Officially Registered Drug-addicts and Drug-related Crimes in 1999-2004¹⁵

Provinces	Rank in Russia by the number of officially registered drug-addicts in Russia/ Rank by the share of officially registered drug-addicts per 100,000 inhabitants						Rank in Russia by the number of officially registered drug-related crimes/ Rank by the share of officially registered drug-related crimes per 100,000 inhabitants					
	1999	2000	2001	2002	2003	2004	1999	2000	2001	2002	2003	2004
<i>North and Central</i>												
Moscow province								8/-				
City of Moscow	1/-	1/-	2/-	1/-	1/-	1/-	2/-	1/-	2/-	1/-	1/-	1/-
City of Saint-Petersburg							1/1	2/-	1/-	3/-	4/-	
<i>Southwest and Volga Area</i>												
Krasnodar Krai*	2/9	3/-	3/8	3/9	3/10	2/10	3/7	4/10	3/10	2/7	2/-	3/-
Astrakhan Province					-/10	-/10		-/5	-/1	-/4		
Rostov Province	7/-	7/-		7/-	7/-	7/-	5/9	3/4	8/-	7/-	6/-	4/-
Samara Province*	3/2	2/2	1/1	2/2	2/2	3/1	4/4	5/2	4/7	8/-	9/10	5/-
<i>Ural and Siberia</i>												
Kurgan Province												-/10
Sverdlovsk Province	6/-	6/-	7/-	7/-	9/-		6/-	6/-	6/-	10/-		9/-
Tyumen Province*	4/4	4/5	4/4	4/6	4/7	4/7	7/10	8/-	5/10	4/10	3/7	2/5
Khanty-Mansy Autonomous District	n/a	-/1	n/a	-/1	-/1	-/3		-/10		-/5	-/3	-/2
Yamalo-Nenets Autonomous District	n/a	-/10										-/4
Republic of Tyva	-/6							-/9			-/3	-/3
Altai Krai	8/5	8/9	9/7	10/8	-/9	9/9						
Krasnoirsks Krai		10/-					10/-			9/-	10/-	7/-
Taimyr Autonomous District		-/7										
Irkutsk Province	9/7	-/6	6/5	6/7	6/6	7/6						10/-
Kemerovo Province	5/3	5/4	5/3	5/4	5/4	5/6		10/-	10/-	10/-	8/-	
Novosibirsk* Province	10/9	9/10	8/8	9/9	8/8	8/8	8/5	7/-	5/2	6/7	7/8	6/10
Omsk Province									-/10		-/10	
Tomsk Province	-/1	-/3	-/2	-/3	-/3	-/3	-/7	-/8			-/6	
<i>Far East</i>												
Primorskii Krai*	-/8	-/8	10/6	-/5	10/5	10/4	9/3	-/6	9/3	5/1	5/1	9/6
Khabarovsk Krai							-/5	-/5	-/6	-/3	-/5	-/8
Amur Province										-/6	-/7	-/6
Magadan Province												-/9
Jewish Autonomous Oblast							-/1	-/1	-/1	-/1	-/1	-/1

* Data related to regions distinguished by both absolute and relative indices in 1999-2004 are shown in bold font.

15 Figures are calculated based on information obtained by the author from the State Statistical Agency of the Russian Federation.

Provinces adjoining the Russian-Kazakhstan border have especially high rates of both corresponding indices (numbers and shares of drug addicts and drug-related crimes). As described above, the top ten by those two indicators include Tyumen and Novosibirsk oblasts: more rarely Altai Krai. The second and third top ten consistently included 5-7 regions (especially Omsk, Orenburg, Saratov, and Chelyabinsk oblasts). Among regions adjacent to the Caucasian and Ukrainian borders, Rostov Oblast and Krasnodar Krai in 2004 were consistently among the leaders (as a rule, they were first and second of the "top ten"). Other regions have never been among the "top 20." Provinces bordering Belarus and the Baltic states have never been in the "top 30" of regions according to any indicator: by drug consumption or drug-related criminality.

Taken together, the data seem to show that a location near a border through which most hard drugs are imported greatly influences drug consumption and drug-related criminality. Notwithstanding, the geographic location is a less crucial factor than is purchasing capacity and the presence of large groups of people having a high income, but doubtful social prospects (e.g., in mining cities or heavy-industry centers). In particular, among regions distinguished by high levels of both consumption and drug-related crimes are Moscow city, and Samara and Tyumen oblasts for their inhabitants' high average incomes.¹⁶ Krasnodar and Primorskii kraia as well as Samara oblast are leaders in trade activities in their respective federal areas; Kemerovo Oblast has coal production. Novosibirsk Oblast has a notably high share of heavy industry.¹⁷ Transit locations of the territories through which hard drugs are exported from the Russian Federation to the EU have no recognizable impact on drug consumption in such border provinces.

Similar tendencies in the sphere of drug consumption are apparent for the CIS countries bordering Russia. In Kazakhstan, Almaty and Karaganda oblasts (the latter is the main mining region of the country) were leaders both in narcotic consumption and drug-related criminality for 2003-2004. Among Kazakhstani provinces bordering Russia (7 of its 14 provinces belong to this category), East Kazakhstan Oblast ranked third according to the number of drug-related crimes and fifth according to the number of officially registered drug addicts. Pavlodar and Aktiubinsk oblasts ranked equally with East Kazakhstan province according to the relative share of drug addicts among the total regional population.¹⁸ At the same time, most Kazakhstani provinces that share borders with Russia are not at the top of related indices.

In Ukraine, regions bordering Russia (among them such mining centers as Donetsk and Lugansk oblasts and the main resort zone of the country - the Autonomous Republic of the Crimea) ranked from second to fourth in their

16 At the end of 2003 the city of Moscow ranked 1st, Tyumen oblast 3rd, Samara oblast 12th by the average incomes of their inhabitants. *Regiony Rossii*. 2004.

17 *Regiony Rossii*. 2004.

18 Calculated according to data in Ministry of Internal Affairs. 2005.

officially registered numbers of drug addicts, surpassed only by the Dnepropetrovsk Oblast.¹⁹ According to the relative share of drug addicts, these regions ranked from third to fifth. It is noteworthy that Kharkiv Oblast, which is one of the largest regions of the Ukraine-Russia borderland, was not among the provinces that were top-ranked by the mentioned indices. In Belarus, the apparent leaders in drug consumption are the city of Minsk (1917 registered addicts in 2004), Gomel Oblast bordering Russia (1,454), and Brest Oblast bordering Poland (797). According to the corresponding relative indicator, the regions' positions are equivalent. However, other than the Gomel oblast regions bordering Russia, Vitebsk and Mogilev oblasts, ranked seventh and eighth,²⁰ even though very important transboundary motorways and railways also pass through Mogilev Oblast.

Even though most Russian areas that border a post-Soviet state are not among the first-rate drug consumers, some adjoining provinces of the Russia-Ukraine and Russia-Kazakhstan borderlands are leaders according to indices of drug-related criminality and drug consumption. Conditionally such areas can be called "transboundary narco-regions." Chief among them, situated along the Russia-Kazakhstan border, are Tyumen, Omsk, and Novosibirsk oblasts, also Kemerovo and Khanty-Mansy autonomous okrugs (the latter two provinces do not directly border Kazakhstan) in the Russian Federation; whereas in the Republic of Kazakhstan, Pavlodar and Eastern Kazakhstan oblasts as well as Karaganda Oblast do not border Russia. The second "transboundary narco-region" situated at a Russia-Ukraine borderland includes Krasnodar Krai and Rostov Oblast on the Russian side, along with Donetsk and Lugansk border oblasts, the Autonomous Republic of Crimea and Dnepropetrovsk Oblast (not bordering Russia) on the Ukrainian side.

The phenomenon of "transboundary narco-regions" is explainable by several factors. Among them are transit locations of some borderland provinces on the way to the "lucrative" regional markets of neighboring countries: for example, Karaganda, Pavlodar, and Kostanay oblasts of Kazakhstan have such importance for Russia's Tyumen Oblast. Another important factor is the transit role of some "rich" regions as locations of intermediate wholesale markets from which illegal transboundary trade is made: such a role is played by wholesale illicit hard drug markets in Krasnodar Krai and Rostov Oblast for eastern regions of Ukraine. The presence of a depressed extractive industry with extremely dangerous production in such border provinces as Pavlodar and Eastern Kazakhstan oblasts in Kazakhstan,²¹ Kemerovo Oblast in Russia, Donetsk and Lugansk oblasts in Ukraine, etc. also create a fertile ground for

19 *Region Online*. 2003; *Kilkist' hovorih*. 2004.

20 *Belorusskoe*. 2005.

21 Together with Karaganda Oblast, Pavlodar and Eastern Kazakhstan oblasts are the leading centers of mining, Karaganda and Eastern Kazakhstan oblasts – also of heavy industry in Kazakhstan. Calculated on the basis of *Regiony Kazakhstana*. 2005, pp. 254-257.

concentration of narcotics supplies both in and around such areas. All the factors described above create serious prerequisites for involving adjacent regions in a unified system of narcotics consumption and criminal drug circulation. The problem requires more serious study as a special research project.

In conclusions, analysis shows that a border or transit location of a region is an important but not decisive factor for dissemination and consumption of illicit drugs (especially hard) in provinces of the Russian Federation and neighboring CIS states. The most important factors in this case are the level of socio-economic development (such as high purchasing capacity of large groups) and low social mobility. These aspects are insufficiently considered in making or planning modern national anti-narcotics policies. The emphasis is made on strengthening national borders and forming "security belts" at the Russia-Kazakhstan borderland. However, at borders, as explained later, only a small fraction of the whole volume of the national illicit drug market is seized: border regions do not play a decisive role in the structure of narcotics consumption in Russia.

PORTRAIT OF "EVILDOERS": REAL AND IMAGINED FEATURES

Methods of Smuggling and the Structure of Criminal Groups Involved

Crossing the border is the most risky stage of drug trafficking. It forces smugglers to use special tactics, modified strategies and novel techniques. The methods most often used by smugglers discovered by law enforcement are classifiable as the following: 1) masking drugs in large lots of transported vegetables and fruits (including them inside these products), industrial goods and raw materials; 2) concealment inside human bodies (swallowing, etc.); 3) concealment in baggage, under clothes and inside shoes; 4) preparing hiding places in cars, trucks, and train carriages; 5) concealment in packed lots of products and industrial goods, including factory wrapping and built-in hiding places; 6) throwing down drugs before arrival at checkpoints; accessories later pick them up.

For masking cargo, criminals try to create a favorable impression about couriers as representatives of a "less suspicious" social group. Large lots of narcotics are often transported by women, children, pensioners (sometimes even World War II veterans), representatives of "European" ethnic groups (Russians in particular) and so on. Organizers of large-scale smuggling operations in the direction from Kazakhstan and Azerbaijan to Russia prefer to use Russian vehicles and drivers because vehicles having Azerbaijani and Kazakhstani license plates, being on Russian territory, can be stopped and inspected at almost every police checkpoint.²²

22 Information from the interview with deputy director of the Main Directorate for Fighting against Smuggling of the Federal Customs Service Tatiana Beklemishcheva. She was interviewed by Yana Denisova in February of 2005.

In many respects, methods of drug transportation are determined by peculiarities of transborder drug dealing organizations. Individuals, small groups, and major groupings controlling all stages of supply can be involved in smuggling. In the post-Soviet period, a main trend of transboundary narco-traffic has become the growth of the share of organized crime, branch groups in contrast to individuals, and small groups. They want to control not only smuggling, but also sales. A considerable number, or even most of them, specialize in several kinds of transboundary criminal activity, e.g. smuggling other goods. At the same time, small criminal groups, often allied by family relations or ethnic links, continue to dominate Eurasian drug trafficking. Large hierarchical cartels of monopolists controlling all operations at drug markets, have not appeared in the area. The process of centralization is hampered by several factors including the broad sphere of activity, the necessity of surviving in a hostile environment (it is easier to discover centralized structures), and even by unwritten norms of the criminal community. According to these norms, drug-trafficking is a condemned occupation, a taboo that prevents the involvement of organized criminals.

Supplying drugs to Russia, large groupings divide traffic into several stages in which different carriers are involved; in some cases, these carriers act as second-hand dealers. With such a scheme, drugs are delivered to a fixed place and passed to another courier who pays his or her partner money for the work done.

The extreme difficulty of discovering such criminal networks reduces the effectiveness of a "force strategy" of struggle against narco-traffic. It is often admitted that, in most situations, only small-scale traffickers ("camels"/"verbliudy" in slang), dealers ("pushers"), and consumers are detained. Such persons are also accused in the majority of criminal cases. Arrests of ordinary couriers do not seriously impede narco-business because it is not difficult to hire new carriers. It is no wonder that tactical achievements of power structures cannot change the situation at the long-term outlook: organized criminality both in Russia and neighboring post-Soviet countries redesigns its strategy and tactics. Sometimes criminal groups provide official structures through their reliable reports: exposing inveterate drug addicts to police or border control officers.

Criminal groups recruit, as assistants, representatives of some professions and occupations whose status or professional skills help smugglers to cross the border undetected. Among such professions are railway workers and train conductors, passenger bus drivers, workers of wrapper-producing enterprises, etc. Many border area inhabitants are also recruited to participate in this criminal business, perfectly orientating themselves at localities and remaining well-informed about the regimens of Border Guard and Customs Services' work. For many local inhabitants of border areas, illegal transboundary operations are almost the sole source of income.

Effectiveness of drug trafficking often depends on corruption ties between drug dealers and state officials. Corruption creates chances to earn prof-

its rapidly by rendering assistance to criminal operations. For instance, if an official passes a large lot of narcotics, he can become the owner of an apartment or a car produced abroad immediately. There are also cadre problems: officers of the Border Service are recruited from among the local citizenry and they have numerous informal connections with border area residents. Low salaries of the border staff are also problematic. The fight against trafficking is complicated by the problem of establishing criminal intent in officials' actions. State officials might be merely inattentive or insufficiently diligent at a crucial moment of passage. For those reasons, actions can be misinterpreted as criminal negligence or violation of administrative law, not resulting in criminal responsibility.

In addition to making shady transactions, customs officers and border guards can be merely uninformed about cargo characteristics. Criminals attempt to penetrate Border and Customs services and the Ministry of Internal Affairs. State officials hold the opinion that smugglers very often know about operations prepared against them.

The Importance of the Ethnic Factor

According to a stereotype that is widespread both in power structures and public opinion, drug dealing is a field in which some ethnic groups, especially Tajiks, Gypsies, Azeris, and Chechens, specialize. Unfortunately, officials often have a friendly neutral, and even favorable, attitude towards mass media (including state and even departmental ones) that equate these groups prejudicially with narco-dealers. Such ideas decrease the level of tolerance in Russian society.

This situation requires thorough and impartial analysis of the importance that the ethnic factor has in illicit drug dealing. Unfortunately, having almost no access to corresponding official files, the author often relied on interpretations of indirect statistical information and reliable expert estimations on structural organization of the drug-trafficking process.

As explained below, law enforcement structures can discover merely a paltry share of the hard drugs demanded in Russia. Therefore, it is rather doubtful if the data on seizures could be an even partially adequate reflection of the structure of drug dealing. This information can mirror, on the one hand, more successful activity of police and security agencies against some criminal groups including the mono-ethnic groupings, and, on the other hand, greater latency of some drug-trafficking mechanisms in respect to other ones. Representatives of "visible" ethnic minorities from Central Asia evidently attract more attention during customs and other inspections. Consequently, it seems to be very probable that attempts at smuggling made by representatives of such groups, are discovered much more often than similar attempts made by persons having "European appearance."

If the assumption is made that the statistical data on drug-related seizures partially reflect the actual structure of drug dealing, rather contradictory

conclusions can be derived. At first sight, the analysis of this information supports the assertion that Russian citizens (a majority are ethnic Russians) rank first in this respect, with Ukrainians ranking second, and citizens of Tajikistan, Uzbekistan, and Azerbaijan ranking behind the top three. This correlation is regularly reflected in annual reports of the Federal Customs Service²³ and reports of other agencies.

Such statistical information does not reflect, however, the importance of ethnic factors in heroin trafficking, which is considered the most dangerous hard drug. It should also be considered that a substantial fraction of drug-related arrests are of small-scale retailers (including many consumers) and drug addicts themselves who were detained for storage of overly large doses. Therefore, an analysis of the ethnic structure of all drug-related arrests yields no clear notion of the composition of transboundary drug-trafficking criminal groups.

Despite its insufficient representation, event analyses of Internet news informing about seizures at the Russia-Kazakhstan border gives some idea about the structure of drug smuggling.²⁴ According to the results obtained, in almost 60% of cases, traffickers were citizens of Russia or Kazakhstan, but in a significant majority of these cases, they tried to smuggle cannabis drugs. During that time, almost all citizens of Tajikistan and Uzbekistan, as well as the majority of Kyrgyzstan citizens, the facts of whose arrests were recorded during the event analysis, were detained for smuggling of opiates. Tajikistan was ranked first by the citizenship of persons arrested for trafficking of heroin and raw opium, Russia, Kyrgyzstan and Kazakhstan ranked second, third and fourth, respectively. An attempt to analyze an ethnic structure of these arrests based on this information can imply that the number of Russians and representatives of other "European" ethnic groups detained is comparable to that of Tajiks, Uzbeks and other "ethnic Central Asians."

Statistical information related to drug-related crimes committed in Kazakhstan in 2004 can also be variously interpreted. Kazakhstan citizens committed 94.5% of such crimes while the citizens of Russia committed 2.5%, those of Kyrgyzstan committed 1.8%, and those of Uzbekistan committed 1%; those of Tajikistan committed only 0.3%. However, the structure of confiscations made by national law enforcement structures is telling: 96% were of cannabis

23 *Tamozhnia*. 2004.

24 The analysis was carried out by Sergei Golunov, Yana Denisova, and Liudmila Reshetnikova within research projects "Drug Trafficking as a Challenge for Russia-Kazakhstan Border Security" and "Transboundary Crime through Russia's Borders with Azerbaijan, Georgia, and Kazakhstan: Social and Political Effects." These projects were coordinated by the Center of Regional and Transboundary Studies of Volgograd State University in 2004-2005 and supported by the Transnational Crime and Corruption Center (American University, Washington, D.C., USA) and were headed by the author. The database contains information from Internet mass-media about 248 cases of drugs seized during 1997 - August 2004.

drugs and only 4% (2% heroin and 2% raw opium) were of opiates. This does not imply a direct connection between the two analyzed groups of indices, but such a relationship renders unconvincing the statistically-based arguments that the contribution of Central Asian ethnic minorities to trafficking of hard drugs is less than that of Russian citizens and “European” ethnic groups.

A contrary assertion can be called into serious question by analysis of qualitative information on seizures of extremely large lots of heroin. Border Guard and Customs services are now able to interdict approximately 1 ton per year, whereas all law enforcement structures discover roughly 4 tons. At the same time, several cases exist in which more than 200 kg of heroin at a time were confiscated at Russia-Kazakhstan borders. Because this and other Russian post-Soviet boundaries are crossed by many tens of millions of people, motor vehicles, and thousands of trains annually, the probability exists that many extremely large lots of drugs are smuggled by groups of various ethnic composition. Mono-ethnic criminal groups might be merely the tip of the iceberg if this assumption is correct.

Whether the contribution of Central Asian criminals to transboundary trafficking in heroin is predominant or not, it seems that only a small contingent of migrants from these countries is involved in smuggling. It is difficult to access complete and trustworthy aggregate information about the structure of arrests for drug-trafficking at the Russia-Kazakhstan border: officials (especially of the Russian Border Guard Service, which is now a unit of the Federal Security Service) are not willing to share such information with researchers. Only partial data on particular areas of this border and for rather short periods are available in open sources. In the second half of 2003, border guards of the Southeastern regional branch prevented 47 drug smuggling attempts.²⁵ At border areas controlled by Siberian and Ural Customs-Houses,²⁶ more arrests are made: according to the first of the mentioned branches, 53 drug confiscations (yielding 30 criminal cases against smugglers) occurred in the first quarter of 2006,²⁷ whereas 33 similar criminal cases were initiated during that period by Ural customs officers.²⁸

Based on those figures, which represent the situation in the main part of the Russia-Kazakhstan border area, one can presume that roughly 300-350 drug confiscation events take place annually along the entire boundary. The quantity of such cases is probably between 150 and 180 if we assume that the share of opiate-related cases in the whole structure of arrests and confiscations is about a half. According to the event analysis described above, about 60% of those detained are citizens of Central Asia, excepting Kazakhstan. Based on

25 Press release of Russian Federal Border Guard Service, 16.07.2003.

26 Siberian and Ural Customs Houses are responsible for the main share of the Russia-Kazakhstan border except for areas of Astrakhan and Volgograd oblasts.

27 *Tamozhennyi kompiuternyi servis*. 2006.

28 Uralpress.ru 2006.

that proportion, we can presume conditionally that the number of detainees for heroin smuggling from the region is around 100 persons per year. The supposed number of labor migrants from Tajikistan to Russia is 600-800 thousand,²⁹ from Uzbekistan – roughly the same,³⁰ and from Kyrgyzstan – about 350 thousand persons³¹ annually, which implies approximately 1.5-2 million from post-Soviet Central Asia (excepting Kazakhstan) in total. Even if Russian Border Guard and Customs services were able to uncover just 1% of the Kyrgyz, Tajik, and Uzbek smugglers, only 0.5-0.7% of ethnic migrants of post-Soviet Central Asia (excepting Kazakhstan) are heroin traffickers. Of course, these figures and calculations can be contested, but even vastly different, probably unrealistic, assumptions would only slightly support cardinaly different conclusions.

Data on seizures do not clearly indicate that ethnic migrants from Central Asia dominate transboundary drug-trafficking to Russia, nor that any especially large share of these migrants is involved in smuggling of hard drugs. To reach more definite conclusions, organizational mechanisms of drug-trafficking will also be examined.

As described previously, the drug-dealing structure includes the following main stages: production – trafficking – wholesale markets – retail, and their numerous constituents. Both interrelated and independent criminal groupings of different scales operate at each stage. They are mono-ethnic and inter-ethnic. A situation in which different stages of drug-trafficking processes are controlled by various groupings of both kinds is rather typical.

According to representatives of law enforcement structures, some schemes that are used by organized criminal groups do not correspond to notions of their mono-ethnic character. In many cases, the traffic is supposedly divided into several stages: at the end of each one, the illicit cargo is loaded to another vehicle having a new driver who pays off a previous courier.³² In this case, the Russia-Kazakhstan border is crossed by a vehicle having a Kazakhstan, or better still, a Russian license plate and which is driven by a Kazakh or Russian. The flexibility of drug traffickers and their familiar with the changing regulations of border regimes is often noted by officials of related agencies. Nevertheless, these features imply not only the inter-ethnic character of a criminal organization, but also that its planning center is situated not in Kyrgyzstan, Tajikistan or Uzbekistan, but in Kazakhstan or Russia itself. The involvement of other ethnic groups fundamentally diminishes the share of Central Asians

29 Appraisal of the First Deputy of Russian Federal Migration Service I. Yunash from his statement at a meeting with journalists from CIS countries in September 2004. See: Tajikistan National Informational Agency. 2004.

30 This figure was inferred by the author based on informal expert estimations.

31 Statement of Dr. Saodat Olimova at the seminar of the Network of Ethnological Monitoring and Early Warning of Conflicts (Sochi, September 2004).

32 Golunov et al. 2004, pp. 27-28.

in the smuggling process if one assumes that such organizations are headed by Tajiks or Central Asian migrants having Russian citizenship. Again, it provides no sufficient reason to hold entire ethnic groups responsible.

Statements of some experts from law enforcement agencies also engender another conclusion. According to these statements, in many Russian provinces (including regions bordering Kazakhstan), there is no criminal group specializing in trading opiates.³³ Such “multi-faceted specialization” assumes a capability to penetrate different fields of activity that can be achieved more easily by multi-ethnic groups.

Putative ethnic bases of drug-trafficking contribute to a noticeable decrease of tolerance in Russia and complicate inter-ethnic relations. The idea that some groups of ethnic migrants are mainly drug dealers is rather popular both in public opinion and among many officials. The information and analysis presented above, however, suggests that this idea is weakly grounded and that, most likely, only a tiny minority of Central Asian migrants engage in drug-trafficking.

DRUG CONTROL METHODOLOGY: REPRESSION OR REDUCTION?

International experience indicates four main ways of dealing with narcotraffic and its consequences: 1) restrictive measures, including strengthening of border and customs control; 2) demand reduction programs (social advertising, health protection, active policy targeting youth); and 3) harm reduction (prevention of overdose, AIDS, and other diseases directly or indirectly caused by narcotics use, along with social protection of drug addicts, etc.), which asserts some control over consumption of drugs; and 4) limited legalization of some drugs.

Repressive policies are part and parcel of anti-narcotics policies of all states. They include: systems of strict punishment for drug dealing; strengthening of police enforcement, border and other state bodies; special anti-drug operations; and international cooperation among corresponding law-enforcement bodies. Because of such policies, drug dealers work illegally. For that reason, the price of narcotics is high and demand is suppressed. At the same time, international experience demonstrates that even the strictest repressive policies can not eliminate drug abuse. Notwithstanding, drug-related social threats are used to justify state power expansion (often inhibiting democratic freedoms) and increased financing of security structures.

To all appearances, the first variant (restrictive measures) has been selected in Russia: a “hard-edged struggle against drug-trafficking.” An even more expressive mobilization vocabulary than that used in the USA of the 1980s is used. Such a perception in some cases is combined with ideas in the manner

33 For example, this opinion was expressed by the Head of Orenburg Province Branch of Gosnarkokontrol interviewed by the author on 30 September 2004.

of “conspiracy theories” according to which “narco-aggression” against Russia has been organized skillfully by its enemies (USA or some clandestine forces). This kind of idea represents a non-traditional threat in traditional terms; it compels a search for a “traditional” adversary that is supposedly waging a war behind the scenes. Within this approach, the situation in Russia is perceived as unique, its systematic comparison with international experience is rarely made.

In fact, restrictive measures in Russia (taking into account far more modest resources) resemble those already used in the USA in the 1980s-1990s. The strategy is apparently popular both within the power structure and in public opinion. A complex of concrete measures includes strengthening of technical and organizational potential of force structures, development of informational databases, equipping border checkpoints, establishment of cynological (detector dog) centers, etc. These measures demand increased funding that might be achieved at the expense of important spheres (education, health protection, support of activities of children and youth) that directly or indirectly affect the struggle against narcotism.

An important constituent of such repressive policies is the system of criminal penalties for drug dealing. In this respect, Russian legislation is at least as strict as similar legislation of the USA and EU countries. However, aside from the legislation itself, the law enforcement practices are problematic. Different from EU countries, in which the prevailing attitude towards drug addicts and small-scale drug dealers is liberal, those groups are the main targets of repressive measures in Russia. The approach indirectly encourages cohesion among ordinary drug addicts and criminal communities, thereby strengthening the narco-mafia. Such an attitude, driving drug addicts into a corner, creates an environment of increased mortality (dozens of times higher than in EU countries) and disease (AIDS, hepatitis).

A salient disadvantage of the restrictive strategy is its reliance on security and police agencies, with excessive administrative staff and armies of low-paid but poorly-equipped employees to fight drug-trafficking. In May 2004, President Vladimir Putin admitted that, in Russia, about 40,000 personnel are involved directly in this field: in the USA, the corresponding number is about 10,000.³⁴ In that year, up to 80% of the financial resources and staff of some Border Guard Service regional branches were concentrated in their managing departments.³⁵ Such structures are vulnerable to corruption: bribes can be hundreds of times larger than salaries.

However, the main weakness of restrictive policies of Russia and many other countries seems to be that their effectiveness is low in comparison to their financial resources. Even after such resources are sharply increased, enforcement rarely brings commensurate results in supply reduction. International

34 *Rodnaia gazeta*. 2004, p. 6.

35 *Krasnaia zvezda*. 2004.

experience shows that law enforcement agencies are seldom able to seize more than 10% of supplied illicit drugs, whereas confiscation of 70% or more of this supply is believed necessary to undermine narco-business' profitability.

As described previously, it is difficult to assess the effectiveness of security and police structures' repressive measures because related statistical information is closed to public access. This situation presents government organizations a wide range of opportunities to manipulate information to stress favorable results and conceal unfavorable ones.

Moreover, some calculations indicate that the efficiency of the work of law enforcement structures is low. Based on very moderate expert estimations assuming that an average Russian heroin addict, the total number of which is 1 million, consumes 0.5 g. daily, the demand for heroin in Russia is greater than 180 tons annually. As described previously, the Southeastern Branch of the Federal Border Guard Service seized only 3.5 tons of heroin (500 kg. per year on average) during the entire period of its existence. In 2003, the Federal Customs Service seized 488 kg.,³⁶ in 2004 – more than 680 kg. of heroin.³⁷ Hence, the total volume of heroin that is confiscated annually by Border Guard and Customs services is less than 1% of the Russian illegal market's demand. It is also markedly less than the volume of seizures in Tajikistan: in 2004, 4,794.1 kg. of heroin (a share equivalent to 2.6% of the mentioned demand – S.G.) was seized.³⁸ The total volume of heroin confiscated by all law enforcement agencies at Russian borders and inside the country in 2001-2003 did not exceed 1 ton annually. In 2004 it was 3,897 tons, and slightly more in 2005. Additionally, 2,058 kg. of raw opium (with about 10% heroin contents) were seized in 2004.³⁹

In sum, all law enforcement agencies were able to seize not more than 2.5% of the volume demanded by the Russian heroin market, these great efforts totaling slightly less than the volume of heroin confiscated in Tajikistan. This data raises serious doubts about the adequacy of current national anti-narcotics policy, within which the main financial and organizational resources are concentrated in the hands of police and militarized structures. Using a similar rationale, the idea that the withdrawal of Russian troops from Tajikistan can have catastrophic consequences for national security, which can be partially prevented only by the closure of the Russia-Kazakhstan border is also evidently incorrect. Considering that most illicit drugs flow through this border via existing checkpoints, such a variant could be effective only if these points were provided with expensive modern equipment, along with more and better-paid border guards and customs officers. Such a system would impose an excessive burden on the Russian government budget. Nevertheless, even with such a system, smugglers would be able to use a wide range of geographic (use of

36 Federal Customs Service. 2004a.

37 Federal Customs Service. 2004.

38 The Review of Central Asia. 2005.

39 Tendentsii. 2005, pp. 8, 19.

routes passing through other borders) and tactical alternatives to elude border controls.

The realistic role of border guards, customs, police, and other security structures within the national anti-narcotics policy is in narrowing opportunities for drug-traffickers, especially for traffickers of hard drugs. Strengthening customs control at the most risky directions (at multilateral checkpoints in particular) might diminish the role of mono-ethnic criminal groups and thereby augment the importance of intermediaries in the drug-trafficking process, create additional risks for transportation of especially large lots of heroin, and necessitate their division among more intermediaries. Effective international cooperation among security structures, especially in fields of control over transboundary flows passing through multilateral checkpoints and complementary patrols of problem border areas, can also create impediments for international criminal groups.

Successful achievement of even such modest aims depends on the effectiveness of cooperation among Russia, its neighbor states and other countries situated at the main trafficking routes. In each particular case, both Russia and other mentioned states are interested to different degrees in efforts requiring substantial financial expenses and mutual trust among the parties involved. In this respect, mutual cooperation between Russia and Kazakhstan seems to be the most promising. Although Kazakhstan is now mainly a transit country, the economic growth and increased purchasing capacity of its population have made this state more attractive to a greater volume of heroin trade and have transformed it into a prospective market for hard drugs. Therefore, joint and, in many respects, unified anti-narcotics policies, including control over potentially dangerous flows within Kazakhstan and partial financing of such projects by Russia, is a realistic objective.

An important alternative to restrictive policies is demand reduction, which includes health protection, youth policies, social advertising, and other measures. This strategy assumes active involvement of non-governmental structures: anti-narcotics foundations, sports clubs, and religious organizations. The psychological grounds for demand reduction are the support of important social aims diverting young people from drugs or creating powerful stimuli that surpass the attraction of drug addiction.

Unfortunately, the effectiveness of many officially supported anti-narcotics programs in Russia is low. They frequently take the form of Soviet-style agitation conducted by bureaucrats having insufficient qualifications in the field. This agitation often only provokes interest in drugs among teenagers. Even effective demand reduction measures are usually underfinanced. For example, in Orenburg Oblast, they were funded only by 12% for 2003 and by 6% for the first half of 2004.⁴⁰

40 *Program*. 2002.

The new Federal Program “Complex Measures for Counteraction to Drug Abuse and their Illicit Circulation” adopted in September 2005⁴¹ can be regarded as a shift to demand reduction. The Program has the very ambitious aim of diminishing the number of drug addicts by 20%, although the estimated percent of confiscated drugs increased only from 8.9 to 10.7%. The Program’s budget of US\$108.2 million is distributed among Gosnarkokontrol (41%), the Ministry of Health and Social Development (12%), “Rospechat” (8%), the Ministry of Internal Affairs (7%) and the Ministry of Education (7%). The Federal Security Service, the Ministry of Agriculture, the Federal Sport Agency and the Physical Culture Agency (each receive 4%). Starting in 2006, the greatest share of funds allocated to Gosnarkokontrol are to spent for social advertising and other propaganda, about US\$107.8 million of these funds are destined for direct distribution among NGOs. Although the Program aims at “creation of a unified system of positive moral values fostering negative attitude towards illicit drug consumption,” it seems, however, that many of its actions resemble centralized Soviet-style agitation, without serious effect.

A main problem is that the budget is too small to achieve its aims. Nevertheless, the financing of anti-narcotics agencies in 2006, according to the national budget’s project, is 14 times as great as the funds allocated for the Program for that period. On the other hand, if the complex of mainly social measures aimed at reducing drug addiction by 20% has four-year funding of US\$107.8 million, the need in state antinarcotics bodies, having a budget of US\$299.2 million for 2006 only,⁴² is rather doubtful. Also, considering the huge share of expenses for national security in 2006, the program cannot be regarded as a real turning point from a restrictive strategy to a demand-reduction strategy.

The importance of “harm reduction” as a strategy of struggle against narco-mania and drug-related crime in Russia is not only underestimated, but also often perceived by officials and public opinion as tacit encouragement of consumption. Such a distorted perception (for a healthy person, the possibility of obtaining gratuitous treatment is not a very powerful stimulus to fall sick) combined with a widespread contemptuous attitude towards addicts impedes estimation of its strategic advantages that, in the Netherlands, are considered as important an element of national drug control policy as demand reduction.⁴³ Social and medical support can recruit or neutralize a part of the huge army of Russian drug addicts, who are currently allied with organized crime because of an intolerant restrictive policy, in the fight between the state and drug mafias. It is also important that harm reduction measures essentially diminish the number of deaths resulting from overdoses and infection by AIDS and hepatitis. In the Netherlands, this number is evidently less than the number of deaths caused by alcohol and tobacco consumption.

41 *Federal'naia tselevoia programma*. 2005.

42 *Prilozhenie 8*. 2005.

43 *Synthetic Drug Trafficking*. 2003, p. 74.

Demonstrably, the effectiveness of restriction measures undertaken by Russian law enforcement and security agencies is paltry in comparison to the level of hard drug consumption. Taking into account geographical problems and other factors, no serious grounds exist to believe that such effectiveness will fundamentally increase. Within the national anti-narcotics policy, social measures including demand reduction and harm reduction programs, should be emphasized.

CONCLUSION

Problems related to drug consumption and trade seriously challenge Russian security. Simultaneously, they engender very serious social problems by fostering cardiovascular diseases, consequences of alcoholism and smoking, traffic accidents, and so on. Although drug addicts have been increasing slowly in number, the situation remains difficult because the supply, especially that of heroin, continues to rise.

Analyses described in this study show that the main factors of narcotics consumption (especially of hard drugs) in Russian provinces and regions of some neighbor states are not the borderland or transit locations of the territory, but rather peculiarities of the area's socio-economic development: high average purchasing capacity of the population and low social mobility of some groups, whose members might face uncertain prospects. Statistical information about narcotics consumption and drug-related crimes seems to show that 50% or more of drug-related activities are concentrated in about 20 major Russian cities. Conditionally, one can assert the existence of "transboundary narco-regions" at Russia's borders with Kazakhstan and Ukraine as contiguous administrative-territory units of those countries.

The structure of drug trafficking through Russia's borders assumes many forms and units. Post-Soviet narco-mafia are not controlled by one or several centralized groups: drug dealing is carried out by individuals or groups with different levels of organization. These groups are often ethnically based, but the role of ethnic factors must not be overestimated: although most arrests for drug-trafficking to and within Russia are probably related to ethnic migrants, one can cogently assert that only a small minority of Central Asian immigrants to Russia are involved in smuggling.

In response to the expansion of illicit drugs in Russia, restriction and repressive measures are supported by redistribution of the lion's share of funding for national anti-narcotics policy in favor of militarized structures. This redistribution does not engender proportional results: apparently, all Russian security and police agencies are able to seize not more than 2.5% of heroin brought to and circulating in Russian illegal markets. The largest lots of drugs are brought through existing checkpoints that provide ineffective control.

The Federal Program "Complex Measures for Counteraction to Drug Abuse and their Illicit Circulation" adopted in September 2005 can be regarded

as a shift to demand reduction. This shift, however, has only been reflected slightly in the structure of funding for anti-narcotics policy. Moreover, for demand reduction, excessive emphasis has been laid upon agitational and advertising actions, the professionalism of which is questionable. Harm-reduction attracts even less official attention, although it can fundamentally diminish the rate of drug addicts' mortality and weaken ties between addicts and the criminal community.

Taking into account the apparent low effectiveness of restrictive measures, Russian anti-narcotics policy should emphasize social outcomes, reducing both demand and harm and strongly considering the corresponding experiences of the EU and other countries. Restrictive policies, including border security, should be auxiliary and based on real objectives including the creation of maximal obstacles to the functioning of large-scale trafficking. The key condition for effective law enforcement measures is extremely close cooperation among corresponding agencies of Russia and Kazakhstan and, at the local level, within "transboundary narco-regions" at the Russia-Kazakhstan and Russia-Ukraine borders. Simultaneously, instead of creating a "security belt" in the Russia-Kazakhstan borderland, it would be far more efficient to launch pilot projects for the roughly 10 regions and/or 20 major cities that are most affected by narco-mania.

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developed in the Austrian Empire – Hungarian Kingdom (KuK). It evolved from the feudal fragmentation of lands which were conquered or otherwise acquired, often through marriages, by the Habsburg dynasty. According to a deal (*Ausgleich*) between the Habsburgs and Hungarian aristocracy in 1867 this multinational monarchy was divided into two parts with their separate constitutions and governments. Both parts were however under the common ruling dynasty advised by the Crown Council. The dual state community had had three common ministries (but no Prime Minister) and few other common institutions – economic union, single currency, National Bank, etc. The Austrian half was divided into 17 Crown Lands with their own statutes, governors, provincial governments and assemblies (*Landtags*). Most of the Hungarian half had been ruled directly from Budapest, with limited local self-government granted to several national minority groups. “Croatia and Slavonia” (without Dalmatia) enjoyed on the other hand a special status similar to that of a federal unit. It was linked to Budapest by the common crown, the same Croatian deputies sat in Hungarian Parliament and constituted the Croatian Diet (*Sabor*). “Croatia and Slavonia” had its own governor (“Ban”) and administration. The dual monarchy covered areas adjacent to the Western Balkans, including the entire territory of today’s Hungary, Croatia, Slovenia and partly also of Romania (Transylvania) and Serbia (Voivodina). In 1878 KuK expanded the territory under its effective administration in the Western Balkans by invading and occupying Bosnia & Herzegovina (B & H).¹

The assassination of Archduke Franz Ferdinand von Habsburg on June 28, 1914 in Sarajevo ignited the First World War. This continental conflagration proved to be fatal to the dual monarchy as it created, in combination with the earlier Bosnian adventure, a critical overload. The Empire’s delicate internal political balance collapsed under its pressure. KuK’s breakdown however was not due to the fact that the Empire’s structure had contained some elements of federalism. The real cause of her demise was KuK’s lacking internal cohesion and adaptability to social and political pressures of national emancipation among the underprivileged minority groups, primarily the Slavs. The desperate offer by the last Emperor Karl I von Habsburg to thoroughly federalize the Empire by granting autonomy to all national groups came far too late to save the multinational conglomerate in one piece.² Moreover his Manifesto of October 17, 1918 was repudiated by the Hungarian government and was thus valid for the Austrian Crown lands alone.

Loose federalism was briefly present in the form of the short-lived “State of the Slovenians, Croats and Serbs” (November – December 1918). This state

1 József Galántai, *Der österreichisch-ungarische Dualismus 1867-1918 [The Austro-Hungarian Dualism 1867-1918]* (Budapest: Corvina/Österreichischer Bundesverlag, 1985), pp. 37-89, 126-131.

2 *Ibid.*, pp. 161-166.

was quickly absorbed by the “Kingdom of the Serbs, Croats and Slovenians” (KSCS). Following the First World War the elites of several smaller Slavic nations in South Eastern Europe twice opted for a common state with Serbia. This alliance of lands formerly belonging to three other monarchies with Serbia developed into a unitarian and centralist state under the Serbian dynasty of Karadjordjević. This multinational compound in its monarchic incarnation started experiencing strong centripetal tendencies already during the first decade of her existence. The royal, predominantly Serbian officialdom responded to them by further strengthening unitarian centralism and by trying to suppress national and ethnic diversity under the guise of integral and national Yugoslavism. Roughly ten years after the KSCS foundation it was renamed into the “Kingdom of Yugoslavia” (KY). In 1939 an attempt was made to overcome strong centripetal pressures by partly federalizing the state. This half-hearted operation came too late and failed to save Yugoslavia in one piece.³ After her military defeat, occupation and dismemberment by the Axis in April 1941, an alliance of regionally-based resistance organizations reappeared on her ashes within the Yugoslav liberation movement. By the war’s end the elements of para-state confederalism present in this movement gradually gave way to a new centralist system ruled by the Communist Party of Yugoslavia.

The newly-born Yugoslavia, this time as federal republic had existed between 1945 and 1991-92 in three constitutional forms – DFY, FPRY and SFRY. During roughly four and a half decades a Yugoslav variety of “socialist federalism” had been developed, at the beginning as emulation of the Soviet model, obviously on a reduced scale (Constitution of FPRY, 1946). The creation of the Soviet Union two and a half decades earlier drew its intellectual inspiration from Austrian Marxism. At the turn of the twentieth century these Austro-Marxian ideas about handling the national problem in a multinational state were selectively borrowed and modified by the Russian Bolsheviks. They adapted the Austro-Marxian ideas to the need to govern the huge Eurasian conglomerate created by Russian territorial expansion and military conquests in Europe and Asia. Yugoslavia’s origin, on the other side, was quite different and much closer to the Swiss model of a voluntary security alliance.⁴ The official ideology of the second, republican and communist-ruled Yugoslavia stressed supranational patriotism and massively used the slogan of “brotherhood and unity.” The official Communist policy however, unlike in the pre-war kingdom clearly recognized the national identities and autonomy of major national groups (five Slavic and one non-Slavic). The regime’s Marxist ideology

3 Branko Petanović, Momčilo Zečević, *Jugoslavija 1918-1984, zbirka dokumenata [Yugoslavia 1918-1984, Collection of Documents]* (Beograd: Izdavačka radna organizacija RAD, 1985), pp. 361-366.

4 Anton Bebler, “Yugoslavia’s Variety of Communist Federalism and Her Demise,” *Communist and Post-Communist Studies* (March 1993), pp. 71-73.

had been however combined with the repression of “bourgeois” nationalism and separatism. When around 1970 the Yugoslav leaders faced again strong centripetal tendencies they attempted to contain the threat of disintegration by a combination of repression and kindness. SFRY’s last constitution adopted in 1974 contained a mixture of authoritarian centralism (expressed notably in the single-party monopoly of power), of confederalism (with very extensive powers granted to federal units), semi-market economy, institutionalized corporativism and “workers’ self-management.” This combination resulted in the state’s structural incoherence and very considerably contributed to the malfunctioning and eventually to the breakdown of the Yugoslav federation. The second Yugoslavia started falling apart soon after the death of her founder Marshal J. Broz-Tito. This process commenced in May 1980 and reached its acme in 1991-92. By then the already fictitious SFRY was finally officially dissolved by the remaining two of the original six republics in April 1992.⁵ Serbia and Montenegro retained nevertheless the name “Yugoslavia,” without the consent of other federal units. The newly founded “Federal Republic of Yugoslavia” (FRY) claimed, in addition, the exclusive legal succession of SFRY and all ensuing rights and benefits (but not the staggering liabilities of the bankrupt SFRY).

The idea of a “Balkan Federation,” territorially considerably larger than Yugoslavia, was floated after the Second World War and debated in 1946-1947 behind closed doors among the Soviet, Yugoslav, Bulgarian and Albanian leaders. This project however never got off the ground. Further to the North-East, Moldova was made in 1922 a second-class federal unit within the newly founded USSR. It was territorially enlarged in 1940, following the occupation and annexation of Bessarabia (previously a province of Romania) by the Soviet Union. She was officially upgraded to the status of a full-fledged “Soviet Socialist Republic.” After the breakdown of the USSR in December 1991 Moldova proclaimed her independence. This declaration led to armed violence and disintegration of the newly-born South Eastern European state. Since then, two feuding entities – the internationally recognized “Republic of Moldova” and an unrecognized para-state called the “Transdnestrian Republic” have continued to tensely co-exist on her territory.

Two “socialist federations” SFRY and USSR disintegrated in the same year of 1991 and were followed soon by the peaceful dissolution of Czechoslovakia. The temporal coincidence of three breakdowns was not accidental but closely related to the end of the “Cold War” and the downfall of autocratic communist regimes in Eastern and South-Eastern Europe. The collapse of two out of three “socialist federations” mentioned above was accompanied and followed by low-level violence in some parts of USSR, by a bloody war in Chechnya and by armed violence and terrorism elsewhere in the Northern Caucasus (Russian

5 Ibid., pp. 76-82.

Federation). Even bloodier armed conflicts and localized wars followed the downfall of SFRY.

The breakdown of SFR of Yugoslavia, an internationally prominent and to many observers a rather successful and prosperous state, caused consternation, very considerable media attention and a scholarly debate on its causes. The progressing internal weakening of the Yugoslav federation since the 1960s was due to a combination of:

- partly concealed structural weaknesses of a multinational, multicultural and multireligious conglomerate, with the persisting residues of Serbian colonialism and with the built-in discrimination against the non-Slavs (particularly the Albanians, Gypsies and several other smaller groups);
- deepening delegitimation of the regime in parallel with the declining psychological impact of the Second World War;
- an incoherent institutional structure maladapted to the realities in the Western Balkans and to the coming wave of democratization in Eastern Europe;
- insufficient adaptive and self-correcting capacity of a closed communist oligarchy, systematic promotion of obedient and intellectually mediocre courtiers to the highest federal positions, biological attrition and self-deception of the top Yugoslav leadership;
- increasing influence of Western liberal-democratic values and the demonstration effect from the prosperous West, in contrast to the regime's resolute refusal to test its own legitimacy in competitive free elections, to share state power with anyone, let alone to peacefully relinquish it, if defeated.

The ensuing internal decay of the regime had been combined with the system's dwindling capacity to distribute material rewards and to satisfy the growing aspirations in the more developed regions and among the better-educated urban strata. Magnified by fundamental disagreements among the regional elites, this decay had resulted in an internal blockage within the federal system and finally in its collapse. The fundamental causes of the breakdown of SFRY were thus internal – contrary to the theory of foreign conspiracy spread by the official propaganda in Serbia. The end of the "Cold War" and the tepid international environment of "neo-detente" had only facilitated and sped up the process of internal decay.⁶

The breakdown of SFRY occurred abruptly. Her political system basically failed the test of competitive political democracy and imploded in the

6 Bebler, "Yugoslavia's Variety," pp. 82-85.

wave of democratization which suddenly flooded Eastern Europe. Similarly as in the case of Austro-Hungary SFR of Yugoslavia did not collapse *because it* was a federal state. The resistance of the ruling political bloc in the federal center to adapting Yugoslavia's political system to national emancipatory and democratic demands sealed her fate. This time another "Oriental" question (Kosova/Kosovo) provided the critical overload to the Yugoslav multinational conglomerate.

In spite of her inherent weaknesses the breakdown of SFRY was not inevitable. As late as in 1989-1990 the margin between her demise and survival was rather slim. But once the process of dissolution started its violent turn became unavoidable, given the position, authoritarian structure and ideology of the Serbian political elite. Its, by then indisputable leader Slobodan Milošević insisted on recentralization of SFRY and refused to accept a non-coercive resolution of the crisis other than on his own terms. This uncompromising position of the Serbian leadership made irrelevant the Slovenian and Croatian proposals to transform SFRY into a loose confederation of sovereign republics, with a common market, common currency, etc. The Serbian political elite had been the relatively weakest among the dominating elites in the three communist multinational federations (USSR, ČSFR, SFRY). In the ensuing power struggle this elite used as principal tool its strongest advantage – the control over federal bureaucracy, including notably the military and security organizations. The Serbs' relative economic weakness, insistence on a superior status in the multinational state (e.g. refusing to accept their minority position in Croatia and Bosnia), the propensity to value highly and unrestrainedly the use of military force contributed greatly to stepping up repression and the unleashing of violence, first in Kosova/Kosovo in 1987-1989 and in August 1990 also in Croatia. Since other national elites did not yield to S. Milošević's pressures, threats and economic boycott (against Slovenia), the initial low-level violence degenerated step by step into several local wars.⁷

The demise of the second, communist-dominated Yugoslavia occurred almost simultaneously and ran a similar course with the upheavals and liberal democratic revolutions in the other, much more nationally homogenous East-Central and South-East European countries of the former Communist bloc. The great similarity in symptoms and numerous other common characteristics of the crises throughout the region allows us to exclude the ethnic, national and religious cleavages as *the root cause* of the Yugoslav breakdown. Ethnic and national heterogeneity influenced only one, admittedly important difference in the outcome of the social and political upheavals in Eastern Europe – the very variable incidence of armed violence.

7 Ibid., pp. 71, 85-86.

To the list of unsuccessful federalist experiments on the Balkans one should also add the “Federal Republic of Yugoslavia” (FRY) which lasted from 1992 till 2003. In 1999 this asymmetric two-member federation lost its Southern province Kosova/Kosovo, formerly a second-class federal unit (autonomous province) in SFRY. In 2003 FRY was transformed into a malfunctioning confederation called the “State Community of Serbia and Montenegro.”

BOSNIA AND HERZEGOVINA’S PAST EXPERIENCE WITH FEDERALISM

After about four centuries of unitarian governance by the Ottomans Bosnia was brought into her first association with federalism in July 1878. Austro-Hungarian troops invaded then the country and were met with considerable but poorly organized resistance by the Bosnian Moslems and the Bosnian Serbs. The occupation and imposition of Austro-Hungarian administration were carried out with a mandate given at the Berlin congress of 1878 by other European great powers. Once, after three months of hostilities, the occupation was complete B & H was made a non-self-governing entity outside the two constituent parts of the Austro-Hungarian Empire (KuK). The two vilayets of Bosnia and of Herzegovina were united and the land was officially renamed by the new rulers into B & H.⁸ For about three decades the country had been governed jointly by two bureaucracies of the dual monarchy – by an Austrian military governor with his chain of command and by civilian administration directed by the Common Minister of Finance (a Hungarian politician). The authorities of the Austrian Empire-Hungarian Kingdom (KuK) retained the Ottoman administrative division of the country and only renamed the “sandzhaks” into “Kreise” (regions) and the lower units “kazas” into “Bezirke” (districts). In 1908 B & H was also formally annexed by KuK and in February 1910 her constitutional statute was solemnly inaugurated. The charter gave the country limited internal autonomy but no voice in imperial affairs. Emperor Franz Joseph von Habsburg appointed then a Bosnian civilian governor and his cabinet which were however directly subordinated to the imperial government. For about three years B & H had her consultative Assembly (“Sabor”) consisting of representatives elected on the basis of a limited franchise by the Orthodox Serb (37), Moslem Bosniak (29), Catholic Croat (23) and Jewish (1) communities. In addition 20 ex-officio members were appointed by the Crown.⁹ The Assembly gave the country very brief and limited experience of a modern quasi-parliamentarian institution. The control over B & H and her ties with other Slavs inside and outside the Empire have been for several decades a bone of contention in internal Austro-Hungarian politics. Finally in October 1915 the Budapest

8 Mustafa Imamović, *Historija države i prava Bosne i Hercegovine [A History of Bosnia & Herzegovina's State and Law]* (Sarajevo: Magistrat, 2003), pp. 117-124.

9 Ibid., pp. 218-224, 258-260.

government adopted a plan to annex B & H into Hungary and to dismantle all forms of her limited autonomy. The plan was however never executed.

A radical change in B & H's status occurred when the Austro-Hungarian Empire broke down and disintegrated. At this historic turning point the country became part of another multinational state, again under abnormal, near war-time circumstances. During several tumultuous months in the second half of 1918 a Council representing Bosnian political parties and prominent citizens took two crucial decisions: to terminate B & H's ties with the dual monarchy and to enter the newly formed republican "State of the Slovenians, Croats and Serbs," with its centre in Zagreb. In this loose and short-lived confederation B & H had briefly had her own country government although being occupied by troops of the Kingdom of Serbia. B & H's limited internal autonomy as "pokrajina" (province) with a provincial head and his government was finally abolished by a decree in 1924. Following the royal coup in January 1929 and the new renaming of the state into the "Kingdom of Yugoslavia" a further step in the same direction was taken when B & H was unceremoniously partitioned and her historic external borders erased. The centralist policy of suppressing national identities under the guise of integral Yugoslavism did not bring however the desired internal stability to the Kingdom. Yugoslavia's deep malaise continued and only deepened after the coup executor King Alexander was assassinated by a Macedonian terrorist during his official visit to France in 1934.¹⁰

In order to quell the boiling dissatisfaction among the Croats (the second largest national group) an attempt was made to decentralize the Kingdom and to transform it into an asymmetric federation. The Cvetković-Maček agreement of August 26, 1939 accorded to the Croats the privilege of largely controlling their own affairs. The sole "banovina" allowed to bear a national name and to have her own civilian administration was the newly formed "Banovina Croatia."¹¹ B & H was partitioned again between the Serbs and the Croats and her best parts allotted to "Banovina Croatia." However the attempt to save the Kingdom by partly federalizing it proved to be too timid and came far too late. Torn by internal conflicts and subjected to the Axes' military onslaught royal Yugoslavia miserably fell apart in less than ten days. In April 1941 entire B & H found herself under German and Italian military occupation, while the satellite "Independent State of Croatia" (NDH) was entrusted by the Axes with running the civilian administration in the entire country. On April 10, 1941 the *Ustaše* government in Zagreb formally annexed entire B & H and subdivided her into six "zhupas." Some of the "zhupas" included territories of and had

10 Mehmedalija Bojić, *Historija Bosne i Bošnjaka [A History of Bosnia and the Bosniaks]* (Sarajevo: TKD Šahinpašić, 2001), pp. 161-176.

11 Petanović, Zečević, *Jugoslavija 1918-1984*, pp. 357-360.

their centers in Croatia proper.¹² The Croatian annexation of B & H ended with the country's liberation by the Yugoslav partisans in spring 1945.

During the Second World War B & H served as the main base of the Yugoslav resistance movement led by the Communists. The movement had been structured and for about three and a half years in fact functioned as confederation of several national resistance movements. At a historic session of their representatives held in Central Bosnia in late November 1943 a provisional, Communist-dominated government was proclaimed with Marshal Josip Broz-Tito as its head. The Assembly decided to reestablish Yugoslavia, this time as a federation of her nations. When the war ended, with the partisans as winners on the side of the Allies, B & H consequently became part of Communist-ruled Yugoslavia.¹³

In 1946 B & H for the first time in her history obtained a constitution, all representative institutions, symbols and other distinct features of statehood. The constitution of the Federal People's Republic of Yugoslavia (FPRY) accorded B & H the highest status of a full-fledged "People's Republic," in spite of some opposition and alternative proposals to give her a second-tier status of autonomy. B & H's position, formally equal with that of Serbia and Croatia, was thus legally assured. The federal constitution of 1963 renamed B & H into a "Socialist Republic" confirming thus her status of equality with Serbia and Croatia.¹⁴ Furthermore the new Bosnian constitution of 1963 accorded the Bosnian Moslems the position of one of the three "constituent peoples" of B & H. In the late 1960s an internal system was instituted through which all important positions within B & H and in the Bosnian federal "slots" were distributed among the political, economic and cultural elites of the three largest national groups – the Moslems, Bosnian Serbs and Bosnian Croats, occasionally including also prominent Jews. The latter instrument of sharing power (and its spoils) on a non-territorial basis had functioned rather well in B & H until SFRY's demise and the outbreak of war in the country. From the beginning it had had several important drawbacks. The system did not take sufficiently into account the quite unequal numerical strength of the three communities at the time of its introduction and still more their very different demographic dynamics. It also left out smaller national and ethnic groups as well as the growing number of ethnically mixed Bosnians and of ethnically undecided "Yugoslavs."

Although B & H had enjoyed formally the highest status among the republics in Tito's Yugoslavia it took the Bosnian political elite an additional 25-30 years to achieve for the republic a *de facto* position as a fully politically autonomous federal unit. However during this process of political emancipation at the federal level B & H had internally continued to function as an authoritar-

12 Imamović, *Historija države*, pp. 341-347.

13 Ibid., pp. 348-363.

14 Bojić, *Historija Bosne i Bošnjaka*, pp. 225-232.

ian police state which repressed all signs of opposition even more severely and pervasively than was the case in the neighboring “big sister” republics of Serbia and Croatia. The decades of police intimidation, arrests and imprisonment of dissidents greatly weakened the Bosnian civil society and its potential for the development of a viable democratic political opposition among Bosnian intellectuals and students. Furthermore, among known repressed dissidents one found more often nationalists with strong authoritarian inclinations (like V. Šešelj, later indicted at the Hague Tribunal) and Islamists (like A. Izetbegović, later President of B & H) than liberal democrats.¹⁵

BOSNIA AND HERZEGOVINA’ DISINTEGRATION IN 1991-1992

Great obstacles to the country’s democratic development had continued to persist for more than a century since the Ottomans withdrew their military forces and administration from the country. To a large extent it had been due to Bosnia’s status as an occupied territory (still formally under Ottoman sovereignty) until 1908 and as a non-self-governing crown land of dual monarchy Austro-Hungary until 1918. The obstacles to democratization had continued under Yugoslav monarchy, triple occupation regime during the Second World War and under the totalitarian single-party system established by the Yugoslav Communists after 1945. When the Yugoslav communist system collapsed at the federal level in 1991, B & H, among the six “Socialist Republics,” was the least prepared for the introduction of competitive multi-party politics. Several periods of her association with federalism have been marred with unequal statuses and authoritarianism. Even more importantly federalism has never been practiced inside B & H.

The difficulties of democratic transition had been magnified by the institutional structure of B & H. This most nationally, religiously and culturally heterogeneous republic, a miniature of Yugoslavia, had until 1990 operated as a unitarian political system combining an authoritarian single-party monopoly of power, a non-competitive majoritarian electoral system, a unicameral parliament, weak and fragmented civil society and a strong undercurrent of authoritarianism in popular political culture. The Bosnian constitutional system did not recognize political and cultural autonomy of national groups and lacked effective instruments for regular consensual intercommunal decision-making at the regional and state levels. Several proposals to internally federalize or confederalize B & H came far too late and failed to gain simultaneous support within the three major political blocks. A combination of the above-enumerated characteristics of the political system and the very shallow tradition of Bosnian statehood turned out to be fatal for the country. The moment of truth came rather unexpectedly in 1991-1992 when the Yugoslav federation

15 Noel Malcolm, *Bosnia: A Short History* (London: Macmillan, 1994), pp. 193-212.

founded, a war flared up in Croatia and the Serbian-Croatian armed conflict spilled over into B & H. This temporal coincidence was not accidental.

When competitive multi-party politics were introduced in B & H the political system had in several months degenerated into three politically segregated but territorially considerably overlapping systems. The result was a far cry from tolerant political pluralism across national-cum-confessional lines. In each of the three separate systems a single nationalist party gained through ballot a position of domination if not a monopoly. The three para-states had very soon developed their own separate sets of institutions as well as separate security and military forces.¹⁶ Still more ominously, only one of the three ruling parties (the Bosniak Moslem SDA) acted fully autonomously while the other two were mere extensions of and/or were closely linked with the nationalist parties bearing the same official names as in neighboring Croatia and Serbia. One of these parties (HDZ) soon became directly subordinated to the state leadership in a foreign capital (Zagreb) while the other (SDS) had been throughout highly dependent on rump Yugoslavia (FRY) and on the Milošević regime in Serbia. This situation made B & H highly vulnerable to possible attempts of partition and annexation by two neighboring states.

The disintegration of B & H started already on December 1991 when the intention to create the so-called "Serbian Republic" was made public, almost simultaneously with a very similar pronouncement in Croatia. On the other hand the Moslem and Bosnian-Croatian leadership acceded to a demand by the European Economic Community (EEC) to democratically ascertain the popular support for independence, if B & H wished to be recognized by the EEC members.¹⁷ The Eurocrats overlooked however a cardinal fact – the multinational composition of B & H's population. Subsequently the Assembly of B & H, in the absence of its most Bosnian-Serbian deputies enacted speedily a law on a referendum. For this purpose B & H was treated as a single unit and no provision was made for ascertaining necessary majorities within each of the three "constituent peoples." The adopted procedure was contrary to one of the basic principles enshrined in B & H's constitution and thus substantively unconstitutional. At the referendum held on February 29 – March 1, 1992 about 62 percent of registered Bosnian voters supported the independence proposal, among them probably also a considerable number of Bosnian Serbs living in ethnically mixed areas. A majority of Bosnian Serbian voters however abstained or were prevented from voting, particularly those residing in the areas under control of Bosnian Serbian nationalists. Only two days later, on March 4, 1992 the Assembly in Sarajevo solemnly proclaimed B & H an independent state. The predominantly Moslem and Bosnian Croatian ma-

16 Jože Pirjevec, *Jugoslovanske vojne 1991-2001 [The Yugoslav Wars 1991-1992]* (Ljubljana: Cankarjeva Založba, 2005), pp. 114-143.

17 Malcolm, *Bosnia*, pp. 225-233.

majority of deputies easily carried the vote, again in the absence of most Bosnian Serbian colleagues. The latter rejected the country's secession from the already rump Yugoslav federation.¹⁸

All nations in B & H paid a horrible price in lives, sufferings and the country's destruction for these seminal and unwise decisions and for their tragic consequences. Among all conflicts between and within the successor states of SFRY the war in B & H turned out to be the nastiest, bloodiest and costliest, much worse in these respects than the war in Croatia. The ferocity of the armed conflicts in B & H was to a large extent due to a combination of armed aggression against a UN member state and civil war (B & H's suit against the State Community Serbia and Montenegro as successor state to the aggressor is currently being considered by the International Court of Justice in the Hague). The approximate number of dead has been estimated at 100,000 (of which about 70,000 Moslems), while the number of refugees and displaced persons at well over one million.

Already in March-April 1992, the Territorial Defence units and police of the Bosnian Serbs attacked the Moslem population in villages and towns of Eastern, Northern and Central Bosnia. Having exploited the advantages of thorough preparation, combat and logistical support by regular units of the Yugoslav federal army (JNA), military preponderance particularly in heavy weapons, armour and aviation, as well as surprise and deceit the Bosnian Serbs easily overran occasional resistance of the unprepared Moslem and Croat civilians and their poorly organized defenders. Numerous crimes and the accompanying acts of ethnic cleansing were perpetrated on the Bosnian territory also by auxiliary units of the police, paramilitary units of political parties and by ordinary criminals from Serbia proper.¹⁹ These military operations, violence and terror provoked a flood of dispossessed and frightened Moslem and Croatian refugees to other parts of Bosnia, to neighboring Croatia, Slovenia, Western Europe and Turkey. The Bosnian Serbian nationalists carved out by naked force a secessionist entity on more than two-thirds of B & H's territory. At a gathering on March 27, 1992 the secessionists adopted the "Constitution of the Serbian people in B & H" and soon established all separate institutions of the para-state. It was officially called the "*Republika Srpska*" (Serbian Republic).

The Bosnian-Herzegovian Croatian nationalists acted less brutally but they also took by force control over 30 "opshtinas" (counties), among them also some where the ethnic Croatians constituted only a minority. Using threats

18 Pirjevec, *Jugoslavanske vojne*, pp. 122-136.

19 Sead Hadžović, "Sastavni dio ciljeva rata protiv BiH - genocid i etničko čišćenje [The Integral Components of the War Aims against Bosnia & Herzegovina - Genocide and Ethnic Cleansing]," in *Ratovi u Jugoslaviji 1991-1999 [The Wars in Yugoslavia 1991-1992]* (Beograd: Društvo za istinu o antifašističkoj narodnooslobodilačkoj borbi u Jugoslaviji 1941-1945, 2002), pp. 263-275.

and coercion they created an ethnically cleansed Croatian para-state. Initially it was called the "Croatian Community of Herzeg-Bosna" to be renamed in August 1993 into the "Croatian Republic of Herzeg-Bosna." The para-state had had its own state symbols (almost identical with the symbols of the Republic of Croatia), President, House of Representatives, Government, courts, separate legal system, armed forces (wearing uniforms almost identical with the uniforms of the Croatian Army), police etc.²⁰ By an agreement concluded under US pressure in early 1994 in Washington this para-state entered the "Federation of Croatian and Moslem Peoples," together with the areas controlled by the Bosnian Moslems. A Constitution of this Federation was proclaimed on March 30, 1994. According to the charter ten cantons with equal rights, a two-chamber Assembly and a government consisting of a Moslem and Croatian ministers were created. Furthermore, for the foreseeable future a confederation between this Federation and Croatia was publicly contemplated.

For more than three years B & H had remained broken into a mosaic of warring fiefs controlled by at least four Bosnian authorities and by local thugs. In the so-called "UN protected areas" international "peace-keepers" of UNPROFOR were present, but did not control them and mostly idly observed continuing violence. The country's bleeding, the sufferings of her population trapped in blockaded enclaves and the military stalemate along the new partition lines were finally broken by NATO's decisive military intervention. The NATO air campaign followed the bombing of the Markala marketplace in Sarajevo and the Srebrenica massacre - probably the worst case of this kind in Europe since 1945.²¹

BOSNIA AND HERZEGOVINA'S FORMAL REUNIFICATION AND THE POST-DAYTON SYSTEM

By 1995 the Western policy of "letting the Balkan tribes boil in their own stew" failed miserably. Moreover the Bosnian crisis became an important source of regional instability, causing social problems in the neighboring states and also in Western Europe. It had also provoked mounting frictions and re-priminations directed towards and among the NATO allies. Having realized these facts and become fed up with the Balkan turmoil the Western powers abandoned their policy of non-intervention and containment. They started unceremoniously pressing the warring parties (particularly the Bosnian Serbs) to terminate the continuing bloodshed. By strong political and military pressure, including the bombing of the Bosnian Serbs' positions, the NATO powers, led

20 Ciril Ribičič, *Geneza jedne zablude. Ustavno-pravna analiza nastanka i djelovanja Hrvatske zajednice Herceg-Bosne* [The Origin of a Blunder: Constitutional-legal Analysis of the Origin and Activity of the Croatian Community of Herzeg-Bosna] (Idrija: Založba Bogataj, 2001), pp. 48-67.

21 Pirjevec, *Jugoslavanske vojne*, pp. 423-431.

by USA forced them to a negotiating table at a US military base near Dayton, Ohio. The Dayton-Paris agreements legally glued together the warring bits and pieces of the country. In mid-December 1995 their sum total was officially proclaimed a reconstituted independent state called simply B & H.²² Similarly as many times before the country's fate was once again decided by foreign powers. In autumn 1995 the NATO intervention was supported by the Bosnian Moslems and the Bosnian Croats while resisted by the Bosnian Serbs.

In order to obtain as soon as possible the consent of the militarily strongest party in the conflict the Western powers accorded the Bosnian Serbs sizeable chunks of territory on which prior to the war they constituted only a minority. The West thus, contrary to its previous pronouncements awarded the aggressors. The Dayton "godfathers" also acceded to the principal demand by the Bosnian Serb nationalists - the legalization of the "Serbian Republic." This separatist entity created by violence and genocide was allowed to retain its constitution and institutions as well as to use the trappings of a quasi-independent state, to have her own army and police and to maintain special relations with Serbia. The Western powers thus seriously compromised the territorial integrity and unity of B & H.

One of its founding documents, called a B & H "Constitution," was elaborated by foreign (mostly American) experts and inserted into an omnibus international treaty under the title Annex 4. The text of the new B & H constitution was signed under duress by the leaders of three nationalist parties, each representing a major national group.²³ Subsequently the document has never been submitted to a referendum and approved by the B & H population. For the first time in her history the country was legally transformed into a federation consisting of three parts - two so-called "entities" (one illogically called "Federation of B & H," the other being the "Serbian Republic") as well as a small *corpus separatum* - the Brčko District. The Dayton-Paris agreements incorporated some features taken from the ill-fated Vance-Owen plan (1993), including the division of the "Federation of B & H" into ten "cantons." Thus an asymmetric and clumsy compound structure was created containing three or four tiers of governance, 13 parliaments, 13 executive branches and about 180 ministries and ministers. The delimitation between the two entities largely followed the lines of military cease-fire. As they cut mountain ranges, valleys, rivers, rail lines, roads etc. this delimitation has been fully artificial and harmful to the country from the social, economic, ecological and other points of view.

Apart from the country's Constitution the Dayton-Paris package contained ten other important documents signed by various groups of signatories. Although formally outside the constitutional framework these documents have had very considerable bearing on the implementation of the constitution and

22 Ibid., pp. 445-449.

23 Ibid., pp. 450-455.

on the functioning of B & H. The most important extra-constitutional arrangement is contained in Annex 10 called "Civilian implementation." Through its provisions a structure of international protectorate was superimposed over democratically constituted organs and institutions of B & H. This structure of appointed foreign officials consists of a High Representative of the International Community (HR), his Office (OHR), and the steering "Peace Implementation Committee" (PIC) at the ambassadorial level. According to the Annex the High Representative chairs a "Joint Civilian Commission" (JCC) in which high Bosnian officials also sit. The Commission could establish its affiliates at a local level. According to Annex 11 the High Representative has the power to "guide" the International Police Task Force. Other additional annexes regulate such important matters as the inter-entity boundary, human rights, military aspects of the peace settlement (including the long-term presence of foreign troops), regional stabilization, arbitration between two entities, elections etc.

Acting in a hurry the Dayton "godfathers" set up a political system in B & H essentially based on collective rights of three ethnic-cum-religious communities.²⁴ Its structure has been from the beginning clearly at odds with the proclaimed lofty goal of restoring a multiethnic and multicultural society in that country. Instead the Western powers imposed a system which has in fact cemented the political, administrative, economic and cultural walls segregating the three national communities. Probably majorities in two of them still do not accept B & H as their own state. The country has today two to three economic systems, two separate energy generation and distribution systems, two transportation and water supply systems etc. The Dayton arrangements resolved neither the tremendous problem of refugees and displaced persons nor assured equal rights to minority groups. Additional problems have been caused by the very selective applications of the elaborate provisions contained in the Dayton-Paris accords. All this has added up to a dysfunctional, top-heavy and wasteful bureaucratic structure which from the start has been deficient in legitimacy, coherence and rationality, but not in corruption. Concerning the latter the entire region of South Eastern Europe has been consistently evaluated by international observers and experts as much more corrupt than Northern and Western Europe. In the Corruption Perception Index 2005²⁵ based on six different surveys B & H was ranked the 90th among 159 states. She was evaluated less favorably than Slovenia, Cyprus, Greece, Bulgaria, Turkey, Croatia and Romania but as less prone to corruption than Moldova, Serbia & Montenegro, Macedonia and Albania. B & H's insufficient self-sustaining capability has been so far artificially compensated by the international protectorate, foreign

24 Mirko Pejanović, *Politički razvitak Bosne i Hercegovine u postdejtonskom periodu* [The Post-Dayton Political Development of Bosnia & Herzegovina] (Sarajevo: TKD Šahinpašić, November 2005), pp. 37-52.

25 <http://www.infoplease.com/ipa/A0781359.html>

military and police presence and by the quasi-dictatorial powers which have been selectively exercised by the High Representative.

POST-DAYTON BOSNIA AND HERZEGOVINA AT A CROSS-ROADS

During the last ten years the West's immediate objective in the Balkans has been achieved—the termination of armed hostilities, violence and the spill-over of social pathology from the Western Balkans to other parts of Europe. The political and security environment in the region and in B & H herself has been since greatly improved. However, according to a group of Bosnian legal experts acting on behalf of a non-governmental "Movement for change in B & H" "the system created on the basis of the Dayton-Paris agreements has become a constraint to any sort of progress and democratic development of B & H."²⁶ The experts added that the Dayton system could not be fixed "with some constitutional annexes or amendments" only. In its most recent report the International Commission on the Balkans came to a similar conclusion: "The need for constitutional change is high on the political agenda. All agree that there are serious problems with the present system of federalism in B & H. This is partly due to the absence of a coherent structure of regional government. It is also because of a tendency to see the federal system as a problem to be overcome, rather than as a promising model which allows ethnic communities to flourish side by side and facilitates healthy policy competition. The present constitutional architecture is dysfunctional. What is important is a constitutional debate that accepts the need to facilitate and indeed drives forward a reform of the Bosnian constitutional system."²⁷

There is considerable consensus in the international community that the Dayton system has largely outlived its original purpose. The present institutional arrangements in B & H need therefore to be replaced with a simpler, more transparent and institutionally homogeneous political system. However there is no consensus in B & H itself on what went wrong with the country in the past, what is precisely wrong with the present system and how it should be fixed. The main parties in the Serbian entity adamantly oppose any radical change of the Dayton system. On the other hand most parties in the "Federation B & H" favor instead a partly decentralized and regionalized unitary state structure for entire B & H. It would be based on the rule of law and on other general liberal democratic principles, but not on collective ethnic rights. Influential Bosniak (and some Bosnian Serbian) intellectuals see the root cause of B & H's troubles in collective rights accorded to ethnic communities and accuse

26 Sahbaz Džihanovic, Slavo Kukić, Stasa Kosarac, Mirko Pejanović, Vehid Šehić, Miodrag Živanović, *The Constitution of Republic of Bosnia and Herzegovina* (Sarajevo, June 2005).

27 "The Balkans in Europe's Future," *The Report of the International Commission on the Balkans* (Washington, April 2005), p. 24.

the godfathers of the Dayton system of this capital sin. The strongest party representing the Bosnian Croats (HDZ) also argues for an institutional reform but in the direction opposite to that favored by Bosniak politicians.

The above-mentioned group of Bosnian legal experts advanced last year a constitutional proposal which would have certainly been useful and feasible about 25 years ago. If introduced then the proposed regionalized unitarian system would have reduced the chances of a civil war erupting in B & H (but might not have prevented it). During long centuries, under many rulers and in various state formations and geographic configurations B & H had been administratively subdivided into several (most often six) regions. However the basis for these divisions have always been historically constituted and geographically-environmentally shaped parts of the country and not homogenous ethnic or confessional composition of population. For the first time in her history an ethnically almost pure Serbian para-state was created in Bosnia by violence and genocide in 1992-1993. The Serbian nationalists only materialized then the political ideas contained in the notorious "Memorandum of the Serbian Academy of Science and Arts." The Herzegovian Croatian nationalists followed suit. The partition of B & H by force could not have succeeded in 1992-1993 without active interference by two neighboring states. Thus it is inappropriate to put the entire blame on the Dayton godfathers for the present division of B & H along national-confessional lines, as some Bosnian critics contend today. Actually the partition of the country was carried out by "sword and fire" three years earlier.

Due to a massive but unequal loss and displacement of population the three major national groups in B & H became to a high degree spatially segregated one from another. Thus the percentage of the Bosnian Serbs in the "Serbian Republic" rose at the war's end from 54 to about 95, while the percentage of the Croats on the territory of former "Herzeg-Bosna" went up from about 50 to about 96.²⁸ The rather meagre return of refugees across ethnic lines and other movements of population since the war have not significantly changed the radically altered geographic distribution of the national groups in the country. The legal experts' proposal to divide the country into five or six regions on a non-ethnic basis does not therefore take sufficiently into account this cardinal consequence of the last war and, in addition, does not provide for institutionalized transregional representation of collective national-cum-cultural-cum-confessional interests (as, e.g., does the Belgian federal system). A unitarian state structure, even if regionalized, would only imperfectly cater for the present needs and would not take sufficiently into account the hypersensitivities of the nationally and culturally deeply divided B & H society.

28 Hadžović, "Sastavni dio ciljeva," pp. 267-268.

The legal experts' proposal contains however several positive features. Unlike the present administrative division the proposed geography of the regions largely correspond to the historically developed patterns of habitation which allowed in the past for cohabitation and coexistence among numerous ethnic, religious and national groups. Secondly, the proposed regions are sufficiently large to function as self-sustaining social and economic entities. Thirdly, the proposed size of the regions corresponds to the EU criteria for regionalization. The legal experts' platform could therefore serve as a starting-point for discussions and, in addition, be made more politically palatable to its present opponents among the Bosnian Serbs and Herzegovian Croats if modified in the direction of a nationally-colored federalist structure. The historical experience of two Yugoslavias has shown convincingly that the threat of malignant and aggressive nationalism in multiethnic societies cannot be avoided or eliminated by prohibiting and suppressing the visible manifestations and symbols of nationhood and by disregarding collective ethnic or national rights. The legal experts' draft has had little impact on the key decision-makers and also on the public in B & H.

The most recent attempt to reform the Dayton system started in spring 2005 as ostensibly a non-governmental initiative led by Ambassador Donald Hays, with the backing of the Washington-based US Institute for Peace and its Public International Law and Policy Group. This former Deputy High Representative in B & H conducted confidential separate consultations with the leaders of the main political parties represented in the Parliamentary Assembly. In November 2005, on the tenth anniversary of Dayton the leaders of eight parties were invited to Washington where they signed a joint statement announcing an agreement on constitutional amendments, to be enacted by March 2006. The substance of the amendments was not however made public and apparently continued to be a subject of further bargaining. Upon the leaders' return home the mediating role has been taken over by the US Embassy in Sarajevo. The resulting draft amendments, endorsed eventually by six party leaders, were finally published on March 25, 2006 and sent expeditiously to Parliamentary Assembly by Presidency of B & H.

The published document contained four rather lengthy amendments. Amendment I increased the constitutional powers of the B & H central institutions at the expense of the two entities. Most notably the central authorities would control defence, security, foreign policy, foreign trade, customs, monetary matters etc. However the entities would still enjoy shared powers in taxation, electoral system, justice, agriculture, science, technology, local government etc. Amendment II modified the B & H parliamentary system consisting of the House of Representatives and the House of the Peoples. The deputies of the former house were to be elected in general election according to the democratic principle "one elector one vote." The deputies of the latter house would not be elected directly by citizenry but by deputies of the House of Representatives. The House of the Peoples would have a fixed ethnic

composition – seven Bosniaks, seven Croats and seven Serbs (N.B. There was no provision for national minorities). The positions of leadership in the Parliamentary Assembly were to be shared among the three constituent national groups. While the House of Representatives would pass all laws, the other house would participate only in enacting constitutional amendments, electing President and two Vice-Presidents of B & H. The federal house could veto any bill when a “vital national interest” of a constituent people is deemed to be at stake. Amendment III defined anew the institution of B & H Presidency. Instead of a rotating three-member body it would contain one President and two Vice-Presidents, elected for a fixed four year term. The House of Representatives would elect (or rather confirm) the Presidency’s composition on the basis of a list of three nominees drawn by the three national clubs of deputies from both chambers. The powers of new Presidency would be reduced in comparison with the present system, in favor of the central Council of Ministers. All decisions by the Presidency regarding defence, appointment of Justices of the Constitutional Court and Governors of the Central Bank should be agreed upon by consensus. Amendment IV would increase the powers of the Council of Ministers and the number of ministries.

The amendments contained some positive and some negative features. On the positive side one noticed a substantively higher input in their elaboration by the Bosnian themselves than was the case with the Dayton constitution. Yet an active prodding and mediating role by unofficial and later official US actors proved to be indispensable. This fact indicated a great deficiency in B & H polity. The amendments would have strengthened the central B & H executive making it more effective. On the other hand an opportunity was missed to tackle the main sources of B & H invalidity – the ethnically defined political empowerment, unnatural and dysfunctional structure of the state with its “entities” and “cantons” and their over-size and wasteful bureaucracy. The amendments confirmed the political monopoly of ethnically defined political blocs and corresponding elites. Moreover they would have entrenched the Serbian para-state and legitimized its existence, this time by presumably freely and democratically expressed will of the other two communities (and not by foreign imposition). The amendments would have given the Bosnian Serbian elite the power to block and paralyze at will the central B & H institutions and to prevent any constitutional change that would endanger the perpetuation of the “Serbian Republic.”

The proposed constitutional amendments (“Dayton-2”) had been met with numerous sharp criticisms, often from different directions and politically divided all three national communities. Among their opponents one found prominent figures from the “Party for B & H,” Social Democratic Union, the newly established Croatian party “HDZ 1990,” the Conference of Roman Catholic Bishops, from among the Bosnians abroad represented in the “Patriotic Front of B & H” and also Serbian Radicals and several foreign experts. Some opponents denounced the constitutional deal even as treason and a mortal

threat to B & H' existence as a single state. Due to wide-spread opposition, fierce campaign against the amendments and critical public opinion²⁹ their adoption in Parliamentary Assembly remained uncertain, till the vote on April 26, 2006. The "Dayton-2" package was defeated as its proponents failed to obtain the required two-third majority. The final result was 26 for and 16 against the proposal.

Anyway, as it stood the "Dayton-2" package did not seem sufficient to make B & H a well-functioning state. The method chosen to carry out the constitutional reform had been also disappointing – without informing the public, without debating openly vital and clearly contentious issues prior to its submission to Parliament, without involving civil society in searching for optimal solutions and in forging wide political consensus, etc.

The failure to address the most glaring negative features of the Dayton constitution was softened however by the US commitment to pursue further constitutional reforms. This commitment was expressed by US Secretary of the State Condoleeza Rice in her letter to the B & H authorities and the party leaders shortly prior to the vote in B & H Parliamentary Assembly. The present situation in B & H differs greatly from that eleven years ago. This time the same instruments could not be used by the West to help the Bosnians to make B & H a viable state and flourishing country. The High Representatives with their dictatorial powers have so far played a crucial role in post-Dayton B & H. Without them numerous badly needed reforms would not have been adopted although some were subsequently sabotaged by the Bosnians. The "Dayton-2" package however was not imposed on the country by the present High Representative. There is a wide-spread expectation that the time has finally come to phase out his Office also because of the pending negotiations with the European Union. The present High Representative Christian Schwarz Schilling is expected be the last in the line, to be made in autumn 2006 a more normal EU representative. Instead of OHR and PIC a new body will be possibly created with the task of helping to bring the country closer to EU and NATO. The mode of its operation would be made more consistent with B & H's sovereignty and rely chiefly on inducements and not on coercion.

Being a unique country B & H needs admittedly a unique institutional structure. But it also has a number of similarities with other nationally, culturally and/or confessionally fragmented societies. The closest parallels on the European continent are to be found in Belgium and Switzerland, in Mediterra-

29 Several recent public opinion surveys showed that about 60 percent of B & H respondents did not support the amendments, about 30 percent had a positive opinion and about ten percent no opinion. IFIMES phone survey, with 1544 respondents carried out on March 23-24, 2006 (http://www.worldsecuritynetwork.com/showArticle3.cfm?article_id=12746&topicID=55).

nean on Cyprus and in Lebanon. The similarity with the Kingdom of Belgium and the Helvetic Confederation has resulted from coexistence of several major national or linguistic-cultural groups using the languages close to those in the larger neighboring nations. It took many centuries to develop the Swiss federal system containing 26 similarly but not uniformly structured and culturally-linguistically colored cantons. In Belgium a very complicated and asymmetric federalism replaced relatively recently a centralized unitary system which was on the verge of collapsing. B & H's similarity with Cyprus and Lebanon rests on the coexistence of several major national or religious-cultural groups speaking more or less the same language (in Lebanon); on the deep Moslem-Christian divide (both on Cyprus and in Lebanon); on several centuries of Ottoman rule and on the recent war experience (much longer and bloodier in Lebanon than on Cyprus). While Cyprus broke down, underwent partition and still remains divided into two states Lebanon was reunited and its parliamentary democracy reestablished. The latter's functioning rests, i.a., on an agreed upon formula for regular distribution of key governmental posts and spoils among four major confessional groups and on their considerable internal autonomy. In B & H a unitary system of governance might well produce another political explosion and collapse as a single state. This likely outcome would be due to very weak parliamentary traditions, wide-spread authoritarian habits and practically no tradition of a politically independent judiciary. It would not be wise therefore to give up a federalist solution for B & H because of the present malfunctioning institutions. In rebuilding the B & H polity it would be advisable to take into account and adopt selectively some institutional solutions similar to those which proved to be useful in the Swiss and Belgian systems.

Logically there are several ways to make B & H's state structure more rational and homogenous. In the opinion of many, including this author, the best approach would be to abolish the two existing entities and to establish instead five or six institutionally similar but culturally individualized federal units corresponding to historic regions. Such a solution might be acceptable to the Bosniak community and would also satisfy the Herzegovian Croatian demand for an equal status with the Bosnian Serbs. Such a system would bring B & H closer to the Swiss federal model. The Croatian demand could be alternatively met if the present "Federation of B & H" be divided into two republics (Herzegovian Croatian and Bosniak) and the intermediary level of quasi-cantons abolished in them, as it is the case today in the Serbian entity. In the latter scenario the Brčko District would remain a separate federal unit enjoying a status equal to or lower than that of the three republics. Both above-stated solutions would lead to a more homogenous, simpler and rational administrative structure throughout the country. Whatever system is adopted greater attention should be paid to individual human rights, without however neglecting the collective ones. It seems however that neither of the above-stated solutions is at present politically achievable due to the resistance among the Bosnian Serbian (to the first) and among the Bosniak ethnic elite (to the second solution).

It would be desirable that new institutional arrangements for B & H be based on a wide political consensus reached on a non-partisan and non-ethnic basis and enjoying sufficient popular support in all parts of the country. This however is not the case with "Dayton-2." Only when this democratic consensus is attained can one hope with greater optimism for the internal consolidation of the country, her economic progress and increasingly active participation in the processes of European economic and political integration as well as in Euro-Atlantic security cooperation. Yet securing B & H's existence and self-sustaining progress is a necessary prerequisite for stabilizing the Western Balkans and for crowning with lasting success the peace process initiated at Dayton.

REGIONAL PROSPECTS FOR FEDERALIST DEVELOPMENTS IN SOUTH-EASTERN EUROPE

In spite of numerous difficulties, conflicts and failures in the past federalism has its place in South Eastern Europe. The still uncertain future of a viable B & H will be best assured if she develops her own, appropriate and rational model of federal governance. Having invested so much effort and funds the international community certainly would not allow any attempt to break up again her territorial integrity and to provoke a relapse into sharp intercommunal conflicts and violence. I am referring here to veiled threats by some Serbian politicians to demand again self-determination for the Bosnian Serbs if Kosova/Kosovo is granted independence.

To the East of B & H a loose association of two sovereign states might replace the "State Community of Serbia and Montenegro," following a successful referendum in Montenegro on May 21, 2006. The first step in this direction was the proclamation of Montenegro's independence on June 4, 2006. Prior to the referendum the Montenegrin government proposed to the Serbian government to start negotiations on a pragmatic association.

In 2005 President of Serbia B. Tadić proposed a federalist solution for Kosovo, however somewhat different from that in B & H. According to his proposal Kosovo would reacquire far-reaching autonomy within Serbia which was abolished in 1989 by the Serbian regime. The non-contiguous districts inhabited by the ethnic Serbs would be administratively linked together and constitute an autonomous entity within the predominantly Albanian province. An autonomous status of Kosovo was incorporated into the new constitution of Serbia adopted in December 2006. But this concession came too late and is now utterly unacceptable to the Kosovar Albanians. The idea of cantonizing Kosovo had also been previously floated. Furthermore decentralization and regionalization are being discussed within the framework of talks on the future of Kosova/Kosovo. Decentralization might be part of the package solution for the present international protectorate. The very probable international recognition of Kosova's also legal separation from Serbia and independence would be limited by international tutelage as well as by EU's and NATO's police and military presence.

Possible solutions for the so-called "frozen conflicts" in Moldova and on Cyprus have also been proposed in the form of two confederal structures consisting of (a) the Republic of Moldova and the Transdnestrian Republic, and (b) the Republic of Cyprus and Turkish Republic of Northern Cyprus.

On a wider scale the expansion of the European Union brings into South Eastern Europe a new and specific form of loose confederalism. Greece, Romania, Bulgaria and two states bordering on the Balkans (Hungary and Slovenia) already belong to this unique association of states. Croatia and Turkey have been negotiating their respective accession, while several other states in the region are among further prospective or conceivable candidates for EU membership. This growing interstate net, its "Stability Pact for South-Eastern Europe," NATO, its "Partnership for Peace" and several other multilateral instruments of interstate cooperation offer the best framework for managing numerous problems and political conflicts in the still unstable Balkans.

Khrushchev Era Politics and the Investigation of the Kirov Murder, 1956-1957

MATTHEW LENOE

The assassination of Sergei Kirov, Leningrad party chief, on December 1, 1934, was a political sensation inside and outside the USSR. Although the killer, a disgruntled Communist named Leonid Nikolaev, insisted in early interrogations that he had acted alone, Soviet police could not accept this. In a Soviet culture where even rotten vegetables on store shelves could signal counter-revolutionary sabotage, investigators interpreted the murder as a conspiracy by hostile capitalist powers, internal “class enemies,” or both. Under Stalin’s direction, senior officers of the security police (NKVD/UGB) pinned the blame for the assassination on Stalin’s former rivals in the Communist Party leadership, the so-called “Left” and “Right” oppositionists. Within four weeks of the killing, a Soviet military tribunal sentenced to death Nikolaev and thirteen alleged co-conspirators, almost all of them former members of the so-called “Zinovievite Opposition” in Leningrad. Then in January 1935 Soviet courts convicted Grigorii Zinoviev and one-time ally Lev Kamenev of “moral complicity” in Kirov’s murder, supposedly because they had fostered oppositionist moods within the party. These trials, of the so-called “Leningrad Center” and “Moscow Center” respectively, began a brutal purge of the party leadership.¹

In the four years that followed, Stalin and his security men used torture, blackmail, and threats to develop “evidence” against nearly all of Stalin’s past opponents among the party leaders. Charges of conspiracy to kill Kirov and other Soviet leaders were central to the show trials and “Great Terror” of 1936-1939, in which Stalin executed or incarcerated much of the “Old Bolshevik” leadership and reinforced his own supreme power. In the end, Stalin’s use

1 See Alla Kirilina, *Neizvestnyi Kirov* (Moscow: OLMA-PRESS, 2001). Kirilina is the world’s foremost expert on the Kirov assassination and my own account of the murder and its consequences owes a great deal to her. Kirilina’s publications between 1989 and 2000 make a consistent and strong case that the assassin Nikolaev was a lone gunman. Kirilina, apparently following the conclusions of Soviet investigators in 1967 and later, has argued that post-Stalin Soviet investigations of the assassinations were heavily influenced by political struggles. J. Arch Getty made the same argument earlier in *Origins of the Great Purges* (Cambridge: Cambridge University Press, 1985), pp. 216-217.

* I would like to thank the Slavic Research Center of Hokkaido University for the Foreign Visiting Fellowship (2005-2006) that enabled me to complete this article. I would also like to thank Yale University Press and editor Jonathan Brent in particular for funding two research trips to Moscow.

of the murder led some observers to conclude that the dictator himself had ordered Kirov's killing.²

Many senior NKVD officers also lost their lives in the political intrigues that followed the Kirov murder. Stalin's suspicion of local Leningrad NKVD officers was strengthened by the death of Borisov, one of Kirov's bodyguards, in an apparent auto accident the day after the murder. Soon after this the central NKVD arrested Leningrad NKVD chief Filip Medved, his deputies Zaporozhets and Fomin, and other Leningrad officers on charges of negligence in guarding Kirov. When Stalin decided to arrest longtime NKVD chief Genrikh Iagoda for treason (spring 1937), the security services re-arrested Medved and the other Leningrad officers, tortured them to collect "evidence" against Iagoda, and ultimately executed most of them.

The Kirov murder did not lose its sensational or political qualities over time. In the 1950s and 1960s commentators in the West described the murder as the first act of the Terror, postulating that Stalin had arranged the killing as part of a grand plot to justify the extermination of party cadres. After Stalin's death, Soviet leaders also undertook to investigate the assassination in the larger context of the Terror. Between 1955 and 1967 the Presidium/Politburo of the party Central Committee created five different commissions to study the show trials of 1936-1938 and the annihilation of party cadres.³ Each re-examined the Kirov murder. But all of these investigations were driven primarily by the Communist Party's need to make sense of the Terror, and by the political agendas of party leaders (the latter point has been made most forcefully by Alla Kirilina).⁴ In the course of revision and revision of revision, the original facts of the Kirov case were almost hopelessly obscured by rumor-mongering, Soviet secrecy, and myth-making, both Communist and anti-Communist.

To understand the facts of the murder, and Stalin's use thereof, it is necessary to excavate the history of the various Soviet investigations. Apart from third- or fourth-hand rumors, all of the evidence that we have about Kirov's killing was filtered through these investigations. This article examines the history of the first full-scale investigation after Stalin's death, conducted in 1956-1957 following Nikita Khrushchev's "Secret Speech" to the Twentieth Party Congress.

2 For the case that Stalin ordered Kirov's murder, see Boris Nicolaevsky, *Power and the Soviet Elite* (New York: Praeger, 1965); Robert Conquest, *The Great Terror* (New York: Macmillan, 1968); idem, *Stalin and the Kirov Murder* (New York: Oxford University Press, 1989); and Amy Knight, *Who Killed Kirov?* (New York: Hill and Wang, 1999).

3 N. Petukhov and V. Khomchik, "Delo o 'Leningradskom tsentre'," *Vestnik verkhovnogo suda SSSR* 5 (1991), pp. 15-18; "Kratkaia spravka o rezul'tatakh vyiasneniia obstoiatel'stv ubiistva S.M. Kirova," Rossiiskii gosudarstvennyi arkhiv noveishei istorii (RGANI), f. 6 [Komitet partiinogo kontroliia], op. 13, d. 117, ll. 1-18.

4 See Alla Kirilina, *L'assassinat de Kirov: Destin d'un stalinien, 1888-1934* (Paris: Seuil, 1995), p. 223; and Getty, *Origins*, pp. 216-217.

THE POLITICS OF DE-STALINIZATION

The exposure during the Khrushchev years of Stalin's murderous abuse of power was due to political conflicts as much as to abstract ideals of truth and justice. Stalin's death opened a desperate succession struggle between his collaborators in the party leadership. Continuing practices established by Stalin himself, Lavrentii Beria, Nikita Khrushchev, Georgii Malenkov and their respective allies scrambled to find or fabricate compromising information on one another and to pose as reformers. Compromising one another was not difficult, as all of the rivals were directly implicated in the mass violence wrought by the Stalinist regime. Khrushchev, the victor in the succession battles, proved the master of mobilizing archival documents and party memory against his competitors, but Beria, the first loser, employed the same tactics. It was Beria who, just days after the dictator's death, began the process of reexamining Stalin-era legal cases and "rehabilitating" some of those convicted. Simultaneously, he accumulated in his safe materials incriminating other party leaders. After the other Central Committee Presidium members arrested Beria on June 26, 1953, they portrayed him as the mastermind of state terror and a foreign spy. In the next four years Khrushchev took the mantle of white knight, defeating his rivals Malenkov, Viacheslav Molotov, and Lazar Kaganovich in part by using the KGB to expose their participation in Stalin's terror. Thus, ironically, the conflict between Stalin's henchmen led step-by-step toward exposure of the atrocities they and their dead leader had committed.⁵

The rehabilitation of "repressed" persons was a complex struggle in which political power and the creation of a coherent party history of the Stalin years were tightly bound together. It was confined to party and professional elites, with the *narod*, "the common people," excluded. Participants had sundry motivations. Party leaders and apparatchiks had an interest in changing the Stalin-era rules of political struggle, in which the penalty for defeat was often arrest or death. Communist survivors of prisons and labor camps sought to drive a stake through the heart of Stalinism. Stalin's closest deputies in the late 1930s, Molotov, Malenkov, and Kaganovich, sought to evade responsibility for the Terror. Khrushchev aimed to secure his own position as party leader by exposing them. Other players, mainly associated with Khrushchev, worked to create a useable, heroic party history that would nonetheless acknowledge Stalinist terror. This history would legitimize the rule of a reformed Communist Party. Yet others, such as Dmitrii Shepilov in June 1957 and Mikhail Su-

5 V. Naumov and Iu. Sigachev, eds., *Lavrentii Beria, 1953. Stenogramma iul'skogo plenuma TsK KPSS i drugie dokumenty* (Moscow: Mezhdunarodnyi fond "Demokratiia," 1999), *passim*; N. Kovaleva, A. Korotkov et al, eds., *Molotov, Malenkov, Kaganovich, 1957. Stenogramma iun'skogo plenuma TsK KPSS i drugie dokumenty* (Moscow: Mezhdunarodnyi fond "Demokratiia," 1998), pp. 419-421 (Rudenko's discussion of Beria's incriminating files on other leaders, and Malenkov's efforts to control access to same following Beria's arrest).

slov in June 1956, wished to put the brakes on public reevaluation of the Stalin years because they believed such discussion undermined the foundations of Communist rule. At the same time they did not advocate a return to full-blown Stalinist repression.

Feuds, friendships, and factional resentments going all the way back to the days of the revolution shaped the battle over de-Stalinization. Anastas Mikoian quietly encouraged surviving comrades from the Bolshevik revolution in Baku to research and publicize the Great Terror. Veterans of the Leningrad Party leadership who survived Stalin's purge of the city organization in the notorious "Leningrad Affair" of 1949-1950 proved eager to attack Malenkov for his role in organizing those repressions. Ivan Serov, who ran the KGB from 1954-1958, and Roman Rudenko, chief prosecutor for the USSR, had connections with Khrushchev dating back to the latter's years as head of the Ukrainian party organization from 1939-1941. There are many more examples.

Thus, the usual distinctions between reformers and Stalinists, or "liberals" and "conservatives," which still tend to dominate discussion of the Khrushchev years, do not capture the complexity of the political battles around "rehabilitation" and acknowledgment of the Terror. The history of the Khrushchev-era commissions that reexamined Sergei Kirov's assassination, and ultimately tried to create a new narrative of Soviet history, must be understood in this context – of desperate struggles for power and an equally desperate desire to escape from the Stalinist nightmare and return to the revolutionary dreams of 1917.

THE INVESTIGATORS

Within one year of Stalin's death, Nikita Khrushchev emerged as the most powerful man inside the "collective leadership" of the party.⁶ In the early expansion of his political network, Khrushchev secured two appointments with great consequences for de-Stalinization – Roman A. Rudenko as Chief Prosecutor of the USSR (July 1953), and Ivan A. Serov as head of the KGB (March 1954).⁷

Rudenko was a Khrushchev client. As first secretary of the Ukrainian Republic Central Committee, Khrushchev promoted him in 1942 from chief prosecutor of Lugansk province to assistant prosecutor of the republic. Rudenko served in the post from 1942-1944 and then as Chief Prosecutor of Ukraine from 1944-1953. In addition, he gained international fame as the chief Soviet prosecutor at the Nuremberg Nazi war crimes trial in 1945-1946. In his mem-

6 William Taubman, *Khrushchev: The Man and His Era* (New York: W.W. Norton, 2003), pp. 240-241, 258, 264. Dmitrii Shepilov confirms the importance of Khrushchev's appointment as first secretary in September 1953 (Shepilov, *Nepriimknuvshii* [Moscow: "Vagrius," 2001], p. 294).

7 On the appointment of Rudenko, see Naumov and Sigachev, *Lavrentii Beriia*, pp. 216-217. On Serov's appointment, see Taubman, *Khrushchev*, p. 264.

oers, Khrushchev claims that he protected Rudenko against accusations made against him during the Great Terror, and implies that Rudenko was in debt to him.⁸

Ivan A. Serov also had longtime ties to Khrushchev. Serov began his career as an artillery officer but transferred into the NKVD in February 1939. As newly appointed commissar Beria purged the NKVD of officers associated with N.I. Yezhov (the second NKVD purge in two years), he promoted masses of new recruits from the party and the Red Army. Serov was one. In September 1939 Serov became NKVD chief for the Ukrainian Republic, where he worked closely with Khrushchev, and with General Georgii Zhukov. During this period Serov ran the “cleansing” of the occupied city of Lvov of “bourgeois and nationalist elements” (i.e. mass deportations) and participated in the mass execution of captured Polish officers in the Katyn forest in 1940. Soon after Serov’s transfer from the Ukrainian post in February 1941, Germany and her allies invaded the USSR. During the war, Serov, as one of the deputy chiefs of the NKVD, specialized in mass arrests and mass deportations from areas recaptured by the Red Army. He took part in the deportations of the Kalmyks, Chechens, Ingush, and Volga Germans, and the purges of suspected collaborators and “bourgeois nationalists” in Ukraine, Poland, and Lithuania. As NKVD chief for the First Belorussian Front late in the war, he maintained close working relationships with both Khrushchev and Zhukov.⁹

Serov served at the center of Stalin’s state security apparatus, and he was deeply compromised. Not only had he taken part in mass repressions, but he was also implicated in lucrative illegal business dealings while stationed in occupied Lvov (1939-1941) and occupied Germany after World War II. Multiple observers have concluded that Serov was Khrushchev’s creature during the post-Stalin years precisely because his shady past made him vulnerable to pressure. Khrushchev’s rivals feared Serov both because he was a Khrushchev loyalist and because of his Stalinist history.¹⁰

Khrushchev’s own mentors had been Kaganovich and Stalin himself, and his political style after 1953 resembled Stalin’s in a number of ways.¹¹ These included his reliance on trusted cronies, his readiness to undermine stealthily and then abandon those same cronies (this was Serov’s fate), his use of compromised persons in key positions (i.e. Serov and Rudenko), his pretend modesty

8 On Rudenko’s biography, see N.S. Khrushchev, *Vospominaniia. Vremia. Liudi. Vlast’*, vol. 1 (Moskva: “Moskovskie novosti,” 1999), p. 144, n. 29, pp. 185-186, vol. 3, p. 572; Naumov and Sigachev, *Laurentii Beria*, p. 480.

9 N.V. Petrov, “Pervyi predsdatel’ KGB general Ivan Serov,” *Otechestvennaia istoriia* 5 (1997), pp. 23-42. Source found through Taubman, *Khrushchev*, p. 741, n. 48.

10 Ibid.; Shepilov, *Neprimknuvshii*, pp. 159, 269, 353-354; Taubman, *Khrushchev*, p. 370, and Anastas Mikoian, *Tak bylo – razmyshlenie o minuvshem* (Moskva: Vagrius, 1999), p. 607.

11 This observation is made by Shepilov (*Neprimknuvshii*, p. 397), Taubman (*Khrushchev*, p. 241), and Sergo Mikoian, Anastas Mikoian’s son (*Stalinism as I Saw It* [Washington D.C.: Kennan Institute for Advanced Russian Studies, 1991], p. 43).

covering a ravenous hunger for adulation, and his predilection for keeping those around him guessing by maintaining at least two different “lines” on a given issue. On the other hand, Khrushchev was more flamboyant than Stalin, more impulsive, and a lot less bloodthirsty.

One tactic that Khrushchev may have learned from Stalin was the recruitment of the repressed to agitate for the overthrow of the party officials who had repressed them. As early as 1953 Mikoian and Khrushchev sponsored the return of high-ranking Communists accused of “counterrevolutionary crimes” from exile, labor camps, and prison, and they used these returnees against their political rivals.¹² One early returnee from the camps who became crucial to the investigation of the Kirov murder was Olga Shatunovskaia. Born in 1901, Shatunovskaia was the child of a Jewish lawyer in Baku. She attended the same gymnasium with the children of Suren Shaumian, the leader of the Baku Bolsheviks. In 1917 Shatunovskaia threw herself into the Bolshevik revolutionary movement in Baku. In addition to her activities as a street activist, she served as Shaumian’s secretary and head of the Baku Council of People’s Commissars Press Department in the months after the October Revolution. When Turkish forces helped Mensheviks and Azerbaidjani nationalists overthrow Soviet rule in Baku in September 1918, Shatunovskaia was captured and by her own account nearly executed (the new regime did execute Suren Shaumian and 25 other leaders of the Baku Soviet, turning the “twenty-six commissars” into Bolshevik martyrs). Released, she joined the Bolshevik underground movement in the Caucasus, working closely with Anastas Mikoian, among others.¹³

In the following years Shatunovskaia started a family and established herself as an important party official, serving in Baku, Briansk, Siberia, and Moscow. She was acting chief of the Moscow Party Committee’s Department of Leading Party Organs when the NKVD arrested her in November 1938 on charges of Trotskyite activity. During her imprisonment Shatunovskaia sent several letters to Mikoian disputing the case against her and seeking his help. Some of these appeals reached Mikoian through her childhood friend Lev Shaumian, son of the Baku commissar. Mikoian simply ignored the bulk of them.¹⁴

When M.A. Bagirov, author of one of the denunciations that led to Shatunovskaia’s arrest, was himself arrested in March 1954 Shatunovskaia peti-

12 *Reabilitatsiia – kak eto bylo. Dokumenty Prezidiuma TsK KPSS i drugie materialy*, vol. 1 (Moscow: Mezhdunarodnyi fond “Demokratiia,” 2000-2004), pp. 116-117. One example was the camp survivor A.I. Snegov, who after release from the camps was a prosecution witness at Beriia’s trial and later became a prominent advocate of de-Stalinization. See Taubman, *Khrushchev*, pp. 277-278, Khrushchev speech to Leningrad *aktiv* in *Reabilitatsiia*, vol. 1, p. 133, and biographical material on Snegov in *Reabilitatsiia*, vol. 2, p. 891.

13 See Olga Shatunovsky (*sic*), “Gone Century: Memoirs Edited by Jana Kutin and Andrei Broido,” www.caida.org/broido/ola/ola.html, rasskazy 1, 2; and biographical data on Shatunovskaia in *Reabilitatsiia*, vol. 2, p. 904.

14 Shatunovsky, “Gone Century,” *passim*; *Reabilitatsiia*, vol. 2, p. 904.

tioned Khrushchev for release from her sentence. Notified of her rehabilitation in May, Shatunovskaia made her way to Moscow, where, she later recalled, Khrushchev invited her for a private meeting. Khrushchev's assistants soon provided her with an apartment in the capital, a car, and a position as Chief Controller of the Party Control Commission. Khrushchev told her he wanted to accelerate rehabilitation. In the coming years Shatunovskaia became the most dedicated proponent inside the party apparatus of the theory that Stalin had organized Kirov's killing.¹⁵

Shatunovskaia's long history with Mikoian and his circle is a critical part of the story of the investigation into Kirov's assassination. As already noted, Shatunovskaia worked closely with Mikoian in the Baku underground and claimed in old age that he had been her suitor. She also had attended gymnasium with Lev Shaumian, whom Mikoian in effect adopted after the execution of his father.¹⁶ In 1954-1955 these three Baku Commune veterans laid the groundwork for Khrushchev's complete overturn of the official history of Stalin's rule at the Twentieth Party Congress.

Mikoian's memoirs present Lev Shaumian as instrumental in the early rehabilitation efforts of 1954-1955. Shaumian himself had never been repressed. But, while working in the party apparatus as an editor of newspapers and later the *Great Soviet Encyclopedia*, he did maintain contact with some in the camps. Following Stalin's death, many imprisoned Communists used Shaumian as an intermediary to petition Mikoian for review of their cases. Mikoian says that it was Shaumian who "brought to me" Shatunovskaia and repressed Communist A.I. Snegov, and that he (Mikoian) in turn brought them to Khrushchev's notice.¹⁷ Shatunovskaia and Snegov, Mikoian writes, "opened my eyes to a great deal, telling me of their arrests, the tortures used during the interrogation process, and the fate of dozens of our acquaintances..."¹⁸

Approximately half a year before the Twentieth Party Congress of February 1956, Mikoian claims that he asked Shaumian to do some quiet research into the fate of delegates to the Seventeenth Party Congress of 1934. Specifically, he wanted a list of the Central Committee members and candidate members elected at that Congress who were arrested or executed during the Terror. When Shaumian gave him the list about one month later, Mikoian claims that he was "shocked." He went to Khrushchev and persuaded the latter that they were going to have to tackle the issue of Stalinist repressions at the Twentieth Party Congress.¹⁹ It is worth noting that whatever general desire Mikoian and

15 Shatunovsky, "Gone Century," *rasskaz* 20; information on Bagirov case in *Reabilitatsiia*, vol. 1, p. 407, n. 61.

16 Mikoian, *Tak bylo*, p. 90.

17 In their memoirs Khrushchev and Mikoian competed for the credit for initiating de-Stalinization. Therefore it is difficult to determine precisely who was first in touch with Snegov and Shatunovskaia.

18 Mikoian, *Tak bylo*, pp. 589-590.

19 *Ibid.*, pp. 590-592.

Khrushchev felt to review Stalinist history and rehabilitate the dictator's victims, there was also a very concrete motivation for bringing the issue up at the forthcoming congress. At the July 1955 plenary meeting of the Central Committee, Khrushchev and Molotov clashed openly.²⁰ Mikoian's conversations with Shaumian would have come after that plenum, and one of the purposes of Shaumian's research was probably to gather material compromising Molotov.

Around the time that Mikoian asked Shaumian to research the fate of the 1934 Central Committee, he also requested that Shatunovskaia send him an official letter recounting a story she had told him related to the Kirov assassination. The letter was forthcoming. In it Shatunovskaia described conversations she had with one Dr. Kirchakov and a nurse, Dusia Trunina, while hospitalized at the Kolyma labor camp in 1943-1944. Kirchakov, she wrote, had heard directly from Filip Medved (head of the Leningrad NKVD at the time of Kirov's assassination), an eyewitness account of Stalin's interrogation of the assassin Nikolaev the day after Kirov was killed. While exiled to Kolyma in 1937 Medved supposedly told Kirchakov that when Stalin asked Nikolaev "Why did you kill Kirov?" Nikolaev accused officers of the Leningrad NKVD of providing him with the murder weapon and "persecuting" him until he agreed to assassinate Kirov. When Nikolaev said this, guards "beat (him) on the head with their (pistols), he collapsed, and they carried him out..."²¹

Shatunovskaia's tale was third-hand by her own account - Medved had supposedly told Kirchakov, who told her. The story also contains a number of obvious factual errors. For one, it places Zaporozhets in the interrogation room with Stalin, Medved, Nikolaev, Iagoda, and a number of other Leningrad NKVD officers. But multiple sources indicate that Zaporozhets was not in Leningrad at the time. At several points the story conflicts with the account of Mikhail Rosliakov, who was waiting at the time of interrogation in a room one floor below, in case Stalin wanted to interview him. For example, Rosliakov heard that Nikolaev had been carried into the interrogation "in a semi-conscious state" and initially failed to recognize Stalin. He supposedly cried and repeated the words "What have I done, what have I done!" He demonstrated only a "foggy" recollection of events.²²

Mikoian forwarded Shatunovskaia's letter to Khrushchev with a note on the envelope - "To Comrade N.S. Khrushchev - to be opened only by him."²³ Khrushchev evidently put the letter on the agenda of the Presidium of December 31, 1955. The only record of the meeting is a "working summary" of the discussion, which indicates that Politburo member Nikolai Bulganin read the letter out loud. While he was reading Kliment Voroshilov interrupted with a shout of "Lies!" Molotov noted that he was present when Stalin interviewed

20 Taubman, *Khrushchev*, pp. 266-269.

21 *Reabilitatsiia*, vol. 2, p. 816, n. 5.

22 Mikhail Rosliakov, *Ubiistvo Kirova* (Leningrad: Lenizdat, 1991), pp. 45-46.

23 *Reabilitatsiia*, vol. 2, p. 816, n. 5.

Nikolaev and “no one was hit.” Mikoian asserted that “Stalin was extremely upset. The Chekists had a hand in the whole thing.” Khrushchev agreed that “if you look at the business, it doesn’t smell right,” and proposed interviewing Dr. Kirchakov and the driver of the car in which Borisov died. Molotov, perhaps afraid of what charges might surface in oral interrogations, expressed skepticism that interviews would provide useful information, and suggested “checking the documents.” The Presidium resolved to look at the files of the 1930s cases against Iagoda, Yezhov, and Medved.²⁴

Khrushchev, with the help of Mikoian and his associates, was clearly preparing for a serious discussion of Stalinist repressions (at least against Communists after 1934) at the forthcoming party congress. Molotov, Kaganovich, Malenkov, Voroshilov, and other party leaders outside Khrushchev’s inner circle had to be nervous. Khrushchev, who controlled the KGB (Serov), and the USSR prosecutor’s office (Rudenko), and had key allies in the Army and the party’s Control Commission, had the upper hand. He was able to force a very uncomfortable discussion of the Stalinist years on his rivals on his own terms. At the same time, his power was not unlimited. He proceeded cautiously, using Mikoian’s people, whom he could always cast loose, to do the research, and forbearing to charge Molotov and the others directly with collaboration in the Terror. The discussion of Shatunovskaia’s letter was typical. Khrushchev and Mikoian suggested that something “didn’t smell right,” and that NKVD officers might have had something to do with Kirov’s murder. Shatunovskaia’s letter did imply that Stalin might have been involved, but Khrushchev and Mikoian did not go that far.

Khrushchev’s colleagues had much to fear, but they had to proceed carefully. They acceded to the proposal for an informal inquiry into the Kirov murder. At other Presidium meetings in the months before the Twentieth Party Congress Molotov, Kaganovich, Voroshilov, Bulganin, and Malenkov all voiced their support for revealing to the Party Congress some of Stalin’s unjustified persecutions of Communists. At the same time they called for doing so “with a cool head,” and for reaffirming Stalin’s great accomplishments in building socialism. In reply a chorus of junior Presidium members who supported Khrushchev (Aristov, Saburov, Suslov, Pervukhin, and others) insisted that the Presidium had to tell the congress “everything” (Suslov), that Stalin had no good points (Pervukhin), and that Stalinist repressions were not “faults” but “crimes” (Saburov). By early February 1956 everyone knew what the party line was – even Kaganovich was saying “we can’t deceive history... Khrushchev’s proposal for a report (on Stalinist repression) is correct.”²⁵

In the meantime, the Presidium appointed a commission consisting of junior Presidium members Peter Pospelov, P.T. Komarov, Averkii Aristov and

24 *Reabilitatsiia*, vol. 1, p. 296.

25 See notes on Presidium sessions of Nov. 5, 1955, Feb. 1, 1956, and Feb. 9, 1956 in *Reabilitatsiia*, vol. 1, pp. 275-276, 308-309, 349-351.

Nikolai Shvernik to investigate issues related to “rehabilitation.” Pospelov was chair. On February 9 this commission reported to the Presidium on “reasons for the mass repressions against members and candidates of the Central Committee elected at the Seventeenth Party Congress.” Almost certainly the commission relied in part on the evidence gathered earlier by Lev Shaumian. Using documents that were top secret at the time, the commission reported that 1.5 million persons were arrested and 681,692 executed in 1937-1938. The report stated that of 139 members and candidates elected to the Central Committee by the Seventeenth Party Congress, 98 were arrested and shot – numbers Khrushchev used in his “Secret Speech” weeks later. It described the methods by which cases were fabricated against high-ranking party members in 1937 and after. It also identified as key to the Terror’s development Kirov’s murder and the subsequent Law of December 1 setting up special tribunals (the *troiki*). There was no discussion of the possibility that Stalin had deliberately organized the assassination himself.²⁶

THE “MOLOTOV COMMISSION”

On February 25, 1956, at the conclusion of the Twentieth Party Congress, Khrushchev gave his “Secret Speech,” denouncing Stalin’s “cult of personality,” his arrests and executions of party members after 1934, and his failure to prepare for the Nazi attack on the Soviet Union in June 1941. Khrushchev also acknowledged Stalin’s supposed accomplishments (such as industrialization of the USSR). He did not suggest that there were systemic problems other than “the cult of personality,” nor did he question the forced collectivization of agriculture, or the expulsion of Trotskyites, “Rightists,” and other oppositionists from the party.

Following up on the February 9 Pospelov report and Mikoian’s earlier question to Lev Shaumian, Khrushchev addressed the question of the mass annihilation of Central Committee members after the Seventeenth Party Congress. He attributed the extermination to Stalin’s unchecked power, but did not offer more specifics. Immediately following this part of the speech, he noted that “mass repressions and gross violations of socialist legality” began after Kirov’s murder. With regard to the assassination itself, he said:

One has to note that the circumstances connected with the murder of Comrade Kirov are to this day befogged with much that is incomprehensible and mysterious, and demand careful investigation. There is reason to believe that someone among those charged with guarding Comrade Kirov aided the murderer Nikolaev. One and one half months before the murder of Kirov Nikolaev was arrested for suspicious behavior, but was released and not even searched. The fact that the Chekist attached to Kirov ended up dead in an auto “accident” on December 2, 1934 while being driven to interrogation is

²⁶ *Reabilitatsiia*, vol. 1, pp. 317-348.

extremely suspicious. After the murder of Kirov the leading officers of the Leningrad NKVD were removed from their posts and given very light punishments, but in 1937 were shot. It is conceivable that they were shot in order to clean up the traces of the organizers of Kirov's murder.²⁷

Khrushchev's speech reveals him to be a "master of dosing" almost as great as Stalin himself. He did not directly state that Stalin or other party leaders were involved in preparing Kirov's murder. But by placing his suggestion that there had been a conspiracy to kill the Leningrad party leader immediately after his discussion of the destruction of the CC membership after 1934 and his note that the orgy of killing followed Kirov's death, he signaled his readiness to accept a specific narrative of the Terror. This would be one in which Stalin himself and/or his closest assistants at the time (Molotov, Kaganovich) had plotted the killing to justify the subsequent extermination of party cadres. This narrative would make sense of the Terror, and it would also bring Khrushchev's major rivals for power – Molotov, Kaganovich, and Malenkov – crashing down. It would exonerate "true" Bolshevism of responsibility for the Terror, laying it all at the feet of Stalin and his closest lieutenants in 1934-1938. It would also exonerate junior members of the Bolshevik leadership who supported Khrushchev in 1956 – they "had no idea" about the mass repressions in the 1930s.

Many party officials, ambitious or afraid, or both, responded with alacrity to Khrushchev's signal. This response followed the Stalinist pattern, in which subordinates rushed to carry out wishes the leader expressed only in hints and insinuations. Pospelov was one such subordinate.

As part of his work on the commission on Stalinist repressions created on Dec. 31, 1955, Pospelov prepared a report on Kirov's murder, which he presented to the Presidium on April 23, 1956. This report is important for the light it sheds both on the rumors about the assassination reported by Shatunovskaia in her 1955 letter and the construction of an alternative history of the murder. Pospelov and his colleagues looked into Shatunovskaia's letter, summoning the doctor and nurse she cited to Moscow for interviews. Dr. Kirchakov indicated he *had not* heard the story he told Shatunovskaia about Nikolaev's interview with Stalin directly from former Leningrad NKVD chief Medved, but from an ex-NKVD officer, Olskii. The nurse Trunina simply averred that, like Shatunovskaia, she had heard the story from Kirchakov.²⁸

In short, the story that Nikolaev denounced the Leningrad NKVD officers in his interview with Stalin was not third-hand, but *fourth-hand* (Medved to Olskii to Kirchakov to Shatunovskaia) when Shatunovskaia put it to paper. Pospelov concluded that Kirchakov's tale could not be relied upon.

In discounting Kirchakov's story, Pospelov was not covering for Stalin. In the remainder of his report, he constructed a case that Stalin *did* order

27 Khrushchev, *Vospominaniia*, vol. 2, pp. 758-759.

28 "Zapiska P.N. Pospelova ob ubiistve Kirova," *Svobodnaia mysl'* 8 (1992), pp. 64-71.

Kirov's murder. He did so by using materials from 1937-1938 investigations of Iagoda, Enukidze, Zaporozhets, and the Leningrad NKVD officers accused of murdering Borisov. In other words, in order to implicate Stalin, he chose to rely on "evidence" that was extracted under torture in the process of fabricating a case against arrested NKVD chief Iagoda. The confessions obtained by torture for the great Stalinist show trials were of course untrustworthy, and many of those who confessed (including Iagoda) retracted their confessions in court. Pospelov's version of the crime duplicated the March 1938 show trial version, except that Stalin replaced the "Right-Trotskyite Center" as the source of the order to kill Kirov.²⁹

A very likely interpretation of Pospelov's report is this. The author, an old Stalinist (like everyone at the top of party in the 1950s), was producing what he knew "the boss" (once Stalin, now Khrushchev) wanted. Regarding Shatunovskaia's fourth-hand tale as too far-fetched even for his purposes, he cherry-picked the 1937-1938 confessions, which at least were on paper and usually signed by their supposed authors, to produce a coherent story of how Stalin had Kirov killed. He generated the narrative that Khrushchev demanded. Now it was up to Khrushchev how, when, and in what forum to use that story-line.

Khrushchev's "Secret Speech" on de-Stalinization set off a furor that resembled a traditional Bolshevik "self-criticism" campaign. At upper levels of the party potential targets of the campaign (i.e. Molotov, Malenkov, Kaganovich) publicly applauded but strove to protect themselves by covert obstructionism and delaying tactics. Inside the CC executive apparatus officials like Pospelov worked to produce texts that Khrushchev might need in pursuit of the campaign. Professional elites and lower-ranking party members victimized by Stalin spoke out against him. At public meetings a few even dared to discuss the responsibility of the entire party leadership for the reign of fear. At some workplaces employees tore down or defaced portraits of Stalin. Meanwhile Stalin's defenders were at least as vociferous. In Georgia the republic leaders imposed martial law after pro-Stalin riots on the anniversary of the dictator's death. Soviet security forces killed twenty people in the suppression of the riots.³⁰

An integral part of any "self-criticism" campaign was letters of denunciation "from below." After party meetings in Leningrad explaining Khrushchev's speech, former police and NKVD officers began sending letters to the province party committee concerning the Kirov murder. One letter, from V.M. Iakushev, caught the attention of Frolov Kozlov, Leningrad party chief and Khrushchev ally. In late March or early April, Kozlov wrote to Khrushchev that "From

29 "Zapiska P.N. Pospelova," pp. 66-71.

30 On the disorders in local party and professional organizations following the "Secret Speech," see *Reabilitatsiia*, vol. 2, pp. 21-65.

Iakushev's evidence it is clear that Borisov's murder was accomplished according to a plan worked out beforehand."

V.M. Iakushev was in fact a key NKVD investigator in the 1937 construction of bogus charges of treason and murder against Genrikh Iagoda and former leaders of the "Right Deviation" Bukharin and Rykov. Evidence gathered by Iakushev and others was the basis for the March 1938 show trial of these men. In 1937 Iakushev had tortured the driver of the truck in which Borisov died, Kuzin, and the two escorting NKVD officers, Vinogradov and Malyi, until all finally confessed to killing Kirov's guard. In the narrative concocted by Iakushev and his fellow "investigators," Zaporozhets feared that Borisov would reveal Iagoda's supposed conspiracy to murder Kirov. So he ordered Borisov killed. A plan was hatched to do away with him under the guise of a car "accident." When Kuzin was driving Borisov to Leningrad party headquarters for interrogation by Stalin the day after Kirov's killing, Malyi had grabbed the steering wheel and run the truck off the street against a wall. Simultaneously, Vinogradov, riding in the back of the truck with Borisov, smashed the latter's head with a bludgeon, killing him.³¹

The story of Borisov's murder developed for the show trial of Iagoda et al, is highly unreliable. Evidence from the 1934-1935 investigation and other sources contradicts the 1937-1938 narrative Iakushev presented on almost every point. Moreover, in 1937 Kuzin, Malyi, and Vinogradov all denied any wrongdoing in Borisov's death through several weeks of torture (apparently ten days in Kuzin's case). And finally, Malyi and Vinogradov recanted their confessions at their court hearing on September 2, 1937.³²

Iakushev was a perpetrator, a torturer, and a collaborator in Stalin's fabrication of false criminal cases. His 1956 letter seems to have been a preemptive strike – by providing his version of events to party leaders, he not only insured himself against prosecution, but also curried favor with them. Kozlov, Khrushchev's associate, was buying what Iakushev had to sell. In his letter to Khrushchev, Kozlov also accepted without question other dubious evidence, such as accounts of plots against Kirov's life given by M.A. Volkova, a psychologically ill compulsive denouncer Stalin had used in the aftermath of the Kirov murder to arrest dozens of Leningraders on bogus charges of terrorist plots. Based on such dubious claims, Kozlov concluded "These facts demonstrate, obviously, that several different plans for killing Kirov were worked out in the organs of the MVD (i.e. NKVD)."³³

On April 13, 1956 the Presidium created a commission to investigate "materials of the open trials of the cases of Bukharin, Rykov, Zinoviev, Tukhachevskii, and others." This commission would look into the Kirov case as well, but it is important to note that its mandate was much broader – in effect,

31 *Reabilitatsiia*, vol. 2, pp. 36-38.

32 Kirilina, *Neizvestnyi Kirov*, pp. 344-349.

33 *Reabilitatsiia*, vol. 2, p. 38.

to explain that part of the Terror directed against the upper levels of the Communist Party. At first glance, the composition of the commission was strange. Of nine members, three, Molotov, Kaganovich, and Voroshilov, had been involved at the highest level in orchestrating the Terror, and thus were themselves potential targets of investigation. They were, however, outnumbered by the six members of the commission from the junior ranks of the CC leadership, all of whom supported Khrushchev during this period – Mikhail Suslov, Ekaterina Furtseva, Shvernik, Aristov, Pospelov, and Rudenko. Shvernik, a Khrushchev supporter during the Thaw, had just been appointed chairman of the Party Control Commission on which Shatunovskaia served.³⁴

Putting Molotov, Kaganovich, and Voroshilov on the commission may have been a sop to them and to others nervous about where the party's investigation of the Terror might lead. It may also have been an exercise in harassment and disciplinary power by Khrushchev. At the commission sessions Molotov and the others would be subject to insinuations, badgering, and generally uncomfortable discussions. Finally, Khrushchev may have considered that getting the signatures of the veteran Stalinists would be the final validation of commission findings. Given the party tradition of unanimous approval of such reports, he may have hoped that all three could ultimately be forced into signing whatever report the commission issued, and, perhaps, incriminating themselves.³⁵

THE COMMISSION INVESTIGATES

On April 16 the Molotov commission met for the first time. All members were present except for Rudenko, the head of the prosecutor's office, who was represented by one of his deputies, Baranov. Also present was Serov. The commission began its work with a consideration of the Kirov assassination, ordering Serov and Baranov to prepare reports on KGB and prosecutorial documents related to the case. Members resolved to meet again in one week.³⁶

In response to the commission's request, Serov and Baranov forwarded on April 20 a "Report on Investigative Materials in the Case of the Villainous Murder of S.M. Kirov." Attached to the report were copies of selected materials from the case and a note that commission members could examine all documents related to the murder at KGB headquarters.³⁷ This report, and the minutes of the commission meeting of April 23 that discussed it, reveal two radically different agendas at work. On the one hand, the April 23 commis-

34 See A.I. Melchin, *Nikolai Shvernik: Biograficheskii ocherk* (Moskva: Politizdat, 1977), pp. 208, 216. Shvernik was appointed on February 27, 1956, at the plenum of the Central Committee that immediately followed the XXth Party Congress.

35 *Reabilitatsiia*, vol. 2, p. 70.

36 RGANI, f. 6, op. 13, d. 43, l. 1.

37 Email to author from M.Iu. Prozumenshchikov, deputy director of RGANI, Sept. 5, 2005.

sion meeting resolved, probably at the prompting of Molotov and his allies, that Nikolaev's murder was a "political" act, and dismissed questions about the assassin's psychological state. Commission members asked Baranov, the KGB, and the Party Control Commission (Shvernik) to answer a series of questions related to the official 1934-1935 version of the crime. These questions boiled down to: was Nikolaev a Zinovievite? What were his ties to Zinovievite groups? What activities in Leningrad were the Zinovievites up to before the murder? Wasn't the guard Borisov murdered? These questions are attributable to the desire of Molotov and his allies to defend at least the 1934-1935 version of the crime (that Zinoviev supporters in Leningrad and Moscow were responsible). In this version of events, Nikolaev was a Zinovievite terrorist, and hence his trial, the trials of Kamenev and Zinoviev, and probably also the later show trials of 1937-1938 were all justified.³⁸

On the other hand the April 23 session also requested that the USSR prosecutor "present to the commission materials on the validity and legality of the preliminary investigation, inquest, and trial" of the accused in the first trial of the Kirov case. Apparently some members of the commission did not want to accept the December 1934 court findings that Zinovievites had plotted the murder. And reports produced in late April by the KGB and the prosecutor's office took precisely this direction. Soon after April 23 Serov sent the commission a KGB report answering their inquiries. This memorandum presented Nikolaev as a lone gunman and argued that the NKVD fabricated criminal cases against the Zinovievites. It used citations from interrogations and the stenogram of the December 1934 trial of the "Leningrad Center" (i.e. the assassin Nikolaev and his thirteen supposed Zinovievite "co-conspirators") to argue that no such "Center" had ever existed. It demonstrated that the trial had violated standard Soviet rules for criminal trials. The authors also analyzed the changing testimony of the witnesses in the death of the guard Borisov, contending that the 1937-1938 "confessions" implicating NKVD officers in murdering him were bogus. Thus Serov provided support for the line that "the Terror was not justified," presumably the position taken by at least some of the other Khrushchev supporters on the commission.³⁹

The late April 1953 KGB report ended with an important coda covering the trial of Leningrad NKVD officials for negligence in the Kirov case in January 1935. This coda implied that there had been a conspiracy to assassinate Kirov, not among Zinovievite oppositionists, but within the Leningrad NKVD. It did so by emphasizing the failure of the Leningrad NKVD to protect Kirov, the lack of written instructions for Kirov's guard, the fact that the Leningrad NKVD had detained and released Nikolaev once before the murder, and the "soft" punishment meted out to Medved and his subordinates in 1935. The report also cited testimony taken by the KGB from former Leningrad NKVD

38 RGANI, f. 6, op. 13, d. 43, l. 2.

39 RGANI, f. 6, op. 13, d. 1, ll. 10-53.

officer P.M. Lobov. Lobov had claimed in April 1956 that while working at the Kolyma labor camp (sometime in 1935-1937) Zaporozhets had told him about a conversation between Stalin and NKVD chief Iagoda in early 1935. Supposedly Stalin had told Iagoda to take it easy on the Leningrad NKVD officers charged with negligence in the Kirov case, and to restore them to regular duties after a decent interval of time.⁴⁰

This testimony deserves special attention. Lobov, who had been Zaporozhets' deputy in Leningrad, was clearly hinting that Stalin had let the Leningrad NKVD off lightly for a reason – perhaps their negligence had not been unwelcome. This opened a possible line of inquiry that would point from the Leningrad NKVD to Stalin.

While Lobov's testimony seems dramatic, there are serious problems with it. First, his story about Stalin was fourth-hand by the time it was committed to paper in 1956 – Iagoda had supposedly told it to Zaporozhets who told it to Lobov, who told it to the KGB in 1956. Second, his 1956 deposition was probably tainted by earlier testimony against fellow Leningrad NKVD officers during the Great Terror. Lobov may have testified in 1937-1938 that *Iagoda* had ordered soft treatment of the Leningrad NKVD officers, because they had helped in the supposed anti-Soviet/anti-Stalin plot to kill Kirov. And in 1956 he may have decided to confirm his 1937 testimony, regardless of its truth or falsity, and with important change – having Stalin rather than Iagoda issue the orders for soft treatment. Whatever the case, in the years after 1956 Lobov would repeatedly enlarge upon his testimony until Zaporozhets at Kolyma was telling him the whole story of a putative Stalin-Iagoda-Zaporozhets plot to kill Kirov – again, almost precisely the storyline of the 1938 show trial of Iagoda and the leaders of the “Right-Trotskyite Bloc.” It is also worth noting that in 1939 Lobov had won a reduction in his sentence by killing former oppositionist G. Sokol'nikov in jail on Beria's orders. Lobov was a murderer and a teller of tall tales.

Serov's report of late April 1956, then, presented one complete line of argument, against Molotov's claims that there had been a real Zinovievite conspiracy to murder Kirov. It also hinted at a second line of argument, that Stalin himself had ordered the assassination. The KGB only insinuated this, offering it up for possible future development. As far as we know, this charge would not be made explicit, even within the secret confines of the Central Committee, until the winter of 1960-1961.

A second response to the Molotov commission's queries of April 23 came from the USSR prosecutor's office. This was a report on the “materials on the validity and legality of the preliminary investigation, inquest, and trial in the case of the murder of S.M. Kirov.” The prosecutor's memorandum repeated the contents of the two KGB reports already analyzed, albeit with some different data. The authors contended forcefully that Nikolaev was a lone gunman,

40 Ibid., ll. 47-52.

psychologically disturbed, who had no conspiratorial connections to any of the other accused in the trial of the Leningrad Center. They argued that the trial of Nikolaev and his putative co-conspirators was an obvious fabrication that was “in direct violation” of Soviet law. In short, the prosecutor’s office took a strongly anti-Molotov position. Unlike the KGB reports, this memorandum did not discuss Borisov’s death or the issue of Leningrad NKVD negligence in organizing Kirov’s guard.⁴¹

The April 1953 reports by the KGB and USSR prosecutor’s office are indispensable for any evaluation of evidence in the Kirov case. Many of the documents presently available in the case (apart from hearsay, such as that reported by Alexander Orlov) were first released to the Molotov commission as attachments to these reports. The reports themselves indicate the position that the KGB leadership (Serov) and the USSR prosecutor (Rudenko) were taking with regard to the commission’s investigation, and thus they help us to gauge possible biases in the documents released. Would Serov, for example, have concealed evidence against Stalin or evidence against Leningrad NKVD officers in April 1956? Given the facts presented above, this seems very unlikely. KGB reports in April undermined Molotov’s claims that there was a larger oppositionist conspiracy against Stalin, and provided some support for arguments that Stalin himself had ordered the murder. In addition it is clear that Serov was Khrushchev’s man throughout this period. There was no reason for him not to be. Khrushchev controlled the situation in the spring of 1956. And he had made it clear both in the Secret Speech and in Presidium meetings that he was interested in “solving” the Kirov murder, and that the solution might implicate Stalin or his closest lieutenants at the time in the murder.

In spite of the KGB and prosecutor’s reports, Molotov, famous for his stubbornness, continued to defend the validity of the Stalinist version of Kirov’s murder.⁴² At a May 9, 1956 meeting the Molotov commission members failed to reach a consensus interpretation of the assassination and trial of the “Leningrad Center” that followed. Therefore, they resolved to lay aside consideration of the case for the moment and move on to investigate later trials. The commission would return to the Kirov affair at a later date.⁴³

In the meantime reaction to the “Secret Speech” inside and outside the USSR led to doubts among some Central Committee leaders about further public revelations of Stalinist repression. In the USSR the pro-Stalin riots in Georgia and numerous reports of party members questioning the entire Soviet system at meetings caused uneasiness. Then the “Secret Speech” went public on the international scene, as the *New York Times* published the text on June 4,

41 RGANI, f. 6, op. 13, d. 1, ll. 153-194.

42 See the ex post facto comments on Molotov commission work by Aristov at the July 1957 plenum of the Central Committee in Kovaleva, Korotkov, *Molotov, Malenkov, Kaganovich*, p. 189.

43 RGANI, f. 6, op. 13, d. 43, l. 3.

1956. In late June thousands of strikers in the Polish city of Poznan demanded "Bread and Freedom," while in Hungary participants in a youth forum established by the party leadership turned on the Communist leader, Matyas Rakosi. In June the Italian journal *Nuovi Argumenti* published an interview with Italian Communist leader Palmiro Togliati in which the latter suggested that under Stalin the Soviet Union had undergone "a bureaucratic degeneration" (this was Trotsky's old formula about Stalinism). In response the Central Committee Presidium tasked Pospelov with drafting a resolution on the "Secret Speech." The draft, with minor changes, was approved by the Presidium on June 30, 1956 under the title "On Overcoming the Cult of Personality and its Consequences."⁴⁴

Soviet reformers of the time and many Western historians came to view the June 30, 1956 Presidium resolution as a fundamental setback to, or even a reversal of de-Stalinization. Such claims go too far. Work continued on the rehabilitation of party members repressed in the Terror, on restoring the rights of deported peoples and former POWs, and on compensating released camp survivors for property confiscated at the time of their arrest or sentencing.⁴⁵ The resolution was an attempt to effect a fine balance, not a course reversal. It reaffirmed that Stalin had made great mistakes and committed many crimes, but that he was a genuine fighter for socialism. Flaws in his personality, noted by Lenin, together with the pressures of fighting capitalist enemies without and their collaborators within, had been too much for Stalin, and the deplorable result was the cult of personality. The "cult of personality," the resolution stated, was "in contradiction to the nature of Soviet society (*stroï*)." It was an alien growth that needed to be removed. At the same time, the Soviet people "were justified in their pride that our Motherland was the first to build the road to socialism."⁴⁶

The June 30 resolution seems to have emboldened Molotov and his supporters on the investigative commission. Protocols of the seven meetings between May 10 and July 30, 1956, combined with other evidence, suggest an escalating struggle between the Molotov group and the younger Khrushchev backers. In this period the commission examined documents of the major trials of 1935-1938 provided by Serov and Rudenko. On May 30, members were unprepared to deliver a scheduled written report to the Presidium on its findings, and resolved instead to present an oral summary. On June 1, the Presidium agreed to postpone the report. Questions put by the commission to Serov on July 25 suggest that Molotov was pushing hard his view that the defendants in the trials were guilty of at least some of the charges. The commission asked Serov to provide information on meetings of the accused with Trotskyites abroad, on Bukharin's possible connections with the old Socialist

44 See Taubman, *Khrushchev*, pp. 283-294, *Reabilitatsiia*, vol. 2, pp. 128, 132-148.

45 *Reabilitatsiia*, vol. 2, pp. 162-163, 172, 181-183, 172-176.

46 *Reabilitatsiia*, vol. 2, p. 146.

Revolutionary Party, and on Nikolaev's connections with foreign consuls in Leningrad. On July 30 the commission resolved to return to discussion of the Kirov murder, requesting "detailed conclusions" on the matter from Rudenko and Serov before breaking for the summer holidays.⁴⁷

Khrushchev's point-man on the commission, Aristov, continued to work with Serov on the Kirov murder. On July 18, 1956 Serov sent a memorandum to Aristov headed "on the results of investigation of M.N. Volkova's letter on the murder of S.M. Kirov." Volkova was a compulsive denouncer Stalin pulled out of a mental hospital on December 2, 1934 and used to purge Leningrad of supposed anti-terrorist plotters. In May 1956 she sent a denunciation to the CC, claiming that she had known Nikolaev personally, that he had been a member of a counterrevolutionary organization dedicated to assassinating Kirov, Molotov, and Voroshilov, and that some participants in the conspiracy were still alive and well in Leningrad. To his memo on this denunciation Serov attached a KGB report that destroyed Volkova's credibility. According to the report, Volkova had been an agent of the security organs from 1931. She had a history of denouncing friends and acquaintances as counterrevolutionary plotters both before and after Kirov's murder. From 1948-1955 the Leningrad security organs had received 90 letters of denunciation from Volkova and generated eleven volumes of material investigating them. She had denounced her boyfriend when he broke up with her, her daughter, and many neighbors and acquaintances, all of capital crimes.⁴⁸

Serov concluded that Volkova was wholly unreliable.

Given that Serov's letter was addressed to Aristov, it seems that the latter had probably asked for a KGB evaluation of Volkova's denunciation. The denunciation itself could have been used by Molotov or his antagonists on the Molotov commission. It suggested a wide-ranging conspiracy to murder Kirov, true, but one directed against the Stalinist leadership as a whole (which would fit the 1938 show trial version of events). The KGB debunked the denunciation completely. It is worth noting that a later commission, on which Shatunovskaia played a decisive role, would return to Volkova's evidence in an effort to find evidence implicating Stalin in the murder.

Late in the summer, the KGB produced yet another report on the Kirov murder, in response to the Molotov commission's July 30 demand for "detailed conclusions." This memorandum squarely opposed the efforts of Molotov and his allies to suggest that there had been a real Zinovievite conspiracy to kill Kirov. The authors marshaled a great deal of evidence from the 1934-1935 investigations to argue that Nikolaev was a lone gunman and Borisov had died in an auto accident. They also went over testimony about the Kirov murder in the later show trials, demonstrating that the defendants, including Iagoda, were almost certainly innocent of any conspiracy.

47 RGANI, f. 6, op. 13, d. 43, ll. 4-10. For Presidium decision postponing Molotov commission report, see *Reabilitatsiia*, vol. 2, p. 114.

48 *Reabilitatsiia*, vol. 2, pp. 163-167.

In this report Serov omitted any evidence that might point to a conspiracy by Stalin, Iagoda, and/or local NKVD officials to kill Kirov. Yet KGB investigators continued to gather such evidence, even if it was dubious. On July 20, Lobov, Zaporozhets' former deputy discussed above, enlarged on his April testimony. Not only had Zaporozhets told him about Stalin's order to let Leningrad NKVD officers off easily, Lobov said, he had also told him that the Leningrad NKVD had detained Nikolaev multiple times,⁴⁹ and that Iagoda, through Zaporozhets, had ordered Nikolaev's release. Here again, Lobov's testimony followed the story-line of the March 1938 show trial on the purported conspiracy to murder Kirov.⁵⁰

Why did Serov leave out material suggesting an upper-level conspiracy to murder Kirov? Perhaps he and his staff believed that available material was false (as they believed with Volkova's letter). Perhaps also they were responding to the new doubts about public denunciation of Stalin. Almost certainly they chose to focus their memorandum on refuting Molotov's contention that there had really been some kind of an oppositionist plot to assassinate Kirov.

The Molotov commission did not meet again until November 19, 1956, perhaps because the discussions had reached an impasse, perhaps because the Soviet leaders were occupied with summer holidays, the Suez war in Egypt, and revolution in Hungary. But when it did meet, members moved quickly to produce a report to the Presidium. After discussion of new memoranda on the Kirov murder from Serov and Rudenko, the commission charged Rudenko with preparing a draft report to the Presidium. On December 4 the commission approved Rudenko's draft, recommending minor changes.⁵¹

The commission's December 1956 conclusions were an incoherent and contradictory mess, but an overall victory for Molotov. The memorandum emphasized that because there were real enemies inside and outside the Soviet Union in the 1920s and 1930s (Trotskyites, kulaks, Rightists, the Germans and Japanese) the repressions of the period were justified. Because Kirov had fought Zinovievites and Trotskyites in Leningrad, they hated him. The result was Nikolaev's shooting of Kirov. The report stated that Nikolaev had "sharply anti-Soviet attitudes" and strongly implied that he was a Zinovievite. Nikolaev knew personally some of the ex-Zinovievites who were tried with him.⁵² At the same time the memorandum admitted that there was no conclusive evidence of "criminal ties" between Nikolaev and the other accused in the

49 Evidence from the 1934-1935 investigation indicates that Nikolaev was detained by the NKVD just once before the murder, that no pistol was found on him, and that his briefcase (although not his person) was searched.

50 RGANI, f. 6, op. 13, d. 13, ll. 7-45.

51 RGANI, f. 6, op. 13, d. 43, ll. 11-12.

52 Only partly true, based on evidence from the 1934-1935 investigation and the transcript of the trial of the "Leningrad Center." Three of the defendants had never met Nikolaev before the trial, and a fourth may not have. See Kirilina, *Neizvestnyi Kirov*, pp. 284-294.

“Trial of the Leningrad Center.” Indeed, the Leningrad Center as such probably never existed.⁵³

The commission found that the sentences in the 1935 trial of the “Moscow Center” supposedly headed by Zinoviev and Kamenev were justified. The Zinovievite leaders really did bear responsibility for encouraging terrorism by struggling against the party majority. On the other hand, there was no evidence that Zinoviev, Kamenev or their associates were directly involved in plotting Kirov’s murder. Yet, there was no reason to review the convictions of the 1936-1938 show trials, because the principals in those trials had undermined the construction of socialism in the USSR. The implication was that while no specific crime could be hung on the necks of the ex-opposition leaders, they had still deserved execution for struggling against “the party.”⁵⁴

Finally, the report conceded that Stalin’s unlimited power had allowed him to undertake a full-scale attack on the party itself in the wake of Kirov’s murder, aided by “careerists and provocateurs” in the NKVD.

The December 1956 report was a cut-and-paste job of mutually exclusive propositions, some from Serov’s and Rudenko’s reports, some harking back to the era of the show trials themselves. Khrushchev evidently was unhappy with it. Given his actions and statements before and afterwards, it seems quite likely that he had wanted a complete rejection of the show trial verdicts and some sort of indictment of Stalin. On December 14, 1956 the Presidium resolved to “take note of” the Molotov commission’s report and order it back to work. The Presidium also put Serov on the commission (previously he had attended sessions only as a *rapporteur*, not as a member). Presumably this was because Khrushchev wanted to strengthen his influence on the deliberations.⁵⁵

In the following months relations deteriorated between Khrushchev and a number of other party leaders. Molotov, Kaganovich, Voroshilov, and Malenkov must all have feared the personal consequences of further public de-Stalinization. But others, including Bulganin and USSR Foreign Minister Shepilov, also came to view Khrushchev as out-of-control and dangerously power-hungry. De-Stalinization was not the only issue for this group. They were afraid of Khrushchev’s accumulation of power, they were afraid of his control of the KGB through Serov, and they were appalled at some of his policy initiatives, most notably his January 1957 proposal to decentralize the management of industry. There was also a general perception that Khrushchev was a rash big-mouth, exacerbated by his boast in May 1957 that the Soviet Union would soon produce more meat and dairy products per capita than the United States.⁵⁶

53 *Reabilitatsiia*, vol. 2, pp. 204-207.

54 *Ibid.*

55 *Reabilitatsiia*, vol. 2, pp. 207-208.

56 Taubman, *Khrushchev*, pp. 300-306; Kovaleva, Korotkov, *Molotov, Malenkov, Kaganovich*, pp. 10-13; Shepilov, *Neprimknushii*, pp. 36-38, 387-396.

Although Khrushchev has been portrayed as unaware of the widespread dissatisfaction with his power,⁵⁷ there is some evidence that he was deliberately pushing affairs towards a confrontation. Shepilov and Petr Demichev, a Khrushchev assistant in 1957, both believed Khrushchev knew that the attempt to remove him was in the works. Shepilov asserted that Serov, who was eavesdropping on the other party leaders, must have told him.⁵⁸ Putting these claims together with Khrushchev's aggressive behavior towards Molotov, Malenkov, and Kaganovich in the spring of 1957, it appears quite plausible that the Soviet leader was pressing towards a final showdown with his rivals.⁵⁹

During this period of heightened tension the Molotov commission continued to produce reports that were unpalatable to Khrushchev. On April 8, 1957 the commission met for the first time after a four-month hiatus, with Serov now on board as a full member. Participants chose to define a narrow issue for investigation, namely the death of Kirov's guard Borisov. Serov and Rudenko were assigned to prepare a draft report to the Central Committee. On April 13 the commission discussed the draft, but apparently Aristov, Khrushchev ally and aggressive de-Stalinizer, was unhappy with it. The commission agreed to postpone presentation of a report to the Central Committee for ten days, while Aristov gathered new materials on Borisov's death. Unfortunately, we do not know what materials, if any, Aristov provided.⁶⁰

On April 23, after some discussion, commission members assigned Rudenko, Serov, and Pospelov to prepare by the end of the day another draft memorandum on Borisov. Apparently they were under pressure to present their report quickly to the Presidium. The final report was, like the December memorandum on the 1930s show trials, an awkward, inconclusive document. The authors wrote that "doubts" about Borisov's death were understandable – he was the only one seriously hurt in the truck accident, and his failure to maintain a close guard on Kirov led to the latter's death. But the 1937 testimony of the driver and guards who accompanied Borisov on December 2 was extracted under torture, and was therefore untrustworthy. Hence, there was no hard evidence of foul play. The commission stated that since events had occurred so long ago, there was no possibility of finally determining the truth, and therefore the inquiry should be closed. The report concluded that the com-

57 Taubman acknowledges claims that Khrushchev knew about the June 1957 overthrow attempt against him, but concludes, "The last thing (Khrushchev) let himself believe was that the power and glory he craved were about to be taken from him," Taubman, *Khrushchev*, pp. 316-317.

58 Ibid.; Shepilov, *Neprimknuvshii*, p. 393.

59 Further evidence for this proposition is Brezhnev's claim at the June 1957 plenum of the CC that the "anti-party group" made their coup attempt against Khrushchev in part because Party Control Commission chief Shvernik was presenting documents to the Presidium on the rehabilitation of Communist repressed at the orders of Molotov, Malenkov, and Kaganovich. Kovaleva, Korotkov, *Molotov, Malenkov, Kaganovich*, p. 245.

60 RGANI, f. 6. op. 13, d. 43, ll. 14-15.

mission stuck by its December conclusion that the “terrorist Nikolaev” had killed Kirov for political reasons, with the “connivance” of persons in charge of Kirov’s guard.⁶¹

Again, Molotov seems to have succeeded in placing key elements of his version of events into the document. Nikolaev *was* a “political terrorist” and he did have the help of Kirov’s guard – again, a repetition of fragments of the storyline from the March 1938 trial of Bukharin et al. Whereas Serov’s August 31, 1956 memorandum had concluded that Borisov’s death was an accident, the April 23, 1957 commission report asserted that no conclusion was possible. It is true that claims that the Leningrad NKVD officers connived in Kirov’s death and killed Borisov could be (and later were) fit into a storyline in which Stalin ordered Kirov’s assassination. However these were also key elements of the 1938 version of the murder incriminating the “Right-Trotskyite Bloc.” It is likely that Molotov supported their inclusion in the April 1957 report because he was struggling to maintain the validity of the show trials and the Stalinist version of the Kirov murder.

Khrushchev, however, was determined to expose the Molotov group’s ties to Stalinist terror. On the afternoon of April 25 the Presidium met to discuss the rehabilitation of Tukhachevskii, Iakir, and Uborevich, the generals executed for treason in 1937, as well as other cases. Khrushchev threw down the gauntlet to Molotov and company. During discussion of the rehabilitation of E.E. Rubinchik, a former factory director convicted for sabotaging the design of an amphibious tank, Khrushchev stated sarcastically that “my friend Georgii Malenkov played an unseemly role in this affair.” When the Presidium considered the Tukhachevskii rehabilitation, Khrushchev challenged, “let the old members of the Politburo tell us how they decided the question of bringing Iakir to trial, how this first step was prepared.” Marshal Zhukov seconded Khrushchev with “we’ve got to get to the bottom of this.” According to Brezhnev’s account two months later, at the June 1957 CC plenum, Khrushchev asked at this meeting, “What are we going to do with those guilty of these executions? Will we return to this issue, or will we just continue to keep our mouths shut about them...”⁶²

DEFEAT OF MOLOTOV AND THE “ANTI-PARTY GROUP”

During May Rudenko and Serov continued to press rehabilitation in a direction that the old Politburo cohort could not have liked. On May 18, 1957 the two recommended the rehabilitation of Akmal Ikramov, tried and convicted together with Bukharin in the March 1938 trial of the “Right-Trotskyite Bloc.” Ikramov was the first rehabilitee from among those convicted in the open show

61 *Reabilitatsiia*, vol. 2, pp. 269-270.

62 *Reabilitatsiia*, vol. 2, pp. 270-271. For Brezhnev quote, see Kovaleva, Korotkov, *Molotov, Malenkov, Kaganovich*, pp. 245-246.

trials of the Terror. In their memorandum, Serov and Rudenko debunked the evidence presented against Ikramov, including his own “confessions.” The rehabilitations moved one step closer to the leaders of the Right themselves, Bukharin and Rykov, and to a complete rejection of the show trials.⁶³

On June 18, 1957 tensions between Khrushchev and the Molotov group erupted. With the support of seven of eleven full members of the Presidium, the old Stalin guard attempted to fire Khrushchev from the post of First Secretary of the Central Committee. For four days Presidium members locked in intense debate, with the majority of full members savaging Khrushchev for arrogance, incompetence, and construction of his own cult of personality. A number of Khrushchev’s rivals complained that Serov was spying on them, and there was apparently a proposal to remove Serov as KGB chief. Kaganovich argued that Khrushchev’s supposed sympathies with the Trotskyites were motivating his efforts to review the great show trials of the Terror.

The Khrushchev faction fought back. Zhukov and Shvernik denounced Molotov, Kaganovich, and Malenkov’s prominent roles in the Terror, with Zhukov apparently reading aloud from archival documents. Khrushchev rallied candidate members of the Presidium and a number of CC secretaries to his side. Behind the scenes Serov and Zhukov flew dozens of Central Committee members to Moscow on military transport aircraft. With the military, the KGB, and the majority of the party elite below Presidium level on his side, Khrushchev forced his opponents to agree to a full session of the Central Committee, which began on June 22.⁶⁴

Khrushchev was in undisputed control of the CC plenum that followed, which was devoted to denunciation of the “anti-party group” of Molotov, Malenkov, and Kaganovich. These three, together with Shepilov, were expelled from their leadership posts and from the Central Committee. Three other full Presidium members, Pervukhin, Saburov, and Bulganin, “confessed” their errors early in the plenum and got off with demotions for the time in being. Khrushchev let Voroshilov off the hook, more a gesture of contempt than anything else.⁶⁵

The June 1957 CC plenum was above all about the history of the Stalin era. With Khrushchev victorious, dozens of Central Committee members jostled to denounce Molotov, Malenkov, and Kaganovich for participating in the annihilation of party higher-ups under Stalin. Furtseva referred to their “monstrous crimes,” Brezhnev denounced their “fanatical approach to cadres,” and Kozlov criticized Malenkov’s leading role in the execution of Leningrad leader Kuznetsov in 1949.⁶⁶ Speakers cited documents from the KGB archives on the

63 *Reabilitatsiia*, vol. 2, pp. 271-272.

64 Taubman, *Khrushchev*, pp. 317-320; Kovaleva, Korotkov, *Molotov, Malenkov, Kaganovich*, pp. 14-15, 183; Shepilov, *Neprimknuvshii*, pp. 393-396.

65 Kovaleva, Korotkov, *Molotov, Malenkov, Kaganovich*, p. 567.

66 *Ibid.*, pp. 199-201, 205, 246, 250, 258.

scale of repressions, with Khrushchev himself giving total numbers for the repressed in the Terror that had previously only been revealed at Presidium meetings – 1.5 million arrested, 681,692 shot in 1937-1938.⁶⁷ Serov had a major part in the denunciation of Kaganovich, describing his leadership of mass purges in Ukraine and his marginal note of “kudos” (*privetstvuiiu*) on an arrest list.⁶⁸ Rudenko savaged Malenkov and Kaganovich for obstructing the investigations into the Stalin era, and Molotov for justifying the murder of party cadres.⁶⁹

Aristov in particular shed light on the history of the Molotov commission, albeit from the point of view of the Khrushchevites. According to him, “we sat on that commission endlessly. The debates were extremely harsh.” Voroshilov “just got outraged,” while Kaganovich and Molotov said the trials during the Terror were “correct,” “in the interests of the party,” and “the right thing to do.” Serov and Rudenko provided documents, Aristov said, that ultimately forced Molotov and Kaganovich to recognize “maybe half” of the crimes committed. Kaganovich confessed “there were excesses,” while Molotov stated, “there were good political reasons for all of that.” Because of Serov and Rudenko’s services in providing documents on the crimes of the Stalinist leadership, Aristov said, the anti-party group had aimed to fire Serov after Khrushchev’s removal.⁷⁰

The real bomb-thrower was V.N. Malin, head of the Central Committee General Affairs Department (*obshchii otdel*) and one-time Leningrad official who had witnessed Kuznetsov’s trial in 1949. Malin asserted that the mass executions of the later 1930s were not just Stalin’s doing. “No, Kaganovich and Molotov – they’re guilty (too). I’ll go further – Kirov’s ghost hangs over Molotov. Let him answer why Medved was destroyed, why Enukidze was destroyed... The case of Kirov’s assassination is a case that has not yet been deeply examined. Based on the documentary materials we have, I’m prepared to say that.”⁷¹

In his concluding speech to the plenum, Khrushchev disavowed Malin’s assertions, but somewhat in the manner of a Mafia boss ruing the excessive enthusiasm of his enforcers. “I respect (Malin), but he has his character, yesterday you saw that character.” Malin may have taken things too far, Khrushchev indicated, but he was also giving an implied threat about what accusations could be deployed against the “anti-party group.” Indeed, later in the same speech, Khrushchev returned to the Kirov murder, and while he did not mention Molotov’s name, he did indicate that further investigation was necessary.

67 *Ibid.*, p. 479.

68 *Ibid.*, pp. 176, 247.

69 *Ibid.*, pp. 417-419.

70 *Ibid.*, pp. 188-197.

71 *Ibid.*, p. 429.

I still can't make sense of all the circumstances of Kirov's murder... It's not clear why, after Kirov's death, it was necessary to kill Borisov when Stalin arrived in Leningrad and Borisov – Kirov's guard – was being driven to an interrogation. They killed Borisov and said that he died as the result of an auto crash... Who needed this? It's clear that this was necessary to cover the traces (of the plot to murder Kirov). Even today I do not believe that Zinoviev had anything to do with this. We had a battle of ideas with Trotskii, Bukharin, and Zinoviev, and we smashed them. But after Kirov's murder hundreds of thousands of heads were laid on the execution block. Why was this necessary? Even today this is a mystery, and it would be a good thing to look into. But does Molotov get it? No. He trembles before this, he fears even hints about this question; Kaganovich is in the same situation.⁷²

If the KGB or other instances had documents that might connect Stalin or any of the "anti-party group" to Kirov's assassination, directly or indirectly, Khrushchev supporters at this plenum would have revealed them, or at least mentioned their existence. No one was "covering" for Stalin at this moment – the Khrushchevites revealed many of his most heinous crimes, as well as the collaboration of Molotov, Kaganovich, Malenkov, Beria, and others in mass murder. Malin's assertion that Kirov's ghost "hung over Molotov" has to be viewed as speculative hyperbole aimed at intimidating Molotov.

Khrushchev's words to the plenum on the Kirov murder are revealing. In order to suggest the involvement of Stalin and the Molotov group in the assassination, Khrushchev resorted to the 1937-1938 show trial version of events, and to testimony extracted under torture (that of the truck driver in Borisov's death). In doing so he omitted any reference to the 1934-1935 investigation results. Instead he presented as simple truth a version of Borisov's death that was unsubstantiated and dubious.

CONCLUSION

The storyline in which Stalin conspired to kill Kirov had great political utility for party reformers in the Khrushchev years. It could be used to indict Khrushchev's rivals Molotov, Kaganovich, and Malenkov for mass murder of party cadres. It could also be used to exonerate the rest of the party, and Leninism in general, for the Terror. Stalin and a few henchmen were responsible for "distorting" Leninism, and killing millions. In this vision Khrushchev, and even Stalin's supposed victim Kirov, represented the "genuine," "humanitarian" Leninism, the Leninism of the future. This was the direction in which some Khrushchev supporters, such as Mikoian, Aristov, and Shatunovskaia were pushing during the Thaw. Khrushchev himself, not surprisingly, was sympathetic to their efforts.

But there were obstacles to presenting the "Stalin killed Kirov" tale to the public as official party history. First, there was not good evidence for the

⁷² Ibid., p. 479.

story. Second, making it public might have unpredictable consequences. The experience of disorders inside and outside the USSR following the Twentieth Party Congress had given many party leaders pause. Although Khrushchev hinted again at the Twenty-Second Party Congress in October 1961 that Stalin might have organized the Kirov assassination, this version disappeared from the Soviet press after his fall. Not until late in the *perestroika* era did official Soviet publications pick up the story again.

«Я – высланная, ты – без ноги». Депортация калмыков (1943-1956): гендерный взгляд

Эльза-Баир Гучинова

Депортации на этнической основе в СССР изучаются преимущественно историками, которые на основе архивных документов восстанавливают ход исторических событий, показывают статистику демографических потерь, географию расселения, правовой статус высланных.¹ Антропологи не так давно обратились к этой теме, и смогли увидеть в изучении депортаций в СССР новые исследовательские перспективы, в том числе гендерную.

Как известно, калмыки входили в число народов, целиком выселенных в годы сталинизма за пределы своих территорий. Депортация была возмездием за коллаборационизм во время оккупации части республики. В течение суток 28 декабря 1943 г. более 90 тыс. калмыков были посажены в железнодорожные вагоны для перевозки скота и отправлены на восток. К лету 1944 г. общее число выселенных составило 120 тыс., включая калмыков из других областей и военнослужащих. Калмыцкая автономная республика была ликвидирована, ее территория поделена между соседними областями и образованной Астраханской областью, в 1956 г. с калмыков были сняты ограничения, с 1957 г. начался процесс восстановления автономии калмыцкого народа.²

Каждый/ая из высланных имели свой опыт стигматизации и свой опыт адаптации, которые зависели не только от этнической принадлежности, но также от пола и возраста человека. Эти факторы имели решающее значение в вопросе о том, сколько у человека шансов на выживание: для мужчин – с начала войны, для женщин и детей – депортацией.

Цель данной статьи – показать мужские и женские опыты выживания в экстремальных ситуациях выселения и депривации, как гендерные различия определяли разные возможности для социальной адаптации и достижения успеха, в то же время и сами подвергались трансформациям.³

1 Полян П. Не по своей воле... История и география принудительных миграций в СССР. М.: О.Г.И.-Мемориал, 2001; Бугай Н.Ф., Гонов А.М. Народы в эшелонах (20-60-е гг.). М.: Инсан, 1998; Некрич А.М. Наказанные народы. Нью-Йорк: Хроника, 1978; J. Otto Pohl, *Ethnic Cleansing in the USSR, 1937-1949* (Westport, Connecticut, 1999) и др.

2 Об этом см.: Бугай Н.Ф. Операция «Улусы». Элиста, 1991; Убушаев В.Б. Выселение и возвращение. Элиста: Санан, 1991; Гучинова Э.-Б.М. Помнить нельзя забыть. Антропология депортационной травмы калмыков. Штутгарт: Ibidem, 2005.

3 Я благодарна проф. И. Новиковой и д-ру Ц. Дариевой за продуктивное обсуждение текста статьи.

Исследование базируется в основном на материалах двадцати устных историй, собранных автором в России в 2003-4 гг. – в Элисте и Москве. Выборка – 10 мужских и 10 женских повествований – была такова, что респонденты относились к разным поколениям: выселенных взрослыми, выселенных в детском возрасте и родившимися в Сибири. В работе использованы также материалы проекта «Память в третьем поколении. Делегированные интервью школьников» (ПТП – ДИШ, 2002-2004), в котором ученики Элистинского Лицея записывали воспоминания своих старших родственников. Устные интервью дополнялись данными опубликованных воспоминаний.

ОПЫТЫ МУЖЕСТВЕННОСТИ

С началом войны у калмыков появилась возможность вернуться к традиционно почетному мужскому занятию – военной службе. Кроме плановой мобилизации, проходившей по всей стране, была сформирована отдельная калмыцкая кавалерийская дивизия (110я ОККД). Это восстанавливало военную традицию участия калмыцких национальных формирований в войнах имперской России, ведь калмыки обосновались на юге России как защитники ее границ.

Молох забирал всех мужчин старше 18 лет. Шансы на выживание в войне зависели не только от личной удачи, но и от возраста солдата. *Сталинские орлы*, молодые ребята двадцати лет, чистые сердцем и искренне верующие в коммунистические идеалы, погибали гораздо чаще, чем *керенские мужики*, поколение их отцов, имевших опыт Первой мировой войны, которые не лезли на рожон, а знали где надо пригнуться, не высываться.⁴ Конечно, они имели больше шансов выжить.

В июне 1941 объявили 13 возрастов мобилизовать, до 1918 г. рождения включительно. Кто родился в 1919-22 г., еще оставались и стали работать вместо ушедших на фронт и стали занимать должности, руководить. Некоторые даже председателями колхозов стали. В 1942 г. начинают брать тех, кто родился в 1919-21 гг. Буденый и Ока Городовиков вошли в правительство с ходатайством разрешить формировать кавалерийские дивизии из северо-кавказских народов. Нам, калмыкам, две дивизии формировать. Буденый и Городовиков сами не знали состояния на месте, кого можно в эти дивизии взять. Когда правительство разрешило, стало ясно, что некого брать, все люди уже ушли на фронт. Вместо двух дивизий, которые предполагалось, сформировали одну – 110 ОККД. Туда мы набрали три тысячи молодежи 1921-24 гг. рождения. Кто были грамотные, после 7-8 классов, были направлены на курсы младших командиров. Через полгода они уже стали командирами взводов. Мало того что молодежь надо было готовить, но еще и коней, сбрую для них. По решению правительства, где эти войска формируются, там их снаб-

4 Интервью с Нарановой С.Э. Москва, 2004.

жают и продовольствием. В общем, целиком формирование было на местном материале.

Летом 42 г. оказалось, что в Ставропольском крае совсем нет наших войск. Кто погиб, кто разбежался. И наша дивизия по плану должна была идти к Кизляру. Тех солдат, что не дошли до Сталинграда и остались здесь, мы собрали обратно в войска. Там были не только калмыки, но и дагестанцы, кабардинцы. Отступая, они должны были идти на Сталинград, а они растворились в степи. Вот почему я говорю тебе, что наши грехи были. Вот представь, идет солдат через Яшкуль, заходит домой. А дома схватили его дети и не пускают. А он, бедный, не знает, что ему делать, своих бросить или остаться с семьей. Многие так остались. Они на лошадях, с винтовками. Они рассосались с августа. Тех, кого сумели собрать, отправили в Кизляр. А те, кто попрятался, остались здесь. Калмыки, кто остались – они уже считали себя дезертирами. Когда наши войска в ноябре 1942 г. стали наступать, а немцы – отступать, тогда все желавшие воевать добрались в Кизляр. А дезертиры так остались здесь.⁵

Из такого рода дезертиров 110 ОКЖД, а также молодых парней допризывного возраста, которых матери спасали от службы в Красной Армии и всех, кто был выбран населением старостами во время оккупации (избирали всегда самых толковых), и их родственников было образовано коллаборационистское формирование калмыков на службе вермахта. Архивные материалы говорят о 7-10 тысячах покинувших калмыцкие степи вслед за отступавшими войсками,⁶ что составило примерно 7% довоенного населения, и это были на тот период еще крепкие старики и взрослые юноши.

С начала 1944 г. по приказу Наркомата обороны со всех фронтов и военных округов были отозваны калмыки. Их было приблизительно 30 тыс.⁷ Фронтовиков отзывали в тыл под предлогом создания калмыцкой национальной части на Урале. Всех военнотружущих сержантского и рядового состава, а также семь тысяч курсантов военных училищ направили на строительство Широковской ГЭС,⁸ где в лагере принудительного труда калмыки приобрели экстремальный опыт выживания.

Здесь содержались люди, вина которых перед государством заключалась лишь в том, они были калмыками. Заслуги заключенных солдат перед Родиной признавали и власти: сержант П. Джалхаев и О. Болдырев за мужество и героизм были в Широклаге награждены орденами Ленина,⁹ но это не выделило их общего ряда. Бывшие солдаты работали по

5 Интервью с Лиджи-Горяевым Э. Элиста, 2004.

6 Гучинова Э.-Б. Улица Kalmuk road. История, культура и идентичности калмыцкой общины США. СПб.: Алетейя, 2002. С. 70-71.

7 Бакаев П.Д. О трагедии в истории калмыцкого народа. Элиста: Джангар, 2003. С. 54.

8 Бугай. Операция «Улусы». С. 39.

9 Максимов К.Н. Репрессивная политика Советского государства и депортация калмыцкого народа в 1943 г. // Политические репрессии в Калмыкии в 20-40-е гг. XX века. Сб. статей. Элиста, 2003. С. 10.

16 часов, а питались впроголодь. Когда человек был на грани смерти от истощения и непосильного труда, его отпускали домой.

Помню в Новосибирске: подъехал состав теплушек. Двери открылись и люди не выпрыгивали, а выпадали из вагонов и ползли на питательный пункт. Через пути. Поезда туда-сюда ходят – крупная станция же, маневровые поезда, вагоны переставляли с пути на другой. Наверное, многих порезало. У них уже сил не было. Сказали, это нацмены из трудовых лагерей. Они тоже там пересадку делали, все питались на пункте – там жиденький суп давали, ну хоть горячее... Мужчин вообще мало было – все рядовые воины в Половинке остались. Дядя наш пришел с Половинки – кожа да кости, еще он там поваром был. Он говорил так: норма большая, а еды мало. Не выполнишь нормы, и той еды лишали. Если человек заболел, шел к лагерному врачу. Врач так делал. Берет за задницу. Если схватил, только кожа, он пишет акт – дистрофия такой-то степени, рекомендую списать. Давали на пять дней хлеба и сажали в вагон. Это таких мы видели в Новосибирске, кто через пути ползл без сил.¹⁰

Разместили нас в бараках, где было очень холодно, и держали как преступников. Вскоре разделили по бригадам и вывели на строительство электростанции. Работа была очень тяжелая. Сначала работал на подсобных работах, потом на строительстве котлована. Приходилось выполнять различные земляные работы: долбили грунт, копали траншеи, возили бетон и т.д. И все это делали с помощью лома, кирки, лопаты и тачки. Вскоре одежда изнашивалась, и нам выдали фуфайку и брюки, а обувь была из камеры на деревянной подошве. Одеты были как заключенные. Такая работа требовала полноценного питания, которого не было. Основная еда – это бульон (один ковш), 100 г. хлеба и зеленый помидор. Приходилось работать и жить впроголодь. И пошла смерть косить людей. Очень много вчерашних фронтовиков раньше времени ушли из жизни на том строительстве. Многих активировали от истощения и отправляли в Сибирь. До сих пор не знаю, что спасло меня тогда от смерти. В мае 45 г. меня активировали, отправили в Сибирь.¹¹

Фронтовики из Широкагала приезжали в разное время, но все были одинаково беспомощны. Почти каждого из них выносили из вагона на руках, еле живыми. Это были живые трупы, не способные самостоятельно держаться на ногах. Такое не стирается из памяти. Хотя, по правде говоря, каждая семья была безмерно рада, что чей-то сын, брат или отец, пусть даже в таком состоянии, объявляется из безвестности. Сегодня, знакомясь с документами, на основании которых активировали строителей-невольников Широковской ГЭС, испытываешь холодную дрожь. Дистрофия 1 и 2 степени со стойкими отеками всего тела и ног, тубер-

10 Интервью с Чурюмовым О.С. Элиста, 2004.

11 *Очиров У.И.* С фронта – в лагерь НКВД, а потом в Сибирь // Мы – из высланных навечно. Воспоминания депортированных калмыков (1943-1957 гг.). Элиста, 2003. С. 159.

кулез легких, пневмония, полное истощение – вот неполный перечень болезней, характеризующих состояние широклаговцев.¹²

В Широκлаге содержались и женщины-фронтовички. Судя по воспоминаниям они формировали свое психологическое пространство так: вели себя как на фронте, как *мужчины*. Таким образом фронтвочки в лагере как бы перестали быть *традиционными женщинами*, но и в «мужской» позиции оказались *оскопленными*, как и окружавшие их фронтвочки-калмыки.

Женщины жили отдельно, тоже в бараке, но нары у нас были одноярусные. Питание было очень плохое. Я много раз видела, как молодые люди подбирали объедки из помойной ямы¹³ и варили их в своих котелках. Мы, девушки, тоже хотели кушать, но терпели, в помойку не лазили.¹⁴

Мужчины и женщины по-разному выживали в лагерных условиях. Первые, потеряв свою роль защитника семьи, оказались менее способными трансформировать этот навык в защиту других мужчин. Они не примеряли роль отца к новым условиям с той же готовностью, с какой женщины – роль матери, поскольку деятельность, сконцентрированная вокруг пищи, устройства жилья, социальных отношений, тепла, чистоты, могла быть единственно значимым видом труда в таких условиях – считалась женской. Но именно такие обыденные заботы делали возможной жизнь в угнетении.¹⁵ Однако и в лагере находилось место проявлениям фронтвочного братства, поддержке земляческой солидарности, предприимчивости и сметливости как составным частям представления о мужественности.

Как можно было выжить в лагерных условиях? Обычным был такой стиль советского политзаключенного – жить тихо, стараться отлынивать от любых работ, «придуриваясь». Но бывшие солдаты старались доказать свою верность родине, а значит и ошибочность лагерного заключения. Поэтому многие сотрудничали с начальством: рисовали стенгазеты, участвовали в самодеятельности. Наиболее радикальным способом сохранить достоинство, а возможно и жизнь, был побег на фронт с изменением в документах национальности (чаще записывались бурятами, чем казахами).

Здесь были почти все – фронтвочки, как правило, от 20 до 30 лет. Как теперь говорят, генофонд нации. И вот он, этот генофонд, на глазах разрушался физически и морально.

Нет, мы не были заключенными в прямом смысле слова, но и военнослужащими тоже не были. И подчинялись мы теперь не Наркомату

12 Даваев В.М. Героя войны ссылка не сломила // Мы – из высланных. С. 33.

13 В Широκлаге бывшие чабаны спасались так: подбирали после собак кости, разбивали их и ели костный мозг.

14 Книга памяти ссылки калмыцкого народа. Том 3, книга 1. Элиста, 1994. С. 41.

15 Рингельхайм Дж. Женщины и Холокост: переосмысление исследований // Антология гендерных исследований. СПб.: Алетейя, 1999. С. 254-279.

обороны и боевым офицерам-фронтовикам, а НКВД и его начальникам, которых мы – про себя, разумеется – именовали не иначе как «тыловые крысы». И хотя среди них были очень разные люди, как впрочем, и в армии и даже на фронте, но нам-то от этого было не легче, угнетал и давил сам статус, не говоря уже о каторжной работе, скудном питании, туберкулезном жилье в земляных бараках и прочих «мелочах».

Постепенно я подружился с Андреем Альчиновым. Но сначала довольно долго мы прошупывали друг друга и, наконец, открылись: надо бежать на фронт! Андрей сказал, что у него есть один верный товарищ, ему можно довериться. Это оказался Бембя Михайлов. Он был моложе меня и еще моложе Андрея. Порешили: надо готовиться к побегу, накапливать тайком продукты, деньги, хлеб, сухари, сахар, постное масло – чтобы не очень громоздко, но калорийно. Раздобыли мы какую-то изрядно потрепанную школьную карту, точнее атлас – без него не могло быть и речи о побеге. Это была бы верная гибель, ибо места для нас были совершенно незнакомые, лесные, а мы – степняки и поначалу просто терялись в лесу. Кроме того, решили, если побег удастся, то надо обязательно изменить национальность, потому как в противном случае нас не просто выдворят с фронта, а отправят в трибунал – за дезертирство с трудового фронта. Одним словом, план побега мы разработали во всех деталях. И в дальнейшем действовали в полном соответствии с ним, в том числе и национальность каждый изменил в своей красноармейской книжке. Альчинов раздобыл где-то красноармейскую книжку на имя казаха, кажется, Даскалиева.

В один из выходных дней, когда нас отпустили на базар на станцию Половинка, мы не вернулись в лагерь и двинулись на юг, в сторону Молотова. Шли лесом по течению реки Косьвы; продукты экономили максимально. Когда все припасы съели, продали сначала шинели, затем – все остальное, вплоть до запасных портянок. Наконец, вышли на Каму в районе впадения в нее реки Чусовой. И здесь впервые за столько дней сели на пристани на пароход и двинулись в сторону Молотова.

В пригороде Молотова сели на местный поезд и стали подсаживаться ненадолго на все попутные товарные поезда, стараясь не попасться на глаза сопровождающим. Затем также тайком шли до Ярославля около десяти суток. Ночевали где придется: под деревом в лесу, в стогу, в пустующих сараях. Добрались до Шуи, так, кажется, назывался этот городок. И тут средства наши иссякли полностью, и мы решили: будь что будет, обратимся в комендатуру. Обратились, рассказали заготовленную заранее легенду: наш состав шел на фронт, а мы, сойдя на одной из станций купить продукты, отстали и теперь никак не можем догнать свой состав, а в нем – все наше имущество. Нам поверили, хотя и отругали за роторейство, но поверили! И это было главное. И даже мысли у них не возникло, что мы – дезертиры! Те бегут с фронта, а мы – на фронт! Более того, нас накормили, выдали сухой паек на сутки и с сопровождающими отправили на пересельный пункт в Ярославль. Мы снова повторили свою легенду. Она и здесь сработала, в том числе и наши документы. В соответствии с нашими армейскими специальностями нас распределили в различные запасные части... Я настойчиво добивался отправки на фронт. И вот свершилось! Я был направлен радистом во взвод связи

третьего батальона воздушно-десантной бригады. Это было в июле 44-го, и до конца войны я прошел в рядах этой бригады. Закончил войну в Чехословакии 11 мая 1945 г. на реке Влтава. За время службы меня наградили орденами Красного Знамени и Славы 3 степени, двумя медалями. После войны продолжал служить в военной комендатуре Будапешта помощником командира взвода. В мае 1946 г. уволили в запас.¹⁶

Побег на передовую апеллировал к уже знакомому фронтовому опыту, где этничность была не так важна как личное мужество. Офицеры также добивались возвращения на фронт, где их могли убить, но не унижали.

В Павловских лагерях под Оренбургом калмыков было много, офицеры задумали письмо написать, что мы, калмыки, хотим снова идти на фронт. После моего отъезда пришел ответ от Булганина, он разрешил калмыкам-офицерам вернуться на фронт. Многие вернулись.¹⁷

Традиционные для калмыцкого общества патриархатные отношения, безусловно, доминировали в семьях той поры (обычай избегания, женский язык, мужское доминирование в застолье и ритуале и проч.). Повествуя о жизни 40-х и 50-х, рассказчики невольно воспроизводили и гендерный порядок, в котором мужчина принимал решения, отвечал за отношения семьи с внешним миром, с органами власти, а по дороге в Сибирь и за порядок в вагоне.

Мужчин было мало, и отцу, комиссованному по ранению, приходилось заботиться о топливе, воде, получении пайков для всего вагона.¹⁸

У нас в вагоне из взрослых мужчин оказались наши односельчане Сангаджиев Дава (он должен был быть на море, но в этот день почему-то оказался дома) и его брат Эльта. Они же и делили продукты. И продукты делили непропорционально.¹⁹

Однако если муж был на фронте, женщина не терялась, работала и решала семейные проблемы. Но семья, у которой при выселении все мужчины были в море, представляется рассказчиком как «семья без никого». Действительно, мужчина в экстремальной ситуации имел больше власти благодаря физической силе и традиции мужского доминирования. Именно мужчины (если они были) распределяли пищу и теплые места в вагонах, хотя в нем ехали люди и постарше, и толковее, но это были женщины и старики.²⁰

16 Лиджи-Гаряев Т.Л.-Г. Высокие и горькие слезы // Мы – из высланных. С. 148-151.

17 Интервью с Дорджиевым Л.Т. Элиста, 2004.

18 Кардонова К.Э. Я лишь хочу, чтобы это не забылось // Мы – из высланных. С. 141.

19 Гучинова Э.-Б. У каждого своя Сибирь. Два рассказа о депортации калмыков // Антропологический Форум. 2005. № 3. С. 426.

20 Среди всех выселенных калмыков было: женщины – 36,4%, дети – 43,2%, старики и инвалиды – 20,4%. – Цит по: Максимов. Репрессивная политика. С. 12-13.

Мужественность – в самом общем виде – это то, чем мужчина должен быть и что от него ожидается. При ее описании необходимо учитывать два принципиальных аспекта мужской половой идентичности: она всегда перформативна, показательна, инсценирована и рассчитана на определенного зрителя, в то же время мужественность имеет иллюзорный, фантазматический, символический характер.²¹

Стигматизация этничности в советском идеологическом порядке вела к невозможности поддерживать основные компоненты мужественности – принятие решений, последовательность, рациональность, ответственность, то есть объективации опасной мужской общности. Это приводило к пересмотру патриархальных основ гендерного порядка.

Кроме показанного выше сценария эмаскуляции жизнь нередко предлагала вариант гиперагрессивной маскулинности. Оставаться мужчиной означало так вести себя в соответствии с нормативным канонем, универсальной для всех культур системой представлений о том каким должен быть мужчина.²² Этого можно было добиться безупречным трудом и безупречным поведением. Но вначале надо было показать умение защитить себя от демонстративных публичных оскорблений. Практически все мальчики и мужчины должны были кулаками защищать свое человеческое и мужское достоинство. Язык оскорбления был основан на фенотипическом (узкоглазые, «п...глазые»), культурном (свиное ухо, ходя-ходя – так дразнили казахов и китайцев), языковом (моя-твоя понимай? – как демонстрация символической власти естественных и доминантных носителей русского языка – следовательно и носителей власти), идеологическом (предатели, калмыки) и других реальных или воображаемых различиях. Такая практика не просто задевала оскорбленных, а фактически их производила как оскорбленных,²³ особенно теми выражениями (калмык – в жопу тык), которые в гомофобском советском обществе символически оскопляли, психологически эмаскулировали калмыцких мужчин. Часто ответ на оскорбление был несимметрично жестким.

Я помню, меня обидел один взрослый, водой что ли облил. Тогда я схватил кирпич и дал ему по башке. Меня боялись и считали, что я без тормозов. Я боялся жаловаться отцу, я понимал, что он обязательно выйдет меня защищать, а тогда он будет один взрослый против двадцати. Просто его избыют и убьют. Когда в таком положении, быстро развиваешься. Я понимал, что жаловаться нельзя, это закончится плохо. Смертью... Каждый день перебарывал в себе вот это постоянное ожидание оскор-

21 Ушакин С. Видимость мужественности. <http://www.countries.ru/library/antropology/gender/vidimost.htm>

22 Кон И. Мужчина в меняющемся мире. Публичная лекция. <http://polit.ru/lectures/2006/12/29/kon.html>.

23 Жеребкина И. Гендерные 90-е или фаллоса не существует. СПб.: Алетейя, 2003. С. 187.

бления, унижения. Отстаивать себя кулаками, ногами, зубами. Такая ощетинистость была – на 360 градусов.²⁴

Если калмык выходил из такой стычки победителем, его обычно переставали третировать.

Я пришел к председателю колхоза утром рано. Он на улице, во дворе. Подхожу к нему и говорю: «Моей сестре положена телка. Когда она может ее получить?». А я, правда, без погон, только фуражка на мне. Он в ответ: «Вам, бандитам, изменникам родины, еще и корову давай?». Я ему говорю: «Ты же не знаешь, сколько коров мы там оставили, и они все стали государственными. И не ты даешь, а государство, и оно тебе засчитает, как сданное государству мясо. Что же ты, в конце концов?». А он все равно: «Нечего вам давать, изменникам родины и бандитам». Ну, думаю, дурак такой. Думаю, ударить его надо. Но для этого же надо получить личное оскорбление. Такой порядок существует. Я ему говорю: «А как ты меня считаешь?». И подошел к нему близко. «Ты тоже такой же». Ну тут я его левой рукой шарахнул. А вокруг ни одного калмыка, только мой племянник, которому десяти не было. Тут кто-то меня схватил сзади и кто-то председателя тоже держит. Председатель кричит: «Отпустите меня, я его убью». Я говорю: «Отпустите его и меня отпустите. Посмотрим, кто кого убьет».²⁵

Мужественность предполагала умение постоять за себя в том числе и в бюрократическом порядке (часто противоречивом), что означало и юридическую компетенцию – суметь защитить себя от несправедливого обвинения в органах власти.

Я не попрощался и пришел к сестре и накатам под копирку жалобу в пяти экземплярах: первому секретарю райкома, прокурору, военкому, начальнику МВД и пятый для себя. Накатам, что такое национальная политика Советского Союза. Что я принял военную присягу и ее свято выполняю, с какого времени и по какое в армии служу. А что это за район, где разводится национальная рознь, обзывают человека незаслуженно. Какой я враг народа? Я защищал родину. Написал их фамилии. Прочитал. Я всем раздал – в райком партии, в военкомат, в МВД, в прокуратуру. А на пятый экземпляр роспись, что они получили.²⁶

Мужественность всегда связана с властью, поэтому калмыки, занимавшие хорошие должности, долго помнятся в рассказах о том времени. Лучше всего калмыки смогли устроиться в Киргизии, где, к примеру,

Баркаев Саранг был зам.председателя горисполкома Пржевальска, депутатом городского совета. Там говорили: если Саранг Мучиряевич на приеме скажет так надо, то все верили, что больше не надо жаловаться. Этеев, завгорземотдела, был депутатом городского совета. Бадмаев

24 Интервью с Манджиевым О.Л. Москва, 2004.

25 Интервью с Дорджиевым Л.Т. Элиста, 2004.

26 Там же.

А.У. был депутатом горсовета и директором школы ФЗО.²⁷ Когда нас выслали из Пржевальска, Баркаев и Этеев остались, а Бадмаев переехал и стал в Иссык-кульском районе методистом районо, а потом заведующим районо. Когда Сталин умер, все районы и области давали телеграммы соболезнования. От Иссык-кульского района такую телеграмму составлял ни русский, ни киргиз, а калмык - Бадмаев А.У.²⁸

Многие мужчины вернулись с фронта и, на первый взгляд, были в порядке (руки целы, ноги целы, что еще?). Они не говорили вслух о своем подорванном здоровье, и только их дети свидетельствуют, как часто отцы лежали в госпиталях, как врачи им запрещали работать. Видимо, вернуться с войны абсолютно здоровым было невозможно. Война не может не травмировать.

Как-то наш папа заболел. У него было после войны нервное истощение, и ему врачи запретили работать год. А кто семью кормить будет?».²⁹

Отец тогда лежал в госпитале. Он пришел с фронта весь израненный, нервный. От ранения в голову часто терял сознание прямо на улице. Упадёт, а мы с братом стоим, не знаем что делать, плачем. Одна рука у него едва двигалась – почти атрофирована была. Возьмет что-нибудь, а пальцев не чувствует. И все падает – то чашка, то вилка, то сетка. Папа выпишется из госпиталя. Придет домой, увидит нас – голодных. Начинает работать в три смены, чтобы нас хоть немного подкормить. А организм-то слабый. Поработает неделю-две, надорвется. И снова в госпиталь на месяца три. Так я и запомнил его по детству – в госпитале. Худой, бледный, пижама на нем болтается.³⁰

Тем не менее все калмыки в Сибири старались прилежным трудом доказывать лояльность государству, изо всех сил стараясь быть не хуже других советских людей. Они заводили дружеские отношения с соседями, сослуживцами, одноклассниками, отмечали праздники и участвовали в самодеятельности и других видах общественной жизни. В воспоминаниях они всегда упоминают о местах, занятых в соцсоревнованиях, о почетных грамотах и знаках отличия за примерный труд, об участии в сельскохозяйственных выставках.

Видимо, в этом проявляется феномен проповской «недостача» у героев русской сказки, приложенный С. Ушакиным к анализу мужественности: «осознание и преодоление отсутствия целостности «мужественности» [«очередного Ивана»] становится и источником развития и основным содержанием сюжета его жизни».³¹ Недостача в годы депортации ощуща-

27 фабрично-заводского обучения.

28 Интервью с Дорджиевым Л.Т. Элиста, 2004.

29 Гучинова. У каждого своя Сибирь. С. 414.

30 Интервью с Манджиевым О.Л. Москва, 2004.

31 Ушакин С. Человек рода Он: знаки отсутствия. // Ушакин С. (сост.) О муже(N)ственности. Сб. ст. М.: НЛО, 2002. С. 27.

лась калмыками прежде всего в отношении качества человеческого бытия – не было еды, жилья, общения и много другого – но преодолеть ее можно было только универсальным человеческим способом – трудом.

КРИЗИС МАСКУЛИННОСТИ

В отличие от своих родителей, имевших военный опыт, символический аттестат мужественности, генерация «сибирских» детей не чувствует в себе безусловной маскулинности старшего поколения, в первую очередь, поскольку не имела опыта участия в мужском ритуале войны. Калмыки, рожденные в высылке, чувствуют *кризис маскулинности*, т.е. «невозможность реализации личного сценария, или проекта, маскулинности»,³² в том, что нарушается «главный принцип маскулинности – мужчина ... должен всегда и везде оставаться субъектом, хозяином положения».³³

Сыльное поколение, рожденное в 40-е, от постоянного унижения – я не говорю физического, я имею в виду моральное – мы где-то внутри согнутые. От постоянного желания запрятаться в толпе, чтобы тебя не увидели, пропала инициатива, загублены многие таланты. Если бы не это, многие бы ребята проявили себя, могли бы быть большими людьми. Но от сознания, что не дадут выдвинуться, потому что калмык, пропадала охота что-либо делать, пытаться. Это сейчас можно говорить, что это страшно. А тогда... это была повседневность, обыденность. Тогда законов не было. Любой человек мог убить калмыка, потому что он высланный, он был вне закона. «Кого убили? – А, калмыка». Или: «Ну зря ты так, надо было хоть живым оставить». Я до сих пор вижу милиционера, и мне хочется перейти на другую сторону улицы, хотя я ничего не сделал. Страх, установка не высовываться, не лезть, быть не на виду. Наше поколение не пошло ни в политику, ни в большой бизнес. Это Чехов выдвигал из себя по капле раба, а из нас надо было реками пускать. Ты постоянно настроже. На нерве. Тебя могут оскорбить везде, на улице, в школе, в магазине.³⁴

Для такого кризиса было достаточно оснований: стремительная и во многом насильственная модернизация привела к отказу от традиционных занятий военной службой и экстенсивным скотоводством, вследствие чего мужчина потерял свои основные хозяйственные навыки. К другим деструктивным факторам следует отнести многократные смены алфавита, после которых люди вновь и вновь становились неграмотными, смена языка публичной сферы, запрещение религиозной практики, которая могла быть нравственной опорой в трудное время. Политические репрессии руководителей республики и первой волны калмыцкой советской

32 Тартаковская И.Н. «Несостоявшаяся маскулинность» в постсоветском контексте // <http://www.nir.ru/sj/sj3-02tar.html>

33 Кон И. Мужское тело как эротический объект // О муже(N)ственности. С. 47.

34 Интервью с Манджиевым О.Л. Москва, 2004.

интеллигенции, гонения на священников, аристократию и зажиточных кулаков, а также казачества усиливали страх перед репрессиями со стороны государства. Возникало непонимание того как следует жить, потому что хозяйственный или карьерный успех в 20-30-е гг. часто означал риск ареста, а то и расстрела. В традиционном хозяйстве мужчина имел свои особые ресурсы (хозяйство, ремесло, торговля), из которых кормил семью, утверждая свою доминантность. При советской власти он должен был пойти на работу в колхоз или в учреждение, зависеть от коллектива и власти и не всегда иметь доходы, достаточные для того чтобы прокормить семью. Утерев свои особые ресурсы, он не соответствовал собственным представлениям о мужественности и не отвечал ожиданиям членов семьи.

В том, как государство отнеслось к мужчинам-фронтовикам, наиболее опытным, знающим людям, составляющим основную группу репродуктивного возраста, видится явление, которое в других регионах СССР было охарактеризовано как символическая кастрация колонизирующими силами, направленная прежде всего на уничтожение мужественности «второсортного» народа.³⁵ Слабые, «кастрированные» мужчины видятся символом бессилия в отношениях с колонизатором.³⁶ Подтверждением символической кастрации являются биографии бывших узников Широкага, среди которых встречаются мужчины, которые после освобождения так никогда и не женились: нарушение канона маскулинности, видимо, вызывало опасения потенциальной невозможности следовать нормам семейной жизни после освобождения.

ЖЕНСКАЯ ДОЛЯ

Наиболее уязвимыми из всего депортируемого состава были беременные женщины и кормящие матери. Народная память сохранила немало примеров того, как женщина отказывалась от ребенка, будучи не в силах одной адекватно разобраться в трудной ситуации, не понимая, возможны ли старые практики в иных, экстремальных условиях? В калмыцком обществе роды считались грязным и оскверняющим актом, поэтому женщине было трудно морально решиться на роды в публичном месте, которым стал вагон. Что означало оставить ребенка на станции? Мать оставляет ребенка умирать или дает ему шанс выжить в детском доме под другим именем, так как все равно он обречен на голодную смерть в ближайшие сутки?

35 *Забужко О.* Гендерная структура украинского колониального сознания: к постановке вопроса // О Муже(N)ственности. С. 393-394.

36 *Гапова Е.* О гендере, нации и классе в посткоммунизме // Гендерные исследования. 2005. № 13. С. 9.

Еще в нашем вагоне умерла одна женщина, впоследствии я узнала, что она должна была родить, но сидела и зажимала ноги, чтобы никто не увидел, как она рождает.³⁷

Во время пути у нее пропало молоко, и все как могли, помогали. Но когда у мальчика расстроился желудок, в вагоне началась паника. Каждый, заботясь о своем чаде, настаивал на том, что он обречен. «Выброси Баатра, ведь у тебя останется Борька! Одного легче выкормить!» – такие страшные слова кричала одна из обезумевших матерей. Загнанная в тупик Бобиш не хотела, и не могла выкинуть живого ребенка; обезумев от горя, мать решилась на чудовищный шаг и, завернув ребенка в полушубок, шагнула к двери вагона. Но преградила ей дорогу женщина, старше по возрасту: «Сядь на место!»... Ребенку становилось все хуже и хуже, а соседи по вагону накинулись на ребенка, ругая самыми последними словами. Однажды во время остановки она оставила свою кровинку в сугробе и, зажав уши, вернулась в вагон. Но не выдержало сердце матери, выбежала она из вагона, обняла своего ребенка. По вагону разнеслась весть об этом случае, и люди отдавали все, что у них осталось, и мальчик выжил благодаря своей матери, и людям, приносившим бараний жир и масло.³⁸

Бабушка рассказывала мне, что в их вагоне была женщина с двухмесячным ребенком на руках. Но так как было нечего есть, у нее не было молока, кормить ребенка было нечем, она на одной из станций вынесла ребенка из вагона и положила на снег, такого беззащитного и маленького, но что поделаешь, если не освободиться от ребенка, то умрут оба.³⁹

До трех детей порой рожала в Сибири женщина и теряла их. В 1948-49 гг. в калмыцких семьях родилось 3193 младенца, при этом умерло 2766, в 1949 г. родилось 2058 человек, а умерло 1903.⁴⁰ Резкая смена климата и сильный стресс влияли на фертильность и вызывали аменорею. Недаром наиболее трудным в первые годы люди считали «привыкание к местному климату и налаживание отношений с местным населением».⁴¹

Женственность в рассказах, как правило, конструируется на примере матери. Поскольку патриархатные отношения в обществе доминировали, то рассказчица-дочь ретранслирует именно эти ценности, и в матери ценит как природные проявления «женственности» (красоту, умение петь, танцевать, отсутствие лидерских амбиций), так и хозяйственные навыки, включая бесконечный труд без отдыха. Неоплачиваемый домашний труд предполагал самую разнообразную работу: сюда входила не только

37 Интервью с Кардоновой К. Проект Память в третьем поколении – Делегированное интервью школьника (далее – ППТП – ДИШ). Элиста, 2004.

38 Проект «Память в третьем поколении». Анонимное сочинение. Элиста, 2004.

39 Шевенова С.И., Гучинова Э.-Б. (сост.) Память в наследство. Депортация калмыков в школьных сочинениях. СПб.: Алетейя, 2005. С. 83.

40 Бугай. Операция «Улусь». С. 78.

41 Проект «Память в третьем поколении». Интервью с Мухлыновой М.С. Элиста, 2004.

«стирка-глажка-уборка-готовка», но и шитье одежды для всех членов семьи, полевые и огородные работы, уход за птицей и скотиной, стояние в очередях, отоваривание карточек и многое другое. При этом требовалась изворотливость: надо было регулярно стирать одежду, несмотря на отсутствие мыла, надо было ежедневно кормить детей, но не всегда были продукты. Само содержание этих «женских» качеств указывает на патриархатное авторство термина «женственность».

Моя мама, Прасковья Бадмаевна, красавица 32 лет, занималась семьей, шила сибирякам все, начиная с трусов и до брезентовых плащей и рукавиц. Мама была исключительной женщиной и местные сибиряки приходили вечерами взглянуть на такую женщину в окно, которое располагалось низко, и все в квартире просматривалось. Потом сибиряки так припеклись к нашей семье, что мои родители стали желанными гостями их незатейливых вечеринок. Там мама, забыв семейные трудности, пела, танцевала и вмиг еще больше хорошела. Жили, конечно, как все, туго. Мама пыталась в первую очередь накормить нас и ждала, если ей что-то достанется. Я была еще дурочкой и спрашивала: «почему ты, мама не кушаешь?». На что она отвечала: «я уже сыта». Калмыкам выдавали ссуды на обзаведение хозяйством. Мама купила корову и отдала два мешка одежды. Она была достаточно хорошо одета, все отдала на корову. Мама сама покупала корову. Когда мама привела корову, папа вышел посмотреть, сказал: что за телку ты купила. Потом она хорошо нас молоком обеспечила. Такую мастерицу на все руки, многодетную мать, стали выбирать в родительский комитет школы. Она все делала, но оставалась второй скрипкой при папе. Она научилась запрягать лошадь, косить сено, плести огород, разводить гусей, кур и даже пчел. Она не сидела на завалинке с женщинами, ей было всегда некогда.⁴²

Однако не все женщины смогли выстоять как та, о которой была приведенная цитата. Многие калмычки не знали русского языка, без мужей и родственников они растерялись и не видели путей к спасению. Они умирали вместе с детьми, иногда пытаясь спасти от голода старших детей, жертвуя младшими. Невозможность выполнить свою материнскую роль для них означала и невозможность жить.

Первыми умерли двое младших детей Булгун, потом ее мать, потом умерли двое старших. От голода. В нашем селе половина были давно сосланные и половина была старообрядцы. У последних зимой снега не выпросишь. Все, кто был на ногах, ходили по домам. Кто собак спускает, а кто кусок хлеба даст, а кто картошку. Мама что принесет, делила на нас троих. А ей надо было делить на шестерых. Ей и помочь нечем. Она, оказывается, младших не кормила, чтобы спасти старших. Потом бабушку не кормила, чтобы спасти старших. Понимаешь, что делалось? Они уже ей мешали. Где-то в конце января нас привезли, а в начале февраля младшие умерли... А старшие умерли в середине марта. Сама она не плакала, слез не было. Она ревела. Глаза сухие. Кричала все время:

42 Интервью с Сельвиной К.Е. Элиста, 2004.

«Бадма, когда ты вернешься, что я тебе скажу? Детей твоих не уберегла, мать не уберегла. Ночью вышла и повесилась».⁴³

Мало кто выжил из мобилизованных для выполнения принудительной трудовой повинности и попал в так называемую трудоварию.

Лида попала в трудоварию. Это был советский концлагерь. Мой двоюродный брат Никита служил в армии, и его часть в 44 г. стояла в Новосибирске. Они стояли и ждали, когда колонну проведут с собаками. Было много калмыков, и он узнал свою двоюродную сестру Лиду. Он уже был офицер, за ними пошел, зашел на вахту и спросил у охраны: «Что за заключенных сейчас провели?» – «Это не заключенные, это дети врагов народа, это хуже чем заключенные, потому что у заключенных срок есть, а эти бессрочные. Мы про них ничего не знаем, их офицеры приводят по списку и назад увозят». Шли на вахте офицеры сопровождения и он к ним обратился. Он сказал: «Мне показалось, что моя сестра прошла». «Как фамилия? Да, есть. Это дети спецпереселенцев, они работают на военном заводе, их так водят, чтобы они не разбежались». Сейчас это Сибсельмаш. А в военное время там был минометный завод. Там были не только калмыки: дети немцев и дети русских, кто был старостами и полицейскими. Лида наша попала туда в 44 г., она получила туберкулез брюшины и в 45-м ее освободили. Зимой ее привезли, она была в ботинках на деревянной подошве. Тетя Рая, жена Никиты, работала медсестрой в военном госпитале. Она белую простыню постелила на пол, ее посадила на стул, всю ее машинкой обстригла, всю одежду и волосы сожгла. Ничего ей одеть, дали ей солдатскую гимнастерку, юбку и белье. Вымыла ее всю в ванной, а наутро опять вшей полно, как будто из тела выходят. Так целый месяц она ее мыла и кормила. Лида наша в 48 г. умерла.⁴⁴

По многим рассказам видно, что красота спасала женщину в трудной ситуации, поскольку властью распоряжались мужчины, ценители этой красоты. Красота – это ресурс, который позволял женщине успешнее использовать все свои немногочисленные возможности для более успешной жизненной стратегии; ведь мужчины в разных культурах оценивают красоту как самое важное в длинном списке женских качеств.

В традиционном калмыцком обществе выделялись четыре типа женственности (красоты), которые были представлены так:

1. Высоконравственная женщина с сильным биоэнергетическим полем, обладающая даром исцеления, рядом с которой спокойно и уютно (шаманки).
2. Обаятельная женщина, с огоньком в глазах и сиянием на лице, которая пройдет мимо и никого не оставит равнодушным, все на нее оглядываются.

43 Интервью с Буджаловым Е.А. Элиста, 2004.

44 Интервью с Нарановой С.Э. Москва, 2004.

3. Женщина с ладной, гармоничной фигурой и пластикой: не большая и не маленькая, не толстая и не худая – такая, на которую посмотришь и засмотришься.
4. Женщина, которая знает, как себя вести во всех ситуациях, умеет красиво одеваться, общение с которой очень приятно.⁴⁵

В рассказах о депортации упоминаются разные типы женственности, но чаще выделяется шаманский тип: «мама обладала от природы даром лечить людей, особенно детей, мы никогда в Сибири не болели».⁴⁶ Видимо, он был востребован в условиях отсутствия информации и врачебной помощи, поэтому женщины, использовавшие практики, основанные на интуитивном знании, были на особом счету. Традиция не измеряют красоту в сантиметрах, но рассказчицы уже в то время выбрали для себя европейские стандарты и замечают, что ремень обвивался вокруг талии два раза, хотя в калмыцком языке и слова для обозначения талии не было.

Женщины старались быть модными и аккуратными в одежде: «во время вступительных экзаменов я каждый вечер свое платье стирала, утром вставала пораньше, чтобы погладить, у меня оно одно было».⁴⁷ Рассказчицы охотно вспоминали о своей тонкой талии или толстой косе (которую, например, можно было расплести и укрыть волосами ребенка⁴⁸), и были готовы спорить о своих достоинствах даже с риском ареста:

Я поехала в Алма-Ату к тете. Тетя давно была замужем за казахом, деканом географического факультета КазГУ. За нами, за троюродной сестрой Лорой, студенткой КазГУ, и мной, ухаживали студенты-поклонники. Один из них, Асланбек, за мной приударил. Но что я буду шуры-муры заводить, если я приехала в гости на месяц? А потом он мне не особенно нравился. Он был эмведешник, у него форма была такая, кокарда. И вот он уже видит, что никак не может он ко мне приклеиться. Как-то мы сидели, разговаривали, какая разница между казашками и калмычками. А я так сижу и говорю: «Калмычки более стройные, а казашки, видите – низкий таз, кривые ножки». Он говорит: «У тебя что, не кривые?». Говорю: «Нет, ноги у меня прямые и рост у меня 162, еще каблучок». Для своего времени я не была маленькой. Никак он меня не достанет. И он говорит: «Вас выслали». Я спрашиваю: «За что нас выслали, Асланбек?» «За то, что вы все предатели». Я говорю: «Боже мой, да если бы война началась с вашей стороны, да видела бы я как ты бежал бы навстречу китайцам со своей кокардой». Как он рассердился. А дядя Гали услышал из соседней комнаты, зашел и сказал ему что-то по-казахски резкое. Асланбек встал, извинился и ушел. Больше он к нам никогда не приходил. Потом мне дядя Гали сказал: «Знаешь, Сима, надо быть очень

45 Гучинова Э. Японки Европы или француженки Азии: изменения представлений о красоте калмыцкой женщины // Новикова И. (отв. ред.) Гендер. Культура. Общество. Проект женщин Балтии. Рига, 2002. С. 9-10.

46 Интервью с Боромангнаевым Б. Элиста, 2004.

47 Гучинова. У каждого своя Сибирь. С. 415.

48 Интервью с Бадмаевым В.И. Элиста, 2004.

осторожной, ты же можешь отсюда домой не уехать. Ты же видишь, кто он, а ты ему такие вещи говоришь». Я говорю: «А пусть он не говорит, что мы все предатели».⁴⁹

У нас куратором в техникуме была москвичка. Она сказала: «Все идите, а Вы останьтесь». Я думаю, а что она хочет? – «У Вас косы свои?». А я даже понятия не имела, что могут быть не свои косы. Я расплела конец косы и кинула на парту. Она пощупала и спрашивает: «А чем вы моете?». Я подумала, наверное, пахнет *арьяном*.⁵⁰ Мама меня каждую субботу заставляла голову мыть кислым молоком. Мне все время хотелось отрезать волосы снизу. А мама говорила: «Красота только в косе». Две большие косы мою голову все время назад тянули. Я все думала, когда же я пойду работать отдельно и отрежу косы, чтобы голове было легче. Но потом выросла и поняла, что резать не надо. Потому что я поняла, что коса – это красота. Все удивлялись, потому что одна коса впереди, одна сзади. Некоторые думали сзади, что одна коса, я повернусь, а они: «Еще одна?». Все удивлялись и спрашивали: «Свои?».⁵¹

Женский идеал красоты по определению недостижим. Такова природа этого патриархатного конструкта, что заставляет женщин стремиться к недостижаемому идеалу – несмотря на любые трудности.

В Новосибирске мы уже хорошо одевались. У меня были коричневые ботиночки «прощай, молодость» на каблучке с опушкой. Чулки шелковые или фильдеперсовые. Если я тебе покажу фотографию 1949 г., ты скажешь, что у нас было все. В 47 г. шубка кроличья. Вот я, на мне: теплые рейтузы, гольфы шерстяные, чисто японжевая юбка,⁵² креп-саатиновая кофточка. Все натуральное. Какое пальто, сапоги резиновые, шапочка меховая, жабо на плечах. Видишь, какие у меня ногти, какой у меня маникюр. Это Новосибирск, 49 год. Волосы плойкой завивали. Брови выщипаны, подведены, пудра, на губах помада.⁵³

Кроме физических данных в понятие женственности входили хозяйственные качества, ловкость в работе. Среди прочих навыков, из которых важным считалась чистошность, особенно пригодилось умение шить. В калмыцкой культуре всех девочек рано учили шить – раньше чем готовить еду, стирать одежду. В экстремальных ситуациях именно это умение нередко спасало их от голодной смерти. Почти все женщины, кто сумел захватить из дома швейную машинку, зарабатывали шитьем, и их семьи не голодали.

«Женское» подчеркивается также строгостью в отношениях со сверстниками, заботой о родственниках, стыдливостью.

49 Интервью с Нарановой С.Э. Москва, 2004.

50 Кислым молоком.

51 Интервью с Бургаковой Г. Элиста, 2004.

52 Японж – ткань из шерсти с шелком.

53 Интервью с Нарановой С.Э. Москва, 2004.

Беременность у мамы была поздняя, она естеснялась и скрывала. Даже от брата мама скрывала свой живот. Такая калмыцкая целомудренность.⁵⁴

В устных историях сообщения о телесном, как правило, связаны с преодолением стыда, что было травматическим испытанием для женщин, поскольку и в калмыцкой, и в советской культуре женский пол был сконструирован в «терминах стыда».⁵⁵ В кризисной ситуации выселения старые телесные практики не могли оставаться прежними, они должны были реагировать на новые климатические и социальные условия. Вопросы личной гигиены в таких условиях вышли за рамки приватности и должны были решаться сообща. Не сразу, но стыдливость как «женское» качество пересматривалась по ситуации, чтобы делать так, как было удобнее людям. Туалета скотский вагон не предусматривал. Многие женщины, стесняясь мужчин, перебирались под составом на другую сторону, чтобы там оправиться. Не раз случалось, что неповоротливые старухи погибали под колесами двинувшегося состава.

На остановках все выходили и должны были оправляться тут же, за короткую стоянку... Конечно, мужчинам было легче. А мы очень стеснялись. Это раньше в степи можно было присесть и все сделать. А как справить нужду среди бела дня, когда вокруг люди и нет туалета? Мы, женщины, становились в кружок и присаживались в центре круга по очереди.⁵⁶

Одной из стратегий выживания стало изменение гендерных ролей в калмыцкой семье. К началу войны безусловно преобладала патриархатная модель, и главой семьи всегда был старший мужчина. Даже подросток, хоть он и был младший мужчина в семье, был по статусу выше снохи, замужней женщины, и мы слышим рассказ мужчины, в 1945 г. 12-летнего мальчика: «после смерти отца мать стала меня слушать, подчиняться».⁵⁷ Только состарившись, став матерью женатого сына, женщина становилась уважаемой. Так было в мирной жизни, но форс-мажор депортации поменял приоритеты. На рынке труда в Сибири быстрее находили работу те женщины, чье сознание (а значит и весь облик – знание русского языка, прическа, одежда, этикет) было более модернизированным.

В тяжелое первое время из мужчин были старики и инвалиды. Многие не знали русского языка и не могли ориентироваться в дороге и по прибытию, поэтому все вопросы выживания должны были решать молодые женщины. Традиционная сфера ответственности калмычки расширилась, так как ей пришлось, с одной стороны, выполнять традиционные обязанности – стирать, одевать, кормить и отапливать жилье, что было

54 Интервью с Сельвиной К.Е. Элиста, 2004.

55 Жеребкина. Гендерные 90-е. С. 186.

56 Интервью с Алексеевой П.Э. Элиста, 2001.

57 Интервью с Ивановым С.М. Элиста, 2004.

невероятно трудно и требовало выдумки, инициативы, риска. С другой стороны ей приходилось нести ответственность за всех членов семьи, быть главой семьи и материально ее обеспечивать, выполняя роль, традиционно принадлежавшую мужчине. А зарабатывать означало пойти на общественные работы, что для среднего и старшего поколения женщин было совершенно новой ареной. В результате калмычка оказалась вписанной в навязанный государством гендерный контракт «работающая мать». Он подразумевает обязательность как «общественно-полезного» труда советских женщин, так и выполнения миссии матери «как женского природного предназначения» и гражданского долга. Особенностью советской гендерной системы было сочетание эгалитарной идеологии решения женского вопроса, квазиэгалитарной практики и традиционных гендерных стереотипов, реализующихся в сфере семьи, быта и интимных отношений. Этим и отличался советский патриархат от традиционного: по традиции мужчина был однозначно главным всегда и во всем, советская идеология камуфлировала неравенство женщины эгалитарной риторикой права и идеологии.

Социальное продвижение калмычки имело следствием и появление новых личных качеств, которые ранее применительно к женщине не формулировались. Это отмечали все калмычки, прошедшие депортацию, и в первую очередь – сами женщины: за тринадцать лет депортации калмычки стали смелее и независимее, их стали уважать.⁵⁸ В то же время женщинам приходилось «труднее, чем мужчинам, потому что работы было в два раза больше, чем у мужчин, ведь у мужчин были минуты, когда они могли отдохнуть, которых не было у женщин».⁵⁹ Это понимали и калмыцкие мужчины: «Женщины трудились, чтобы выжить, а им было труднее, чем мужчинам, им приходилось еще о семье заботиться».⁶⁰ Изменение гендерных ролей помогло всему народу выжить в экстремальных условиях, стало механизмом выживания группы.

БРАЧНЫЕ СТРАТЕГИИ

Статус выселенцев и крайняя дисперсность расселения затрудняли возможность брака для многих калмыков. Тем не менее, демографическая диспропорция после войны приводила к смешанным бракам между мужчиной-калмыком и женщиной-сибирячкой. Часто подобные браки не регистрировались из-за разницы в гражданских статусах. Бывало, что такая гетерогенная семейная пара жила долгие годы, так и не оформив брак. Моя пожилая соседка по Элисте, урожденная сибирячка, вдруг осознала в 1989 г., что почти полвека прожила с мужем-калмыком без штампа

58 Интервью с Убушиевой Е.К. (ПТПП – ДИШ). Элиста, 2004.

59 Интервью с Сальновой Д.У. (ПТПП – ДИШ). Элиста, 2004.

60 Интервью с Помпаевым М.Д. (ПТПП – ДИШ). Элиста, 2004.

о семейном положении в паспорте. Неожиданно она стала просить мужа зарегистрировать брак в ЗАГСе, чтобы «хотя бы перед смертью, как Ева Браун, официально оформить статус жены».

Калмыки-ребята женились на местных девушках, и девушки охотно выходили за них. Жили хорошо. Мужчин вообще не осуждали, мама говорила, мужчина мог жениться хоть на ком. Потом в старину, если муж с женой разводился, он детей себе оставлял. Он говорил жене: одна пришла, одна и уходит.⁶¹

В то же самое время многие калмыцкие женщины, чья молодость пришлась на это лихолетье, так и не смогли выйти замуж. Мужчине найти супругу в послевоенное время было легче. Стратегия выживания заключалась и в предпочтении внутригрупповой эндогамии, потому что границы этнической группы четко фиксировались не только статусом, но и внешностью.

Фенотипическая отличительность калмыков была заметна уже в первых опытах социальности – в школе. Несмотря на лидерские позиции многих калмыков/чек они как правило не становились объектами влюбленности, что было косвенным отражением их низкого статуса в социуме. Девочки редко имели успех у русских мальчиков, калмыцкие мальчики не имели успеха у русских девочек.

О том, чтобы кому-либо нравиться, об этом не было и речи. Я была чужеродная. Во мне видели не девочку, а товарища, друга, начитанного человека. Я читала запоем. До 12 лет я прочла почти всю русскую и европейскую классику. Мы дружили большой компанией. Единственный, кто ко мне относился как к девочке, это мой сосед Володя Суменко. Но мы с ним дружили с шести лет. Я по-детски ему жаловалась: «Все дружат, а мне никто дружбу не предлагает». Он всегда говорил мне: «Ты не обижайся на них, они не понимают, что ты красивая и хорошая». Володя меня жалел и говорил: «Ты же мне нравишься, что тебе еще надо?». Это был единственный человек, от которого я могла такое услышать.⁶²

Девочки мне нравились, но у меня как-то неудачно получалось. Я помню, как-то подошел в четвертом классе к Оле Косачевой, отличнице и красавице. Что-то ей сказал, а она мне: что ты лезешь, калмык вонючий. И я ее ударил.⁶³

Хотя и советское и калмыцкое общества были патриархатными, формы мужского доминирования в них были разные. При этом советские формы воспринимались как более передовые, потому что на идеологическом уровне они провозглашали равенство полов, а калмыцкие формы патриархата были настолько укоренены в народе, что воспринимались как норма. Из предыдущих рассказов видно, что мужчин не осуждали, а

61 Интервью с Нарановой С.Э. Москва, 2004.

62 Интервью с Берденовой Л.А. Элиста, 2004.

63 Интервью с Манджиевым О.Л. Москва, 2004.

осуждали женщин – за что? – за глубоко личный вопрос – выбор брачного партнера. В мужском нарративе проскальзывает сюжет, как парни-студенты дали клятву не жениться до 30 лет.⁶⁴ За такой шуточной клятвой стояло нежелание оказаться в «ярме семейной жизни» раньше срока и это было общей позицией мужчин. Другой рассказчик вспоминал, что после трудового дня еще шел на танцы, ведь «надо же и поплясать, поцеловать пару раз Олечку или Зиночку».⁶⁵ Любвеобильное поведение для холостого мужчины не было предосудительным, но если бы такое сказала девушка, для нее тут же нашлось бы специальное слово.

По материалам устных историй можно выделить две стратегии замужества: традиционную и модернизированную. Первый сценарий был классически патриархатным: ранний брак с первым посватавшимся парнем, переезд к нему, выполнение всей домашней работы, материнство и полное подчинение мужу и его родственникам.

Второй сценарий был обобщением женского опыта первых десятилетий социальных преобразований советской власти, среди которых было и «раскрепощение калмыцкой женщины». Девушки, выбравшие путь модернизации и поэтому остригшие свои косы, отказавшиеся от камзола,⁶⁶ получили образование и стали учителями, врачами и юристами. Даже в Сибири они почти всегда находили работу, имели лучшие жилищные условия, были в лучшем положении социально – с ними считались и люди, и власти. Глядя на них многие девушки выбирали не замужество, а учебу.

Мама мне давала такую установку: если учишься в мединституте, надо учиться. Пока не закончишь, о замужестве и не думай. В приказном порядке: замуж не вздумай! Моей подруге Азе, видимо, говорили то же самое. Мы на всех вечеринках пляшем, поем, а потом потихоньку засветло убегаем. Мы никакие надежды никому не подавали.⁶⁷

Возможность изменить свою жизнь с помощью брака была только у женщин. У мужчины такой возможности не было. Замуж заочно, как «фотографическая» невеста, описанная в пьесе Р. Калиноски «Лунное чудовище» – так заводили семьи разбросанные по всему миру и жертвы армянского геноцида в Турции. Подобные решения принимаются из ситуации «хуже уже не будет». Замужество становилось способом изменить, по крайней мере, место жительства и работу на более приемлемые варианты. Показательна в этой связи история знакомства моих родителей. Мой отец, Мацак Гучинов, 22-летний боевой офицер, был комиссован по ранению весной 1943 г., а в декабре он был выселен в г. Куйбышев

64 Интервью с Бадмаевым В.И. Элиста, 2004.

65 Интервью с Ивановым С.М. Элиста, 2004.

66 Лиф, стягивающий грудь девушки. Женское движение против камзола близко движению против паранджы-чадры в Средней Азии.

67 Гучинова. У каждого своя Сибирь. С. 417.

Новосибирской области. Там он подружился с маминым дядей, который рассказал ему о своей племяннице. Мария Бальзирова несмотря на диплом педагога в то время была разнорабочей на рыбоперерабатывающем заводе в Сургуте. Видимо, там были невыносимые условия жизни. Мой будущий отец вызвал ее письмом как невесту. Мария приехала к своему незнакомому жениху в полдень, и в тот же вечер они сыграли свадьбу.

Их женитьба была новой редакцией калмыцкой брачной традиции – когда невеста и жених познакомились на свадьбе, а о чувствах молодых никто не беспокоился, важным было здоровье, репутация, материальная обеспеченность.

Так же встретились родители депутата Государственной Думы Александры Буратаевой. Они были мало знакомы и решили сойтись, потому что одиноких калмыков из Омской области отправляли на Таймыр, а женатые люди имели шанс остаться и выжить.⁶⁸ Многие создавали семьи, руководствуясь не романтическими чувствами, а рациональными мотивами.

Замужество становилось трюком в бегстве от ареста для «вдвойне запятнанных» – девушек, ушедших в Германию и позднее репатриированных: если будущий муж был офицером, он мог увезти жену в другую область, то есть вывести из-под локального контроля надзирательных органов. В таком случае девушка символически и во многих случаях бюрократически «умирала в старой жизни», а в новой жизни – женской у нее появлялась новая фамилия (советский вариант), новое имя (калмыцкая традиция), она выписывалась и уезжала с мужем, простившись со своим прошлым.

Я знала еще двух девушек, кто уходил за немцами и был репатриирован из Германии. Одна была медсестра Надя. Родственники никто к ней не подходил, боялись. Так отчужденно себя вели. Потом она вышла замуж за летчика. Он был командир, офицер, а она – красивая такая. Ей надо было выйти замуж, она была на грани ареста. Он увез ее в Алма-Ату. У меня были две подружки-фронтовички. Они были постарше. Война началась, их забрали в армию из Ростовского медучилища. Их из Венгрии вернули как калмычек. Они работали на гидролизном заводе. Катя была начальником охраны. Она была членом партии, Галя – кандидатом. Они были такие тонкие, ходили в военной форме и ремень вокруг талии два раза оборачивали. За ними приехали женихи. За Галей приехал украинец Леня Турчинский из Винницы, забрал. А к Кате приезжал сержант Папахин Леша. Он приехал без ноги. Она с ним дружила в госпитале. Катя сказала ему: «Я – высланная, ты – без ноги. Ну что мы за семья? Будем мы с тобой нищенствовать». Он бедный целый месяц возле нас околачивался, плакал-плакал и уехал. Она вышла за калмыка, он много пил, рано умер.⁶⁹

68 Интервью с Вартман Л.М. Берлин, 2003.

69 Интервью с Нарановой С.Э. Москва, 2004.

В старшую сестру Нину был влюблен литовец. Ну тогда разве это можно было...⁷⁰

Примеры брачных пар, в которых женщина – калмычка, а мужчина – инвалид или женщина – калмычка, а мужчина – литовец (тоже репрессированный) типологически напоминают другую калмыцкую традицию подбора увечных пар: горбунье находили горбуна, косому хромого. В годы репрессий стигматизированная этничность становилась аналогом инвалидности.

Калмычки сознательно ограничивали свой выбор калмыками, потому что в патриархатной советской семье ей было бы вдвойне труднее – как женщине и как калмычке. В первую очередь маркером границы была внешность. Не случайно калмыков дразнили, используя расовые признаки: «узкоглазые», «широкоформатные», «налимы».

Поскольку я из такой семьи, которая задолго до депортации все пережила, я всегда знала, кто я такая. Какое бы сердце ни было горячее, а голова всегда оставалась холодной. Я всегда думала. Вот этот мне нравится, я могла бы выйти за него замуж, но я сама себе говорила – мне нельзя.⁷¹

Я же одна [калмычка] учусь много лет и они уже внешне забывают, кто ты. Я для них просто Катя и все. Мы дружили и девочки мне говорят, когда я кого-то там отторгаю, когда уже к окончанию института и речь идет о дальнейшей жизни. Я говорила: «Ты что? Это ты меня привезешь домой невестой, а вся твоя деревня прибежит на меня смотреть?» «А чем ты отличаешься?» «Ну как же, я разве внешностью не отличаюсь?». Никто не хотел признавать, что я чем-то отличаюсь.⁷²

Другим фактором была культурная дистанция. Близкие к калмыкам по хозяйственно-культурному типу казахи и киргизы отличались иной религией – исламом. Более модернизированным калмыкам они казались «отсталыми», особенно в отношении «положения женщины» (это и комплекс «малых различий» (В. Тишков)). Не замечая проявлений «своего» патриархата, они видели и осуждали его проявления в другом народе.

Женихов, честно признаться, много было. Один киргиз бегал за мной, а его брат работал комендантом в Таласе. Он все говорил, если ты будешь со мной встречаться, ты не будешь спецпереселенкой, брат тебя сразу освободит, тебе чистый паспорт выпишет. Все говорили: только за калмыка. Тогда за другую нацию редко кто выходил, осуждали. Я знала, что ни киргиз, ни русский моим мужем стать не может. Киргизы – мусульмане. Они вели себя совсем по-другому. В те годы чтобы женщина-киргизка где-то общалась, такого не было, они жили очень закрыто.⁷³

70 Интервью с Сельвиной К.Е. Элиста, 2004.

71 Интервью с Нарановой С.Э. Москва, 2004.

72 Интервью с Хонгоровой Е.Б. Элиста, 2004.

73 Интервью с Адьяновой М. Элиста, 2004.

Я ходила на работу, была очень эффектная. Тогда я была интересная, тонкая. Ухаживали за мной и русские мальчики тоже. Но мама мне говорила, что не знает примера, чтобы калмычка вышла замуж за русского и долго с ним жила... Я это приняла во внимание.⁷⁴

«Культурные различия» выручали, если у красавиц возникали трудности с нежеланными кавалерами. В Киргизии юная Маша нашла способ пресечь назойливые знаки внимания военного без вербальных объяснений, используя разницу культурных границ: она совершила действие, для человека исламской культуры непростительное.

Я же по-киргизски хорошо говорила. Как-то я ехала на учебу. На меня обратил внимание один казах, Герой Советского Союза. Я сижу, караулю чемодан. Подходит адъютант и говорит: «Мой начальник Вас приглашает к столу». «Мне чемодан караулить поручили». «Вы идите, я покараулю». «Нет, мне же доверили». Не пошла. Потом в поезд сели, они узнали, в каком вагоне я еду. Я думала, как бы от них отвязаться? И тогда в одном русском селе перед Фрунзе я вышла на остановке и стала сало покупать. Они как увидели, начали плевать и больше не подходили.⁷⁵

Однако не все женщины были готовы рискнуть на замужество по переписке или выйти замуж за первую приличную партию. Многие ждали романтических чувств и без них замуж не торопились. Другие знали себе цену и отказывали даже калмыку-офицеру, если он был недостаточно галантен.

Галина хотела, чтобы я за их родственника замуж вышла. Они меня пригласили в оперный театр: она с мужем и претендующий жених. А я опаздывала. Забежала, уже звонки. Все побежали. И жених меня вперед не пропустил, а сам вперед проскочил. А я как дура сзади осталась. Я тут же развернулась и домой уехала. На другой день Галина мне звонит: «Ты что»? «Я потом расскажу». А когда он мне позвонил, я ему сказала, что мне дверьми чуть нос не прищемили, поэтому я уехала. Вряд ли он понял.⁷⁶

Контроль сексуальности, в первую очередь женской, был репрессивным правилом советского общества: добрачная и внебрачная свобода осуждалась морально, аборт запрещены с 1936 по 1955 гг. Противозачаточных средств практически не было, как и декретного отпуска по беременности и уходу за младенцем, не хватало яслей и детских садов. Женщины, обращавшиеся к практике криминальных абортов, несли за это уголовную ответственность. Обычно калмычки использовали воздержание как средство контрацепции,⁷⁷ а также долгое грудное вскармли-

74 Интервью с Нарановой С.Э. Москва, 2004.

75 Интервью с Адьяновой М. Элиста, 2004.

76 Интервью с Нарановой С.Э. Москва, 2004.

77 На подобном явлении у монголов строится сюжет фильма Н. Михалкова «Урга-территория любви».

вание. Как поведала женщина-ветврач, они с мужем предохранялись от беременности теми же порошками, которые она использовала в своей работе для коров. Тяжелый труд, голодное время, нехватка мужчин также способствовали тому, что вопрос не был особенно актуален.

Как молодые семьи жили? В то время дети, видимо, не рождались, потому что мужья, у кого они были, спали отдельно.⁷⁸

Из опрошенных мною для данного проекта респондентов только один оказался ребенком, рожденным вне брака. После того как его мать потеряла двоих детей во время оккупации, а мужа – на фронте, она решила завести внебрачного ребенка, заручившись поддержкой свекрови. Он считает, что его мать пошла на такой шаг, потому что относилась к группе уральских калмыков, которые жили долгое время изолированно от калмыков, среди русского населения, были во многом обрусевшими, и мораль их была более свободная.

А из калмыков, что в своем котле варились, многие женщины остались старыми девами или жили приживалками в семьях родственников, няньками.⁷⁹

Этот опыт после Сибири был пересмотрен. Теперь незамужней женщине под 30 лет родственники обычно намекают, что пора бы завести ребенка, пока еще молода. Женщина, не решившаяся на внебрачного ребенка, сейчас скорее получит осуждение за «эгоизм», за нерешительность в реализации своего природного предназначения.

Считается, что для женщины в отсутствие работы при необходимости содержать близких последним шансом заработать оставалась проституция. У меня нет сведений о проституции среди калмычек, равно как и среди женщин других наказанных народов. Хотя индивидуальное сексуальное поведение всегда может отличаться от идеального, возможно, в самый трудный период – в первые два года – не было ни сил, ни спроса, а позже не было экономической необходимости для такого занятия. Видимо, не всегда проституция является универсальным средством прокормиться. В некоторых обстоятельствах практики продажной любви даже за хлеб неприемлемы.

ЗАКЛЮЧЕНИЕ

Гендерное измерение массовых депортаций позволяет увидеть различия в женских и мужских стратегиях выживания представителей разных культур. Например, во время выселения калмыков (1943) и чеченцев (1944) и тех и других загружали в одинаковые товарные вагоны. Но среди

78 Интервью с Хонгоровой Е.Б. Элиста, 2004.

79 Интервью с Санчириным В.П. Элиста, 2004.

выселенных чеченцев было много взрослых мужчин. Поэтому социокультурный порядок чеченцев остался прежним и вагоны, в которых везли людей, были сегрегированы по признаку пола в соответствии с законами шариата. На женской стороне вагона готовили пищу, смотрели за детьми, на мужской стороне велись политические разговоры и принимались решения.⁸⁰ Чеченские мужчины смогли сохранить традиционные формы маскулинности, остались кормильцами и защитниками семей, поэтому чеченцы возвращались на родину в традиционном гендерном порядке.

В калмыцком обществе было иначе: социальный контекст потребовал от женщин активности не только в приватной, но и публичной сфере. Многие мужчины погибли на фронте, вернулись инвалидами или остались в эмиграции второй волны. Стратегия выживания в условиях бесправия была связана с установкой на быструю интеграцию в местное сообщество, а значит, на активную роль женщины в общественном производстве и социальной жизни. Калмычка приобрела лидерские навыки, от которых было трудно отказаться, вернувшись к «нормальной» жизни. В итоге за годы депортации поменялся гендерный порядок и калмыцкая женщина стала реальной главой семьи в отсутствие мужа. После того как мужья нашли свои семьи в Сибири, их статус в семье автоматически не восстановился, его надо было подтвердить экономически. Калмыцкий патриархат был заменен советским патриархатом с символическим исполнением калмыцкой традиции, что ускорило переход многих семей к партнерским супружеским отношениям. Все чаще женщина стала предпочитать завести ребенка и растить его самой, если не получается семейная жизнь. Молодые женщины стремятся получить образование и сделать карьеру, брак для них не является задачей номер один. Стремительное социальное продвижение женщины за последние десятилетия отмечено не только у калмыков, но и в разных культурах постсоветского пространства. Причин этому много: глобализация и распространение либеральных ценностей, опыт советской женщины, процесс модернизации, как в городской, так и в сельской среде и депортационный опыт выживания.

80 См. Хатаев А.Ц. Эшелон бесправия. М., 1997.

Re-establishing Economic Relations between Russia and Japan after the Russo-Japanese War: The 1907 Treaty of Commerce and Navigation

YAROSLAV SHULATOV

After the Russo-Japanese war of 1904-05, Russia and Japan faced a number of significant problems. The Portsmouth Treaty had put an end to the war, but left many contradictions between the two powers unsolved. After concluding the peace treaty, Russia and Japan had to start the difficult negotiations on the evacuation from Manchuria, the division of the Manchurian railway and Sakhalin, the P.O.W.s and similar problems. Besides the questions connected with the end of the war, St. Petersburg and Tokyo also had the important task of rebuilding relations with each other according to the new geopolitical situation arising out of the war of 1904-05. Japan was facing serious problems in the diplomatic field caused by the deterioration of relations with Great Britain and especially the USA, cautious of a possible war of revenge by Russia at the same time. The Tsarist government, permanently fighting with the revolutionaries, was trying to develop a new Far Eastern policy. The Russo-Japanese negotiations regarding the new Treaty of Commerce and Navigation, and the Fishery and Political Conventions were a major part of this complex diplomacy.

Research on these areas has been conducted from different national perspectives. L.N. Kutakov, S.S. Grigortsevich, and V.A. Marinov paid much attention to the negotiations between Russia and Japan on the prisoners of war (P.O.W.) problem, the Sympingai (Shihei-gai) memorandum, some aspects of the consultations concerning the fishery and Korean problems etc.¹ YOSHIMURA Michio, KITAOKA Shinichi and other Japanese researchers analyzed the diplomatic, military and strategic sides of the Russo-Japanese contacts after 1905.²

1 L.N. Kutakov, *Portsmutskii mirnyi dogovor (Iz istorii otnoshenii Iaponii s Rossiei i SSSR. 1905-1945 gg.)* (Moscow, 1961); S.S. Grigortsevich, *Dal'nevostochnaia politika imperialisticheskikh derzhav v 1906-1917 gg.* (Tomsk, 1965); V.A. Marinov, *Rossii i Iaponiiia pered Pervoi mirovoi voinoi (1905-1914)* (Moscow, 1974).

2 YOSHIMURA Michio, *Nihon to Roshia: Nichiro-sengo kara kakumei made [Japan and Russia: From the Russo-Japanese War until the Russian Revolution]* (Tokyo, 1968); KITAOKA Shinichi, *Nihon rikugun to tairiku seisaku [The Japanese Army and Continental Policy]* (Tokyo, 1978); KOBAYASHI Michihiko, *Nihon no tairiku seisaku 1895-1914: Katsura Tarō to Gōtō Shimpei [Japan's Continental Policy, 1895-1914: Katsura Taro and Goto Shimpei]* (Tokyo, 1996); MATSUSAKA Yoshihisa, *Japanese Imperialism and the South Manchuria Railway Company, 1905-1914* (Cambridge, MA, 1993); TERAMOTO Yasutoshi, *Nichiro sensō ikō no nihon gaikō [Japan's Foreign Policy after the Russo-Japanese War]* (Tokyo, 1999) etc.

Almost every one of these and other scholars, who had researched related topics, also touched upon the Political Convention between Russia and Japan.

The present article focuses on the process of the reinstatement of Russo-Japanese economic relations – severed by the 1904-05 war, which have not been adequately analyzed,³ and concentrates on the negotiations leading up to the Treaty of Commerce and Navigation. The conclusion of a new basic agreement, regulating commercial contacts between Russia and Japan, not only became an important part of the post-war settlement, it also appeared to be a reflection of political rapprochement between the two strongest powers in the Far East after the Russo-Japanese war in 1905-1907.

* * *

At the Peace Conference in Portsmouth, Japan had clearly shown a strong desire to open a new page in Russo-Japanese relations, both political and economic. In the course of negotiations, the Russian delegation suggested that trade contacts be resumed on the basis of the previous Russo-Japanese Treaty of Commerce and Navigation (1895), but the Japanese side insisted on signing a new covenant. Russian representatives agreed with the reservation that the new treaty ought to be concluded on “the basis of the treaty that was in force previous to the... war”⁴ (i.e. that was signed in St. Petersburg in 1895).

Japan’s reluctance to resume economic relations with Russia by renewing the previous treaty reflected two tendencies. First, Japan longed to formally strengthen its entry into the so-called “club” of “powerful nations.” The new treaty was to symbolize Japan’s new status, not only in the eyes of Russia, but for the rest of the world too. Secondly, the Japanese elite were also trying to expand the privileges granted by the Portsmouth Treaty and increase Japan’s economic influence in the Russian Far East.

In April-June 1906 Saionji Kimmochi’s cabinet prepared a basic draft of a new Trade Treaty,⁵ and a month later announced to the Russian side a desire to start negotiations. The head of Japan’s legation in St. Petersburg, MOTONO Ichiro, became the Japanese Plenipotentiary. The Russian delegation was led by Senator N.A. Malevskii-Malevich, who would later be appointed the first Russian Ambassador to Tokyo (1908). On the Russian side, most of the negotiations were undertaken by the Ministry of Trade and Industry. However, some of the most important questions were discussed in other departments including the Ministry of Foreign Affairs and also by the *Osoboe soveshchanie* (Special

3 The attempt to trace the role of the new Treaty in postwar Russo-Japanese relations was made by V.A. Marinov: Marinov, *Rossiiia i Iaponiia*, pp. 28-33.

4 The Treaty of Portsmouth, Article 12, *Nihon gaikō bunsho* [Documents on Japanese Foreign Policy], 1905, Vol. 55. V. (Tokyo, 1960), p. 537.

5 See the full text of the draft in *Nihon gaikō bunsho*, 1906, Vol. 56 (Tokyo, 1959), pp. 82-93 (Japanese), 101-110 (English).

Conference of key ministers) under the guidance of the Chairman of the Council of Ministers, acting in his role as Chairman of the Council of Ministers.

The Commission, which was set up to work on the project of the Treaty, went into session on August 4th 1906. In the first meeting Foreign Minister A.P. Izvolskii introduced the Russian Plenipotentiary to Motono's delegation. The Japanese presented their draft, which contained eight additional items not included in the previous Russo-Japanese Treaty of Commerce and Navigation. As the Japanese Envoy stated, these items arose "from [the] circumstances recently created in [the] Far East."⁶ Japan wanted to take advantage of the weakening of Russia's position in the region after the Russo-Japanese war.

Experts of the Russian Ministry of Trade and Industry noticed that some of the Japanese demands infringed on the "considerable economic interests of Russia" in the Far East by being "conventional concessions" and by "deviating from the base which was to be the foundation of a new treaty," i.e. "solely the principle of most favored nation."⁷ Russian experts pointed at Tokyo's request to remove the import duties imposed on goods and merchandise from the Liaodong Peninsula, which had been imported into Russian territories across the Manchurian border. As a justification for this, the Japanese delegation cited the decree of Nicolas II to the Minister of Finance on May 14th 1904. This ukase temporarily suspended the force of the law "On taxation of some foreign goods, imported into the Priamur region" (implemented June 23rd 1900). It had been a temporary measure necessitated by the extraordinary situation: it facilitated the delivery of all necessary goods to the Far Eastern part of the Russian Empire during the war with Japan.

Japan hoped that this decree would give them the right to import goods and merchandise duty-free across the Manchurian border to anywhere within Russian territory. This demand was "flatly refused" by Russian representatives as "absolutely unacceptable" – they believed that if granted, it would have given the Japanese government "the opportunity of complete economic conquest not only of the Priamur region, but of a considerable part of Siberia."⁸ Russian public opinion, business circles and officials, especially in the Far East, also feared Japanese economic expansion in the region after the war.⁹ Then, according to the trade treaties with Great Britain, the USA and other nations, if Russia had conceded to Japan, other countries would have felt entitled to these privileges too. After the Russian government had denied this request, Japan

6 *Motono Ichiro to Hayashi Tadasu*, Dec. 30, 1906. *Nihon Gaikō Shiryōkan* (Japan Diplomatic Records Archive). File 2.5.1.71 [Nichiro tsūshō kōkai jōyaku teiketsu ikken (The Conclusion of the Treaty Renewing Trade and Commerce between Japan and Russia)].

7 Rossiiskii gosudarstvennyi istoricheskii arkhiv (RGIA), f. 40 [Obshchaia kantseliariia ministra finansov], op. 1, d. 61a, ll. 87-88.

8 *Ibid.*, l. 88.

9 HARA Teruyuki, "Nichiro sensō-go no Roshia kyokutō – chiiki seisaku to kokusai kankyō [The Russian Far East after the Russo-Japanese War: Regional Policy and International Environment]," *Roshia shi kenkyū* 72 (Tokyo, 2003), pp. 10-11.

suggested extending import regulations, which had previously only been applied to Chinese goods, to the merchandise from Liaodong Peninsula. When the negotiations took place, Chinese goods, except tea and silver, were imported into the Priamur region duty-free under Article 939 of Russian customs regulations, although the import of bread, wine and vodka was forbidden. Russia also had the right to export goods to the North-East of China duty-free. However, the Chinese government was about to establish customs in Manchuria, so the Russian administration also planned to abrogate Article 939 and the duty-free import of Chinese goods. Taking into account the plans of St. Petersburg to eliminate the "porto-franco" regime in the Priamur region, the Japanese suggestion became a commitment not to impose higher import duties on Japanese goods than on Chinese goods. However, the Tsarist government considered China with its cheap labor force, natural resources and auspicious conditions for foreign capital investment to be a much greater trade rival than Japan, which was for Russia a strong military power first and foremost.¹⁰

Because of these factors, Russian plenipotentiaries gave their consent to the Japanese offer but limited its application to the territory of Priamur and the Maritime regions. Malevskii-Malevich's delegation also suggested extending the application of the new Treaty to the Liaodong Peninsula, in other words, to admit the import of Russian goods there on the basis of customs regulations for Chinese goods from Manchuria. Japan's delegation rejected this offer because of the "uncertainty of the legal status of the rented territory yielded by China."¹¹ By then, Japan had already signed an agreement with China regarding the status of the Liaodong Peninsula, so this argument was simply a pretext. On the other hand, according to the treaties with China, Russia theoretically already had more rights on the Liaodong Peninsula, than under the new Commerce Treaty with Japan. Moreover, from the very beginning of the negotiations, the Russian government did not intend to "obtain in Liaodong some special advantages."¹² For these two reasons the Russian representatives decided not to insist on their counter-offer.

Tokyo's demand to set the passport fees collected from Japanese citizens traveling or residing in Asiatic Russia at one half of the amount collected from Japanese subjects in European Russia was "absolutely unacceptable" to St. Petersburg. The Russian government was pursuing an active policy of colonizing the Far Eastern part of the empire with Russian settlers and feared an influx of Japanese into Siberia and the Far East. Therefore, this demand was also "firmly declined" by the Russian delegation.¹³ Both sides finally reached a compromise: Russian visas for Japanese subjects who lived in the Russian empire would be valid for six months, and the passport fee for Japanese would not exceed fifty

10 RGIA, f. 40, op. 1, d. 61a, ll. 88-89.

11 Ibid., l. 90.

12 Ibid., l. 89.

13 Ibid., ll. 89-91.

kopeks. These clauses corresponded fully with the treaties Russia had signed with Germany, Austro-Hungary and other foreign countries.

The issue of whether to permit free navigation on the Sungari River to Japanese vessels provoked a lively discussion among the Russian elite. As the problem was political rather than economic it was the responsibility of the Ministry of Foreign Affairs. According to the Russo-Chinese treaties (Article 1 of the Aigun Treaty (1858) and Article 18 of the St. Petersburg Treaty (1881)), the Russian Empire was the only foreign state that had an “exclusive right of navigation on the Amur, Ussuri and Sungari [rivers].”¹⁴ In November 1906 the Japanese government, citing the Portsmouth Treaty and the “open-door” principle in Manchuria, called for the Russian Foreign Office to permit Japanese vessels on the Sungari. If she had complied with Japanese demands, Russia would have broken bilateral agreements with China. As a result of instability in the Far East, the Tsarist government was afraid it could upset the balance of power in the region. Also, the river was the main waterway in the traditional sphere of Russian interests – Northern Manchuria. Its capital, the most “Russian” city in North-East of China – Harbin, – was located right on the banks of the Sungari. Because of the importance of the Sungari question for Russia, an *Osoboe soveshchanie* was organized on December 3rd 1906.

It is interesting that in that meeting the Minister of Finance, V.N. Kokovtsov, warned against the deterioration of relations with Japan due to the Sungari problem because it had “no political nor economic meaning,” but the head of the Foreign Ministry A.P. Izvolskii, who was an active supporter of the agreement with Tokyo, took a cautious position, stating that Japanese demands “affect Russian fundamental interests... in China.”¹⁵ St. Petersburg’s cabinet appeared to be facing a difficult choice. Although the Japanese demand was insignificant from an economic perspective, its acceptance could have had serious political consequences. First, Japan’s entry into the “courtyard” of the Russian Far East could have led to the reinforcement of Japanese influence directly on the Russian borders. Second, if Russia had acknowledged the rights of a foreign state to navigate the Sungari without permission from Beijing, it could have dramatically worsened relations with China. The unilateral violation of Russo-Chinese treaties under Japanese influence would have damaged the imperial prestige of Russia. The Tsarist elite also feared that this could deepen the pro-Japanese and anti-Russian orientation of China if Beijing’s cabinet witnessed a radical change of leaders in the region. The administration of the Priamur and the military were particularly afraid of this. Governor-General P.F. Unterberger in his reports to St. Petersburg frequently pointed out the danger of a possible (as he thought) Sino-Japanese alliance against Russia.¹⁶

14 Arkhiv vneshnei politiki Rossiiskoi imperii (AVPRI), f. Iaponskii stol, op. 493, d. 208, l. 85.

15 Marinov, *Rossia i Iaponiia*, p. 30.

16 Rossiiskii gosudarstvennyi voenno-istoricheskii arkhiv (RGVIA), f. 2000 [Glavnoe upravlenie General’nogo shtaba], op. 1, d. 6640, ll. 29-33, 35-36 etc.

On the other hand, the Russian Ministry of Foreign Affairs realized, that after the evacuation of troops from Manchuria, Russia had to take a “defensive position” in the Far East.¹⁷ Therefore, it was considered to be inexpedient to be inflexible on a question that was not vitally important. The final statement of the *Osoboe soveshchanie* pointed out that the Russian Foreign Ministry ought to have taken “all available measures” to obviate Japanese demands regarding the Sungari. At the same time, it declared that: “it cannot be admitted that this question has importance, which could justify possible aggravation of our relations with Japan” if the problem could not be solved in Russia’s favor.¹⁸

The issue of the Sungari became less pressing at the beginning of 1907, when Russia and Japan started consultations regarding the general political agreement between the two countries. Nevertheless, although the proposal of dividing Manchuria into Russian and Japanese spheres excluded intervention by each side in the affairs of the other, the Japanese refused to abandon attempts to gain the right to use the key waterway of Northern Manchuria. At the end of 1909 the Russian government was negotiating with the Tokyo cabinet in order to obtain “Japanese renunciation of navigation rights on the Sungari River,” but they couldn’t reach a compromise. The question remained open, but Russia de-facto maintained the exclusive right to use the Sungari.¹⁹

The other Japanese demand was to establish consulates in Vladivostok, Nikolaevsk and a consulate branch office in Petropavlovsk. The issue of the consulate in Vladivostok was discussed at the meeting of the Russian Council of Ministers on April 17th 1906. It was decided that Japan should be allowed to create a consulate there if they agreed to the opening of a Russian consulate in Tsuruga. The problem of opening a consulate in Nikolaevsk was not solved easily. At first the Russian government tied up the dispute over that question with the negotiations on fishery conventions.²⁰ Soon it became obvious that Russia would be compelled to concede to Japan extensive fishing rights, so that limiting a “considerable influx of Japanese” into the territory of the Russian Far East appeared to be extremely difficult. Therefore, the Tsarist government came to the conclusion that the presence of Japanese officials in these provinces “would give us indubitable advantages and conveniences.”²¹ In exchange for permission to open a Japanese consulate in Nikolaevsk, Russia obtained the right to create a consulate in Otaru. Japan’s demands regarding the consulate branch office in Petropavlovsk were refused, although later the majority of Japanese fishing enterprises were located exactly in that region.

17 AVPRI, f. Iaponskii stol, op. 493, d. 202, l. 7.

18 I.V. Bestuzhev, *Bor’ba v Rossii po voprosam vneshnei politiki 1906-1910* (Moscow, 1961), p. 163.

19 AVPRI, f. Iaponskii stol, op. 493, d. 208, ll. 84-86.

20 RGIA, f. 40, op. 1, d.61a, l. 90.

21 Marinov, *Rossia i Iaponiia*, p. 29.

According to the Portsmouth Treaty, both countries were meant to have given each other the rights of “most favored nation.” During the course of the negotiations the Russian delegation suggested stating this principle more emphatically, as it had been stated in the trade treaties between Russia and other countries. St. Petersburg’s plenipotentiaries thought that the rewriting of this clause would better protect the rights of Russian traders from additional customs duties in Japan. But the Japanese Envoy Motono Ichiro claimed that Article 14 of the previous Russo-Japanese Treaty of Commerce and Navigation (1895) would secure the above-mentioned interests of Russia sufficiently well, so Malevskii-Malevich’s delegation agreed to put that article into the new Treaty without changes. St. Petersburg and Tokyo also arranged to insert the questions regarding coastal navigation for Russian vessels between open Japanese ports, and the estates of Russian citizens in Japan into the clause of “most favored nation” – both had been included in the Treaty of 1895 separately. Japan also reaffirmed the obligation to sign an agreement on the protection of trade and industrial property, which was completed in 1911.

In an internal document of May 27th 1907 the Russian Ministry of Trade and Industry observed that the new Treaty of Commerce and Navigation had been generally, as decided in Portsmouth, based on the previous Treaty, and the newly added articles were not “decisions of principal importance.”²² Russians and Japanese had gained the right to purchase land and realty in both countries on an equal footing with other foreign citizens in accordance with existing laws.²³ The new Treaty was practically no different from the analogous treaties Russia had signed with other foreign countries. It had a similar character and was based on the principle of mutuality – the rights of Russian citizens in Japan were equivalent to the rights of Japanese subjects in the Russian Empire.

In the enclosure to the Treaty the two countries enumerated the privileges and advantages, which exceeded the bounds of the “most favored nation” regime. Thus, Russia gave some privileges to bordering countries in order to facilitate trade turnover in the frontier zone and to stabilize supplies to the Northern coast of the Asian part of the empire. Therefore, the Russian delegation offered to insert into the treaty a clause declaring that the above privileges did not contradict the resolutions of the new Russo-Japanese treaty. First of all, it pointed out the commercial advantages given to China in the 50-verst²⁴ zone along the land border. The Japanese government had agreed not to aspire to these privileges if Russia allowed particular commercial relations of Japan with Korea and the countries of South-Eastern Asia. This demand aroused

22 RGIA, f. 40, op. 1, d. 61a, l. 91.

23 By that time in Japanese law there was no term of private property on the land. Instead of it they used “the right of eternal lease.” According to the new treaty, Russian citizens could use this right.

24 One verst is equal to 1.06 km or 3500 feet.

almost no opposition from the Russian government. By the summer of 1906 they had decided to acknowledge completely the dominant position of Japan on the Korean peninsula,²⁵ so Russia was ready to admit the special status of Japanese-Korean commercial relations. The question of Japanese trade with South-Eastern Asia concerned the Russian elite even less than the previous problem. As they stated, “both in Korea and Asian countries, lying to the East of the Malacca Strait, Russia had very few real interests” compared to Great Britain, Germany and France, which owned colonies and protectorates in that region.²⁶ It was assumed that these powers would have objected seriously to Japanese attempts to gain a foothold in South-Eastern Asia. In contrast to these countries, Russia could yield here easily. By “meeting Japanese wishes in this question,” the Russian officials thought they had done Japan a “large moral good turn” and deserved “her (*Japan's*) gratitude” without “any victims from our side.”²⁷ As a result, St. Petersburg decided to accept the Japanese government's offer.

The Russian side also inserted into the Treaty a secret note pledging not to introduce to the State Duma a bill regarding differential tariffs for the goods imported into the Priamur region. In return, Japan secretly agreed to continue imposing customs duties upon kerosene by volume not weight, in accordance with the wishes of Russian business. Kerosene constituted a substantial part of Russian exports to Japan²⁸ but it was heavier than the kerosene from the USA. Therefore, imposing import duties upon kerosene by volume was profitable for Russian exporters who could then sell it by weight.

* * *

The new Treaty of Commerce and Navigation was signed July 28th 1907, the same day as the Fishery Convention. It was an important step in the post-war settling of Russo-Japanese relations. It raises some important points.

To begin with, this agreement became the first equal treaty Japan had signed with a “great power.”²⁹ That became one of the significant results of the victory in the war, which exceedingly stretched the military, financial and human resources of the Japanese Empire. The privileges given by Russia and Japan to each other had a mutual character and the treaty itself corresponded

25 Ia.A. Shulatov, “Koreiskii vopros v rossiisko-iaponskikh otnosheniakh v 1907-1907 gg.,” *Vostochnyii Arkhiv* 11-12 (Moscow, 2004), pp. 132-142.

26 RGIA, f. 40, op. 1, d. 61a, ll. 94-95.

27 Ibid.

28 In 1903 the rate of kerosene in Russian exports to Japan was 50% and exceeded the sum 4.5 mil. yen. Even when commercial relations were restored in 1905, this rate was more than 90%. Marinov, *Rossia i Iaponiia*, pp. 31-32.

29 That is, a developed European power with large military and economic potential, because the very first equal treaty Japan had signed was with Mexico in 1888.

to the analogous agreements between the great powers. The Japanese policy-makers appreciated this fact. Motono Ichiro pointed out in his report to the Foreign Minister HAYASHI Tadasu with satisfaction that Russia had found “no obstacle to accord, on the condition of reciprocity, to Japan favors which generally are accorded to other Powers.”³⁰ In the situation in which unequal agreements with great European countries and the USA were still valid, Russia became the first of the leading powers to recognize de jure the entry of the Japanese Empire into the so-called “club” of “powerful nations.” The unequal trade treaties that had been concluded before with the USA, Great Britain and France were due to expire in 1911 and Tokyo flatly refused to extend them. As a result, Japan signed new agreements with these countries as an equal. Since the Russo-Japanese Trade Treaty of 1907 had been based on the principle of mutuality, it was automatically prolonged in 1911.

Soviet historiography used to emphasize the advantages of the Treaty of Commerce and Navigation for the Japanese side first and foremost.³¹ Indeed, it is difficult to deny that the right of owning land in another state served the interests of Japanese subjects more than those of Russians. There were practically no Russian private businesses in Japan and the likelihood of more developing there appeared to be fairly small. In contrast, the simplification of the requirements for entry into Russia, in addition to the concession of extensive fishing rights to the Japanese led to the increase in the Japanese population in the Russian Far East and strengthening of Japan’s economic – therefore political – role in the region.³² The preferential import duties on goods and merchandise produced in Liaodong Peninsula so that they were treated equally to those from other parts of Manchuria also hid a potential danger for Russian trade since it was impossible to ascertain for certain that the goods had been produced in South Manchuria rather than Japan.³³ On the other hand, at that time Japan was not a developed industrial power. The traditional Japanese export item – silk, – had a very specific demand, and duty-free import of tea, which also had an important place in Japanese exports, was completely forbidden. Given the Russian government’s plans to eliminate the “porto-franco” regime and duty-free import of Chinese goods, it is appropriate to conclude that the new Russo-Japanese Treaty of Commerce and Navigation offered no serious threat to St. Petersburg. Some of the Treaty’s clauses were more profitable for

30 *Motono Ichiro to Hayashi Tadasu*, Dec. 30, 1906. Nihon Gaikō Shiryōkan. File 2.5.1.71

31 See Grigortsevich, *Dal’nevostochnaia politika*, pp. 133-135 etc.

32 Russian officials, especially in the Priamur and Maritime regions, were very guarded about the increasing of the Japanese population, but the Russian Far East did not become a place of permanent residence for them like Hawaii, North America, Brazil etc. About Japanese emigration to Russia, see Igor R. Saveliev, “Japanese across the Sea: Features of Japanese Emigration to the Russian Far East, 1875-1916,” *Amerasia Journal* 23:3 (UCLA Asian American Studies Center, 1997/1998), pp. 103-117.

33 Grigortsevich, *Dal’nevostochnaia politika*, pp. 133-135.

Japan, others for Russia. So, mutual preferences, typical of any international agreement, cannot disprove the equal nature of the Treaty.

It is interesting to quote the opinion of the Russian Envoy in Tokyo Iu.P. Bakhmetiev regarding the competition of Russian and Japanese traders in Manchuria. Commenting on the development of Japanese trade and industry in the region, the Russian diplomat stated "we can contend with it only with the same weapon." Bakhmetiev appraised the competitiveness of Russian traders negatively: "Our merchants, with their obstinate reluctance to adapt themselves to local circumstances..., hardly could be successful competitors to cunning... Japanese; but again we can't blame them (*Japanese*) in this – the conditions are equal for everybody, it is only necessary to be able to use them."³⁴

Another notable point is related to the political rather than the economic significance of the Trade Treaty. Russo-Japanese trade was an extremely small proportion of the export-import structure of both countries. Russian goods and merchandise did not exceed 0.5% of Japanese imports, and exports from Japan to Russia comprised only 2.5% of Japanese exports at their peak.³⁵ Therefore, trade did not occupy a very important role in Russo-Japanese relations. As the Assistant Minister of the Russian Foreign Office K.A. Gubastov summarized: "the concluded Trade Treaty... has far less economic than political meaning" because its main goal was "to facilitate the reinstatement of true neighborly relations" between two countries and "to put an end... to mutual suspicions."³⁶

At the same time, in the secret appendix to the Treaty the geopolitical interests of the two empires were evident. The Russian government obtained Japan's agreement not to pretend to the preferential trade terms Russia had with bordering provinces of North China. In turn, St. Petersburg gave its consent to the special character of Japan's trade relations with Korea and the countries of South-East Asia, where Russia had very few economic interests. Moreover, Japan promised to use these advantages only after the expiry of commerce treaties with other powers in 1911.

Regarding the economic relations between Russia and Japan after the 1904-05 war, the negotiations on the Fishery Convention, which took place at the same time as the Trade treaty negotiations, were of major importance. The Russian promise to concede extensive fishery rights to Japanese subjects was one of the most important results Japan could achieve in Portsmouth. This problem took the key place in the post-war Russo-Japanese economic relations and the negotiations on the Fishery Convention led to heated discussion between St. Petersburg and Tokyo at the end of 1906. Finally, the Russians chose to make serious concessions to Japan on the security of further political coop-

34 AVPRI, f. Iaponskii stol, op. 493, d. 203, l. 100.

35 Marinov, *Rossiiia i Iaponiia*, pp. 33, 86-91; Grigortsevich, *Dal'nevostochnaia politika*, p. 135 etc.

36 *Sbornik diplomaticheskikh dokumentov kasaiushchikhsia peregovorov po zakliucheniiu rybolovnoi konventsii mezhdru Rossiei i Iaponiei: Avgust 1906 – Iiul' 1907* (St. Petersburg, 1907), p. 257.

eration. By giving to the Japanese the right to bring the marine products fished from Russian territorial waters directly to Japan, the St. Petersburg' cabinet had basically excluded these items from the Russo-Japanese trade statistics. The engagement of granting to Japanese subjects the fishery rights along the coasts of the Russian Far East has been considered to be one of the biggest curtsseys to Tokyo. Even A.P. Izvolskii who had been known for his pro-Japanese policy called this clause of the Peace treaty "the hardest obligation" among those imposed.³⁷ In short, the Fishery Convention is of major importance and deserves to be researched separately.³⁸

The negotiations concerning the Treaty of Commerce and Navigation must be examined in the light of the general tendencies of the development of Russo-Japanese relations after the war and particularly with the question of political agreement. The Portsmouth Treaty put an end to the war but there was still serious tension between the two countries. Both Russia and Japan faced the problem of determining the policy further towards each other under conditions of mutual distrust. In 1906, the Japanese General Staff and its Chief Yamagata Aritomo prepared a document that defined the national defense policy (*kokubō hōshin*). According to this, Russia was named as the main potential enemy of the Japanese army and Yamagata himself feared a possible "revenge war" by Russia.³⁹ On the other hand, many Russian officials and a considerable part of society and the military also looked at the Japanese with suspicion fearing new possible aggression from Japan.⁴⁰ These factors obviously affected the atmosphere of the Russo-Japanese negotiations.

The situation changed in late January – early February 1907 when Russian Foreign Minister A.P. Izvolskii and Japanese Envoy Motono Ichiro started the consultations regarding the conclusion of the political convention between the two countries.⁴¹ It was decided to divide the Far East into spheres of interests. According to the secret articles of the Russo-Japanese agreement, which was signed on July 17/30, 1907, Japan gained control over Southern Manchuria, Russia – Northern Manchuria. St. Petersburg also admitted special interests of Japan in the Korean peninsula; Tokyo did the same with Russian interests in Outer Mongolia.⁴² Therefore, Japan and Russia defined the vector of the de-

37 Marinov, *Rossia i Iaponia*, p. 34.

38 About some of the aspects of the negotiations on the Fishery Convention see: Yaroslav Shulatov, "Problemy rybolovstva glazami diplomatov. Ekonomicheskoe uregulirovanie mezhdru Rossiei i Iaponiei posle russko-iaponskoi voiny," *Dal'nii Vostok* 6 (Khabarovsk, 2004), pp. 206-212.

39 See Yoshimura, *Nihon to Roshia*.

40 See the notes concerning Priamur Governor General P.F. Unterberger above.

41 Yaroslav A. Shulatov, "Rossiisko-iaponskie otnosheniia v dal'nevostochnoi politike Rossii v 1905-1914 gg." *Dissertatsiia na soiskanie uchenoi stepeni kandidata istoricheskikh nauk (Dal'nevostochnaia akademiiia gosudarstvennoi sluzhby, 2005)*, pp. 134-136.

42 E.D. Grimm, *Sbornik dogovorov i drugikh dokumentov po istorii mezhdunarodnykh otnoshenii na Dal'nem Vostoke (1842-1925)* (Moscow, 1927), pp. 169-170.

velopment of bilateral relations for the next few years and created the basis for further rapprochement.

Until the very beginning of the consultations concerning the political convention, there was extreme tension between St. Petersburg and Tokyo. Both sides took a very cautious attitude at the negotiations and showed no inclination to compromise, being unsure of the perspectives of the subsequent development of bilateral relations. That caused a stalemate in the negotiations on the Treaty of Commerce and the Fishery Convention at the end of 1906. Even in late January 1907 the Russian Plenipotentiary Malevskii-Malevich wrote to Minister Izvolskii regarding the absence of progress in the negotiations concerning the Trade Treaty.⁴³ The negative tendencies were solved successfully as a result of the initiation of the division of the region between the Russian and Japanese empires.

The Treaty of Commerce and Navigation, which had been signed two days before the Political Convention, became an important step on the way to the normalization of Russo-Japanese relations after the 1904-05 war, helping both countries to stabilize bilateral contacts and achieve a new level of cooperation. This Treaty was the first fruit of the process that culminated in the secret political agreement and became a reflection of the rapprochement between the two strongest powers in the Far East after the Russo-Japanese war.⁴⁴

43 Grigortsevich, *Dal'nevostochnaia politika*, p. 132.

44 See the complex analysis of Russo-Japanese relations after the 1904-05 war in: Shulatov, "Rossiisko-iaponskie otnosheniia."

Russifying Bureaucracy and the Politics of Jewish Education in the Russian Empire's Northwest Region (1860s-1870s)*

MIKHAIL DOLBILOV

INTRODUCTION AND CONTEXTUALIZATION

Contemporary historiography has actively engaged the subject of the influence of Russian imperial authorities on the religious and national identity of the Jewish population.¹ As is clear from the most recent works, in spite of vacillation, disruption, and failure, the authorities' orientation toward inclusion of particular segments of the Jewish population in the estate (*soslovie*) structure of Russian society – “selective integration” in the terminology of Benjamin Nathans² – represented the most well-considered approach to the resolution of the Jewish problem.

This integrationist orientation reached its peak in the 1860s. Neither before this time nor after did state officials and educated society discuss the idea of abolishing the Pale of Settlement and incorporating particular segments of the Jewish population into the social and cultural life of Russia with such intensity. And yet for all of their emphasis on integration, those debates simultaneously reveal hidden connections between state projects for the transformation of Jews and the persistent Judeophobia of officials and publicists. Clearly discernable in those discussions is also the ambivalent logic that would later serve to justify the state's increasingly segregationist tendencies even to those who previously subscribed to integrationist views. Those tendencies would include

* I wish to thank the Gerda Henkel Stiftung, Germany, and Slavic Research Center at the University of Hokkaido, Japan, for financial support for the research and writing of this essay. For astute criticism and useful suggestions on its earlier draft, I am grateful to two anonymous readers of *Acta Slavica Iaponica*. The final version of the essay also benefited from discussions of my presentation at the seminar “Problems of Russian, Soviet and Post-Soviet History” held at the Slavic Research Center at the University of Hokkaido, on March 17, 2006.

1 Michael Stanislawski, *Tsar Nicholas I and the Jews. The Transformation of Jewish Society in Russia, 1825-1855* (Philadelphia: The Jewish Publication Society of America, 1983); Ely Lederhendler, *The Road to Modern Jewish Politics. Political Tradition and Political Reconstruction in the Jewish Community of Tsarist Russia* (New York-Oxford, 1989); John D. Klier, *Imperial Russia's Jewish Question, 1855-1881* (Cambridge: Cambridge University Press, 1995); Benjamin Nathans, *Beyond the Pale. The Jewish Encounter with Late Imperial Russia* (Berkeley: University of California Press, 2002); Johanan Petrovskii-Shtern, *Evrei v russkoi armii. 1827-1914* (Moscow: Novoe literaturnoe obozrenie, 2003).

2 Nathans, *Beyond the Pale*, pp. 45-79.

not only concrete measures designed to limit the rights of Jews with respect to education and the professions, but also an undisclosed effort to promote Jews' cultural isolation, a retreat from cooperation with reform-minded Jews, and a growing desire to buttress that community's traditionalist elements in the hopes of capitalizing on its conservative potential.

Based on sources concerning the "Northwest region" (roughly the current territory of Belarus and Lithuania), this article analyzes the motives, forces, and cultural mechanisms that drove the imperial bureaucracy gradually to abandon its policy of "selective integration" in favor of one that connived at Jewish isolation. Beginning in the 1860s this region was the area of most intense Russo-Polish rivalry and the most bitter clash of nation-building projects expressing "Russianness" and "Polishness."³ In their struggle to reduce the influence of the Polish elite and to integrate this borderland with the territorial core of the Empire, the central and local administration adopted a variety of measures designed to reshape ethnic and confessional identities. In the case of Jews, who constituted one-sixth of the entire population of the region and a majority in many cities, state-sponsored education was considered both a primary tool for making subjects loyal and a crucial prerequisite for extending civil rights. The pages below will focus on the realm of educational and religious policy, since it was precisely here that some of the most important causes of the evolution from integration to segregation are to be found.

I undertake this analysis of the Jewish policy of the state authorities in Vilna in the context of recent historiographical discussion concerning the confessional character of the Russian Empire.⁴ It is true that the idiom of the "Orthodox Tsardom" represented a constituent part of the self-representation of

3 For studies of the post-1863 Russifying policy in the Empire's western provinces in general, see, e.g.: Theodore R. Weeks, *Nation and State in Late Imperial Russia. Nationalism and Russification on the Western Frontier, 1863-1914* (DeKalb: Northern Illinois University Press, 1996); Witold Rodkiewicz, *Russian Nationality Policy in the Western Provinces of the Empire (1863-1905)* (Lublin: Scientific Society of Lublin, 1998); Leonid Gorizontov, *Paradoksy imper'skoi politiki: Poliaki v Rossii i russkie v Pol'she (XIX – nachalo XX v.)* (Moscow: Indrik, 1999); Henryk Głębocki, *Fatalna sprawa. Kwestia polska w rosyjskiej myśli politycznej (1856-1866)* (Kraków: ARCANA, 2000); Mikhail Dolbilov and Aleksei Miller, eds., *Zapadnye okrainy Rossiiskoi imperii* (Moscow: Novoe literaturnoe obozrenie, 2006), pp. 318-327 et passim; and the articles of the forum "Alphabet, Language and National Identities in the Russian Empire," *Ab Imperio* 2 (2005).

4 Robert Crews, "Empire and the Confessional State: Islam and Religious Politics in Nineteenth-Century Russia," *American Historical Review* 108:1 (2003), pp. 50-83; Paul Werth, "Schism Once Removed: Sects, State Authority, and the Meanings of Religious Toleration in Imperial Russia," in Aleksei Miller and Alfred J. Rieber, eds., *Imperial Rule* (Budapest: Central European University Press, 2004), pp. 85-108; Virginia Martin, "Kazakh Oath-Taking in Colonial Courtrooms: Legal Culture and Russian Empire-Building," *Kritika: Explorations in Russian and Eurasian History* 5:3 (2004), pp. 483-514. See also contributions to the volume: Robert Geraci and Michael Khodarkovskii, eds., *Of Religion and Empire. Missions, Conversion, and Tolerance in Tsarist Russia* (Ithaca-London: Cornell University Press, 2000).

the monarchy and a central component of nationalist thought, and that Orthodoxy accordingly enjoyed the official status of imperial Russia's "ruling" religion. Nonetheless, in its day-to-day existence the empire depended on the institution of religion and on practices of religiosity in a more general sense – that is, without reference to specific confessions. In the words of Robert Crews, the empire was a "confessional state." Ascription to one or another recognized religion mediated the civil relationship of subjects to the state and served the latter as an indispensable instrument for administering and categorizing the empire's population. This order presupposed, at least in its ideal, a neutral attitude on the part the state toward the non-Orthodox confessions as long as they remained more or less open to administrative and, to a degree, even ecclesiastical control, and as long as their clerics fulfilled a set of predetermined administrative functions.

In this system of state regulation there was a curious dialectic: the intervention of the state and the "bureaucratization" of each confession brought in its wake not only the imposition of changes in religious services and rituals – at times extending (though this was generally not acknowledged officially) even to religious teachings themselves – but also certain privileges. These could include the elevation of the status of clerics of the given confession, a certain degree of protection from the proselytism of other confessions, the standardization of religious practices, expansion of the possibility for constructing temples, financial support for religious education, and so on.⁵ In this sense, belonging to a confession recognized by the state was akin to belonging to a legal estate (*sos-lovie*): the acquisition of privileges at least partly compensated for subjection to obligations and restrictions. It is entirely logical that in a "confessional state" the bureaucratization of the "ruling" confession was the most extensive. Indeed, this principle was quite clear to a group of maskilim in Vilna, who in proposing a plan for the further etatization of the "religious affairs" of Jews asked rhetorically: "Having organized all the functions of the ruling religion of the empire with the most detailed forms of reglamentation, can [the government], without injuring the dignity of that religion, exempt from its supervision the functions of the heterodox religions of the empire?"⁶ For a given confession, in

5 This dialectic of control and freedom was not entirely unique to the Russian empire in nineteenth century Europe. As C. Thomas McIntire has shown, by 1810 Napoleon created in France a "quadrilateral establishment of religion." The four state-recognized creeds were the Catholic Church of France, the Reformed and Lutheran churches, and Judaism: "All four religions accepted the paradox of membership in the religious establishment as the way to increase their religious liberty. The neglect or exclusion of other religions served to define the system." See: C. Thomas McIntire, "Changing Religious Establishments and Religious Liberty in France. Part I: 1787-1879," in Richard Helmstadter, ed., *Freedom and Religion in Europe and the Americas in the Nineteenth Century* (Stanford, 1997), pp. 254-260, the quotation is from p. 259.

6 Lietuvos valstybės istorijos archyvas (Lithuanian State Historical Archives [hereafter LVIA]), f. 378 [Office of Vilna Governor-General], BS, 1869, b. 40, l. 337. On this project in detail, see below.

this formulation, state supervision would represent simultaneously an imposition and – since it applied to Orthodoxy as well – a privilege.

It is worth emphasizing that this imperial confessionalization was not a one-sided process and was not exclusively imposed from above. As is evident from the most recent research on these issues, the interaction of the state bureaucracy with already existing – or in the case of Judaism and Islam, newly created – institutions and agents of spiritual authority introduced dynamism into the lives of religious communities and created new possibilities for social mobility. Provoked by bureaucratic interference, disputes and conflicts among the members of such communities had great significance, as each rival group was compelled to seek ways of adapting to the empire's legal regime and incorporating themselves into its administrative spaces. The reaction of one or another group of believers to a given government initiative became one of the factors determining the sequence of subsequent actions on the part of the state.

In the present article the locus of interaction and dialogue – however unequal – between the state and Judaism is the institution of state-sanctioned education for Jews. I will focus on the system of separate state schools for Jews, established beginning in 1844, under the aegis of the Minister of Education S.S. Uvarov. Despite its violation of many traditional values, that system was built on the premise of the indissoluble link between education and faith in Jewish culture. Even in elementary schools, subjects related to religion – bible, prayers, religious codes, Hebrew – had greater weight in the program than did, for example, Orthodox catechism in institutions of general education. The Talmud was not included in the curriculum of schools of the first and second categories (the level of the district school), but was taught in the Rabbinical seminary (at the level of the *gimnaziia*). Rabbinical seminaries, established in Vilna and Zhitomir, trained students for two specialties: state Rabbi and elementary school teacher. The teaching of most religious subjects was conducted in German as the language of the Haskalah (Jewish Enlightenment), with the use of German language literature.⁷

A quite substantial literature exists about the system of separate Jewish education. Michael Stanislawski, revealing the different facets of the conflict provoked among Jews by the establishment of state schools, has shown that the higher bureaucracy, and most of all Uvarov himself, was moved in this undertaking not by missionary motives, but by rationalistic desires to promote enlightenment. The goal was both to render Jewish religion in Russia compat-

7 On the Rabbinical seminaries, see: Verena Dohrn, "Das Rabbinerseminar in Wilna (1847-1873). Zur Geschichte der ersten staatlichen höheren Schule für Juden im Russischen Reich," *Jahrbücher für Geschichte Osteuropas* 45 (1997), pp. 379-400; idem, "The Rabbinical Schools as Institutions of Socialization in Tsarist Russia, 1847-1873," *Polin: Studies in Polish Jewry* 14 (2001), pp. 83-104.

ible with the contemporary concept of “civic-mindedness” (*grazhdanstvoennost'*) and to raise it to the standards of reformed Judaism in European countries. Stanislavski advances a thesis about significant contributions of these institutions, most of all the Rabbinical seminaries, to the mentality and program of Russophile maskilim (proponents of Haskalah).⁸

John Klier's magnum opus on the Jewish question in the epoch of Alexander II elaborates the theme of Jewish schools in the context of discussions in the press. According to Klier, by the middle of the 1860s most of the Russian and Russian-Jewish press had come to the view that the government's involvement in the religious education of Jews was bankrupt.⁹ Klier considers the turning point in the history of the Uvarov system to be 1864, when the Vilna General-Governor M.N. Murav'ev, obsessed with the goal of depolonization of the region, began to introduce Russian language into the elementary education of non-Russian groups and, more specifically, ordered the opening of “people's schools” (*narodnye shkoly*) for the Russification of Jews. Klier's assertion is apparently confirmed by discussion on the same question in the nationalist press, though the author's claim that Murav'ev may have “simply seized the state Jewish primary schools and turned them into ‘Russifying schools’” is erroneous. Exaggerating the brutality involved, Klier's narrative draws a straight line from the establishment of people's schools to the abolition of the Uvarov system as a whole in 1873 and the introduction in the 1880s of the so-called *numerus clausus*, which drastically limited the access of Jews to institutions of higher education.¹⁰ Proposing that the trajectory of events was in fact significantly more complex than Klier's account allows, this essay will show that in the first years after the suppression of the January uprising, the local bureaucracy undertook an effort to reinvigorate the separate and religion-based system of education and to effectuate a more decisive transformation of Jewish identity.

At the center of my analysis of the issue of education in the “Jewish question” are the activities of the Vilna Educational District, which have also been studied recently by Darius Staliūnas. Staliūnas examines changes in the state's linguistic policies with respect to Jews over the course of the 1860s, comparing them to the goals of the local administration concerning other ethno-confessional groups. On this basis Staliūnas concludes that efforts to introduce the Russian language into Jewish educational institutions and religious literature and to render attendance at primary schools compulsory for Jews reflected the aspiration of bureaucrats to promote the linguistic acculturation of Jews, but decidedly not their ethnic assimilation. Most officials regarded such assimilation as an unrealistic goal, and Staliūnas contends that even those Russian-speaking Jews who clearly demonstrated their loyalty to the regime failed to

8 Stanislavski, *Tsar Nicholas I and the Jews*, pp. 43-122, 65-66 ff., 201 note 51.

9 Klier, *Imperial Russia's Jewish Question*, pp. 222-244, 234-235 ff.

10 *Ibid.*, pp. 160-162, 230 (the quotation), 237-238.

allay suspicions of bureaucrats concerning the insurmountable character of Jewish cultural otherness.¹¹

I agree with Staliūnas about the trajectory of state policy on Jewish education in the Northwest region – a trajectory starting with a burst of initiatives designed to promote acculturation and leading later toward alienation from Jews. I nonetheless interpret differently the motivation of the historical actors who stood behind this process. In contrast to Staliūnas' assertion that the administration's efforts to promote the Russian language among Jews "went hand in hand ... with a diminished stress on the most quintessential attribute of Jewishness – religion,"¹² I demonstrate that at least until 1866 the religious identity of Jews remained at the center of attention for officials in Vilna and for their informants from among the maskilim. Furthermore, I argue that it was precisely interest in the possibility of reforming – or, to adopt the contemporary discourse, of "purifying" – the Jewish religion that served as one of the significant stimuli for promoting Russian-language education among Jews. In other words, the linguistic experiments of the time actually had specifically confessional goals in mind, and arguments about which language Jews should use for prayer had as much to do with the prayers themselves as with language.

I shall also demonstrate that disagreements within the bureaucracy, most notably between the Ministry of Education in St. Petersburg and its subordinates in Vilna, created greater possibilities for Jews themselves, both reformers and traditionalist believers, to impress upon authorities their own version of the question's resolution. The turn towards a more segregationist policy in Vilna at the end of the 1860s was accordingly the consequence not only of "certain metamorphoses in the views" of a single highly-placed official, the head of the educational district I.P. Kornilov.¹³ In order to understand how and why a segregationist logic came to prevail within the Vilna bureaucracy, it is crucial also to consider the close connection between the earlier integrationist agenda and the idea, dating from the time of Uvarov, of disciplinary state intervention in confessional affairs. That idea served as the basis for conflicts between

11 Darius Staliūnas, "In Which Language Should the Jews Pray? Linguistic Russification on Russia's Northwestern Frontier, 1863-1870," in Jurgita Šiaučiunaitė-Verbickienė and Larisa Lempertienė, eds., *Central and East European Jews at the Crossroads of Tradition and Modernity* (Vilnius: Center for Studies of the Culture and History of East European Jews, 2006), pp. 33-78.

12 Ibid., p. 40. Staliūnas considers one of the primary manifestations of this "diminished stress" a loss by the authorities of interest in converting Jews to Orthodoxy (Ibid., p. 59 et passim). However, a retreat from the conversion policy did not necessarily entail the simultaneous disappointment about efforts to reshape the *Judaic* religious identity on the part of the authorities. On the bureaucracy's mistrust toward Jewish converts to Orthodoxy, see: Eugene Avrutin, "The Jewish Intelligentsia, State Administration, and the Myth of Conversion in Tsarist Russia," in Fiona Björling and Alexander Pereswetoff-Morath, eds., *Words, Deeds and Values: The Intelligentsias in Russia and Poland during the Nineteenth and Twentieth Centuries* (Lund: Lund University, 2005 [Slavica Lundensia, 22]), pp. 99-118.

13 Staliūnas, "In Which Language," p. 59.

differing trends among local Jews. The gradual activization of orthodox Jews, who criticized the defects of Uvarov's system in the new cultural atmosphere of the 1860s, sowed substantial doubts in the minds of officials about the real possibilities of state regulation of Judaism. In turn these doubts had significant implications for evaluating the policy of "selective integration." Seen from this perspective, the curtailment of experiments with Jewish identity represents the result of a very complicated process of interaction among various groups within the state bureaucracy and the Jewish community itself. The principal goal of this article, then, is to analyze this complex interactive process.

* * *

The confessional dimension of the politics of Jewish education appears particularly important from the point of view of the borrowing of European experience in Russia. If in the terms of civic emancipation of the Jews, European states (even the Hapsburg empire) were significantly in advance of Russia, the experiments of Russian authorities with Jewish religiosity were more in tune with European developments. In France, Prussia, and the smaller Germanic states, full or partial civic emancipation preceded the posing of the question of Jewish rights as a religious community. Jews as individuals could already enjoy broad civil rights, but their traditional faith was still regarded by authorities as something of a superstitious sect with a cult that was unsightly for Christians.¹⁴ One of the Uvarov's system's co-architects, the Bavarian reformed rabbi, Max Lilienthal, offered his services to Russian authorities at the beginning of the 1840s after the Ultramontane government of his native state refused to introduce the already approved reform of Judaism and demanded strict observation of Jewish orthodoxy in its teaching and ceremony.¹⁵

The disillusion of part of the bureaucracy with the Uvarov system, which became evident by the middle of the 1850s, also correlated with European experience. One of the first efforts to rethink the conception of religious education was proposed at the beginning of the reign of Alexander II in 1857 by N.I. Pirogov, then the Curator of the Odessa Educational District. A humanist educator, Pirogov was a Judeophile and one of the convinced advocates of a rapprochement of Jews with Christians in the empire,¹⁶ though he had no strong sympathy for traditionalist Judaism. He enumerated the failures of Uvarov's

14 Jonathan Frankel, "Assimilation and the Jews in Nineteenth-Century Europe: Towards a New Historiography?," in Frankel and Stephen Zipperstein, eds., *Assimilation and Community. The Jews in Nineteenth-Century Europe* (Cambridge: Cambridge University Press, 1992), pp. 11-23; D. Itzkowitz, "The Jews of Europe and the Limits of Religious Freedom," in Helmstadter, ed., *Freedom and Religion in Europe*, pp. 150-171.

15 Michael Meyer, *Response to Modernity. A History of the Reform Movement in Judaism* (NY, Oxford, 1988), pp. 32-43, 104-105; Stanislawski, *Tsar Nicholas I and the Jews*, p. 91.

16 Klier, *Imperial Russia's Jewish Question*, pp. 40-42, 70; Dohrn, "The Rabbinical Schools," p. 92.

policies: the traditionalist Jews had not been dissuaded from their view that the new schools had been established for Orthodox missionary work, and those who nonetheless sent their children to them were not happy with the quality and extent of the religious education. On the question of the instruction of Jews in institutions of general education, Pirogov called not for direct but indirect struggle with “the deeply rooted moral and religious prejudices [of the Jewish] people”: “Let us leave all these prejudices as if inviolate and make it appear that we pay no attention at all to them, and in the meantime let us destroy them gradually by means of the dissemination of humane and scientific information, which in the eyes of the commoner have no relation at all to his moral beliefs and his religious convictions.” Pirogov concluded from this that Jews had to be encouraged to enter the general educational institutions and taught subjects “apparently having not the slightest relation to popular religious and moral superstitions and prejudices.” He referred to the measures taken by Prussian authorities in Poznan, where mandatory education of Jews in state schools was introduced, and religious teachings were to be learned in free time from private tutors.¹⁷

In 1858-1859, the idea of educational non-intervention in religious affairs was reflected in the regulations of the Minister of Education and the special Jewish committee in Petersburg where it was combined with the legacy of the Uvarov system. In accordance with a resolution of May, 1859 (in the Vilna Educational District it was implemented in 1861), state Jewish schools of the second category were abolished; mandatory instruction was introduced for children of Jewish merchants and honorary citizens (*pochetnye grazhdane*) in institutions of general education, though implementation proved more difficult than issuing the measure. The Jewish Committee advocated leaving the religious instruction of children “to the care” of their parents, but at the same time planned to proceed to the gradual replacement of teachers in traditional schools (*melamdim*) by certified teachers, a measure that remained on paper.¹⁸

From the middle of the 1850s, “Jewish policy” began to involve new actors from central and local bureaucracy and varied groups among the Jews. The interaction of interests between center and borderland, between Jews and Gentiles in general, between currents among the Jews and departmental fractions in the bureaucracy in particular proved to be highly complex. In comparison to Nicholas’s reign, the role of localities increased significantly. In Petersburg, the non-interventionist mood of the Alexandrine higher bureaucrats and the *shtadlanut* efforts of the Jewish merchant elite headed by E. Gintsburg led, as Benjamin Nathans has showed, to redirecting the “selective integration” policy from attempts to “fashion a (non-hereditary) elite, an officially trained rabbin-

17 Nikolai I. Pirogov, “Dokladnaia zapiska otnositel’ no obrazovaniia evreev,” in Pirogov, *Sochineniia*, vol. 1 (Kiev, 1910), otd. 3, pp. 741-770.

18 Aleksandr I. Georgievskii, *Doklad po voprosu o merakh otnositel’ no obrazovaniia evreev* (St. Petersburg, 1886), pp. 281-284.

ate,” to “drawing economically ‘useful’ elements [of the Jewish population] into the Russian estate hierarchy.”¹⁹ But in Vilna, the methods of solving the Jewish question, based on confessional policies, had more defenders. Besides, Governor-General Murav’ev’s campaign of Russification begun in 1863 gave local authorities greater freedom than they had before.

VILNA PROJECT OF MASS EDUCATION AND THE “PURIFICATION” OF JUDAISM

The first innovation in the “Jewish” policy in Vilna was the so called people’s schools. From the point of view of the higher administrators of the Northwest region, Jewish people’s schools served above all the goals of the depolonizing of the region. The very chronology of M.N. Murav’ev’s regulations attests to this. On January 1, 1864, he signed a circular eliminating of Polish language teaching from the program of instruction for peasants.²⁰ But besides the peasantry, other groups in the area remained vulnerable to the assimilative effect of Polish education, among them Jews. Only a few days later, on January 5, a regulation was issued opening in Vilna two people’s schools consisting of two classes for Jews. These schools replaced the state school of the first category that had been in existence since 1847. They introduced free education – in distinction to the state school. The subjects taught included Russian language, Russian penmanship and arithmetic. Instruction was in Russian, with Yiddish used only for introductory explanations. Murav’ev announced that instruction in Russian grammar was compulsory for Jewish boys from age eight to seventeen. Parents who did not send their children to school were fined sums from eight to fifteen rubles.²¹ By the end of 1865, six people’s schools were in existence in Vilna – five with two classes and one with one. The pupils numbered 522 boys and 114 girls. The sums for their support came as before from the candle tax, i.e. in the final accounting, the Jewish population themselves supported the functioning of the free schools.²²

In the context of the entire empire, the regulation about the people’s schools for Jews is distinguished by two features. First, the principle of compulsory attendance of school was extended to the entire male membership of a numerous ethno-confessional group. There was no comparable precedent before that time in the Russian empire. By all appearances, the initiators of this measure took into account the experience of Prussia, where compulsory attendance of school had been introduced already at the end of the eighteenth century for children of all confessions (earlier than in England and France) and

19 Nathans, *Beyond the Pale*, pp. 68-69, 376-377.

20 LVIA, f. 378, BS, 1862, b. 629, ll. 251-252.

21 LVIA, f. 567 [Office of Vilna Educational district], ap. 6, b. 1020, ll. 6-7.

22 LVIA, f. 567, ap. 6, b. 1138, ll. 1-3, 13; ap. 21, b. 80, l. 49. Cf.: [Aleksandr Postels], *Otchet chlena soveta ministra narodnogo prosveshcheniia Postel'sa po obozreniiu evreiskikh uchilishch s 7 maia po 7 sentiabria 1864 g.* (St. Petersburg, 1865), p. 65.

fining of parents by the police was widely practiced for violating this rule.²³ In practice, however, the Vilna authorities did not succeed in ensuring compulsory education. Even, if the police showed zeal and organized something like a raid on Jewish boys to force them into the schools, the space simply could not accommodate them, one could not speak of normal instruction, and it would have been necessary to send the children home.²⁴ Compulsory education, in contrast to Prussia, never became an active norm of law. In 1865, the curator of Vilna Educational District indicated that it was necessary to maintain obligatory attendance “at least for several years.”²⁵ Attracting children to school even for a brief time was expected to increase more quickly the number of young Jews who had at least some acquaintance with Russian. After the balance of Polish, German and Russian among the Jews changed in favor of the latter,²⁶ it would be possible to weaken the rule of compulsory attendance, which had caused the authorities considerable trouble.

The second feature of people’s schools for Jews, making them unique among the educational institutions of the empire, was the absence of religious subjects (unlike in the Uvarov schools). For a “confessional state” like Russia, this was extraordinary. Even among the “mixed” elementary schools in the Kazan Educational District, where Russian and Tatar children studied together, the latter were separately taught the principles of Islam.²⁷ The non-confessional character of the new Jewish schools in Vilna reflected the interests of different bureaucratic and Jewish actors. On one hand, such a type of school corresponded completely with the recommendations of N.I. Pirogov about the non-intervention of the Ministry of Education in religious affairs of the Jews. Following Pirogov’s advice, the Ministry’s influential expert Aleksandr Postels, who in 1864 inspected the separate schools for the Jews from Odessa to Riga and then authored the detailed report (published in 1865 by the Ministry in a single volume), suggested removing religion from their curriculum in the regions where “the fanaticism is still too predominant.”²⁸ On the other hand, different groups of Jews agreed among themselves on the question of the people’s schools. The Petersburg Jewish elite, led by E. Gintzburg and the So-

23 M. Lamberti, *State, Society, and the Elementary School in Imperial Germany* (NY, Oxford: Oxford UP, 1989), pp. 18-23.

24 LVIA, f. 567, ap. 6, b. 1138, l. 9 (director of the Vilnius Rabbinical seminary Petr Bessonov to Curator of District Ivan Kornilov, 15 May 1865).

25 LVIA, f. 567, ap. 6, b. 1204, ll. 23-24.

26 On how this vision of linguistic acculturation of Jews interacted with the attitudes various bureaucratic actors held toward Yiddish and Hebrew, see interesting observations in Staliūnas, “In Which Language,” pp. 41-46.

27 Wayne Dowler, *Classroom and Empire. The Politics of Schooling Russia’s Eastern Nationalities, 1860-1917* (Montreal: McGill-Queen’s University Press, 2001), pp. 31-32; Robert Geraci, *Window on the East: National and Imperial Identities in Late Tsarist Russia* (Ithaca, NY: Cornell University Press, 2001), pp. 136-138; LVIA, f. 567, ap. 6, b. 1204, l. 14 ap.

28 Postels, *Otchet*, pp. 52-58.

ciety for the Dissemination of Enlightenment among Jews, which he financed, consistently spoke out for the removal of the state from the religious education of Jews and for the redirection of its forces towards secular education. In the moderate maskilic spirit, they held that teaching of the Jewish law was useless within the walls of a school called upon to give children the burning necessity of a secular education.²⁹ More radical Russophile maskilim in Vilna (for example the Vilna rabbi O. Shteinberg) helped the local administration to open people's schools, hoping that these institutions would succeed also in renewing the cadres of teachers and the methods of instruction in the traditional Jewish schools – heders and yeshivas. According to a regulation of January, 1864, teachers in the heders, *melamdin*, were charged with the obligation to make sure that their pupils attended a people's school in addition to the heder and learned Russian grammar.³⁰

However, there was not a full consensus about a religiously neutral state education of Jews. In the spring of 1864, Ivan P. Kornilov was appointed curator of the Vilna Educational District. He was an ardent Russian nationalist, a supporter of identification of Russianness and Orthodoxy, inclined to Judeophobia, who understood little about "the Jewish question." But in the first years of his service he was tolerant of Judaism believing in the primacy of traditional religion in education – the education of a loyal subject. Kornilov limited the number of Jewish people's schools to approximately ten for the entire district, which comprised six provinces, and along with them preserved more than thirty-five of the previous (Uvarov) elementary state schools. Although in the latter the religious program was curtailed in order to free time for Russian language classes, the teaching of Hebrew and the Bible (officially in German) continued. Kornilov emphasized that the preservation of the Uvarov state school was "the single means to improve the system of teaching of *Jewish subjects*."³¹ The same point of view was now held by part of the local maskilim, the graduates of the Vilna Rabbinical seminary, for the elimination of religious subjects from elementary schools would have left many of them without work, all the more that their hope that *melamdin* would yield their schools to certified teachers proved to be illusory.

Petr A. Bessonov, the director of the Vilna Rabbinical seminary, emerged in 1865-1866 as the ideologue of a separate Jewish education. He endeavored to adapt the Uvarov system of the "purification" of Judaism to meet the demands of the new policy of Russification. Bessonov was rather well-known in his time as a linguist and folklorist. In his political views he was very close to the Slavophiles. He had little specialized knowledge of Judaica or Hebraica.

29 I. Cherikover, *Istoriia Obshchestva rasprostraneniia prosveshcheniia mezhdou evreiami v Rossii, 1863-1913* (St. Petersburg, 1913), pp. 188-191, 200-201.

30 LVIA, f. 567, ap. 6, b. 1020, l. 7; Osip N. Shteinberg, "Graf M.N. Murav'ev i ego otnosheniia k evreiam g. Vil'ny v 1863-1864 gg.," *Russkaia starina* 2 (1901), pp. 312-313.

31 LVIA, f. 567, ap. 6, b. 1020, ll. 48-49.

Kornilov asked him to assume the office of director of the Rabbinical seminary, being confident that “the authority of the indisputable learning” of Bessonov “will flatter Jewish pride” and strengthen “the party of the so called Russian Jews,” i.e. the Russophile maskilim.³² Although the role of the Slavophiles in the “Jewish question” has attracted the interest of historians,³³ the activity of Bessonov has not yet become a subject of research.³⁴

Bessonov appears as an unusual figure in the “Jewish” policy of the empire. Judeophilia coexisted in him with Judeophobia. Upon his arrival in Vilna, he established close contacts with the young Jewish maskilim pedagogues, openly protected them, and invited them to his home, where, according to the words of one of them, “for the first time a kind of friendship started between Christians and Jews.”³⁵ He showed proper respect for the professional level of Jewish pedagogues and often with pride referred to the Rabbinical seminary as a university. But in spite of the Judeophile conduct and gestures, Bessonov did not divest himself of many prejudices regarding Jews that characterized Russian educated society.

Judaism struck Bessonov precisely because he perceived it as a complex social organism shaken by internal contradictions, but at the same time united and dynamic. As an adherent of Slavophile teachings, Bessonov could not remain indifferent to the fact that the enlightened Jewish elite in Vilna had not lost its ties with the common people, and that the majority had not become apathetic to religion. Jews had their own “society,” which Russians in the Western Region lacked, and which the imperial state was trying to destroy among the Poles.

Bessonov was the first local administrator to connect “the Jewish question” not with the Polish, but the German threat. In his private correspondence, the danger of the Germanization of the Jews assumed a geopolitical dimension (of course, one must keep in mind that he wanted to appear as a “discoverer” and so tended to exaggerate the openness of the orthodox Jews to German influence).

Instead of mindless Poles there emerged a gifted, deeply intelligent tribe [ethnicity, *plemia*]; instead of squanderers, misers; instead of ruin a strong financial operation; instead of gangs, a solid corporation; instead of alliance with the distant French, a close bond with friends whom they [Jews] can extend both arms from Vilna – the right to Baltic Germans, the left to the Prussians...

32 Manuscript Division of the Russian State Historical Museum in Moscow (hereafter OPI GIM), f. 56 [P.A. Bessonov], d. 338, l. 1 v. (Kornilov to Deputy Minister of Education Ivan D. Delianov, 3 February 1865).

33 John Klier, “Evreiskii vopros v slavianofil’skoi presse 1862-1886 g.: I.S. Aksakov i ego izdaniia,” *Vestnik Evreiskoi universiteta* 17:1 (1998), pp. 41-60.

34 More on Bessonov as director of the Vilna Rabbinical seminary, see: Mikhail Dolbilov, “Ochishchenie’ iudaizma: Konfessional’naia inzheneriia uchebnogo vedomstva Rossiiskoi imperii (na primere Severo-Zapadnogo kraia),” in Oleg Budnitskii, ed., *Arkhiv evreiskoi istorii*, vol. 3 (Moscow: ROSSPEN, 2006), pp. 166-204.

From Pomerania to the Finns, from Kovno and Vilna to Kamenets-Podol'sk and the Ukraine – all of this is one German realm of reformed Jews, intermediaries between the Prussians and the Russians. Then will come their emancipation, then their movement into the interior of Russia, by means of their capital, their corporation, their nihilism, and their atheism.³⁶

The Jews appeared to Bessonov potentially as both the most dangerous and the most useful ethno-religious group for Russian domination of the Northwest Region, depending on which path of assimilation, German or Russian, the majority would follow.

This conclusion quickly affected the instructional program of the Rabbinical seminary. Bessonov assigned political significance to the question of German, the language, in which the Ministry of Education had prescribed religious subjects were to be taught. German in Jewish schools now was perceived not as the language of the Haskalah, but as the language of an alien nation with a powerful assimilatory potential. Bessonov demanded the swiftest transition from German to Russian, or at least (temporarily), to Yiddish. The students were to begin with the study of the Bible in Russian. Before this, the Vilna maskilim had argued for Russian language instruction for “Jewish subjects,” but they hesitated before the serious obstacles of a confessional character. The text of a few books of the Old Testament had become available in contemporary Russian (not Church Slavonic) only recently in translations by scholars from Orthodox clerical academies. These translations were completed from the ancient Hebrew original, with extensive borrowing from the Greek text (Septuagint) and the inclusion of those passages which are not in the Hebrew bible (Tanakh).³⁷

Bessonov, however, considered the problem of averting Germanization much more important than dealing with these religious “fine points.” In 1865, the teaching of the Bible according to Synodal translations began in the Rabbinical seminary and then in a few elementary state schools.³⁸ This was not motivated by the direct intention to move Jewish youth to convert to Orthodoxy. It seemed much more important that Jews and Orthodox receive simultaneous access to a common (except for what in this light seemed details) biblical text in a language common to all. According to this logic, Jews should be lured by the gift of a translation of the Bible that even members of the dominant confession had so long awaited.³⁹

35 Evrei [M. Plungianskii] “Pis'mo k redaktoru,” *Vilenskii vestnik* 14 (1867, February 2).

36 Manuscript Division of the Institute of the Russian Literature (Pushkinskii Dom) in St. Petersburg (hereafter RO IRLI), f. 3 [I.S. Aksakov], op. 4, ll. 11v, 23-23v (Bessonov to Ivan Aksakov, 7 March and 6 June 1865); Klier, *Imperial Russia's Jewish Question*, pp. 155-156.

37 Sergei S. Averintsev, ed., *Khristianstvo. Entsiklopedicheskii slovar'*, vol. 1 (Moscow, 1993), pp. 249-250.

38 OPI GIM, f. 56, d. 338, ll. 63-64v.

39 See, e.g.: S.K. Batalden, “The Politics of Modern Russian Biblical Translation,” in Ph. Stine, ed., *Bible Translation and the Spread of the Church. The Last 200 Years* (Leiden, 1992), pp. 68-80.

From Bessonov's point of view, it was necessary to maintain religious subjects in state educational institutions for Jews not only to serve as a conduit for Russian language. Jewish religiosity itself was also important. Placing his proposals in the imperial context of educational measures in regard to *inorodtsy* – aliens – he noted that, in terms of the resistance to assimilation, Jews were *inorodtsy* to an even greater degree than “Muslims, for example Tatars and Bashkirs”: “The latter...do not have so ancient, so important, and unique a history as the Jews, lacking by the same reason their own special, uninterrupted historical education... [The Jews] ...have their immemorial, unique, original, ... stubborn, unyielding forms of upbringing and education...”⁴⁰ Unlike Pirogov, Bessonov did not draw the conclusion that religiosity based on so deep a tradition would not yield to direct state influence. He held that such influence was both necessary and possible, but for him it was necessary to use non-religious channels, such as the language of instruction in state institutions. “Russian language acts with full force on the ancient Hebrew language, the jargon [Yiddish] is giving way to Russian speech... Jewish religiosity is not violated, does not vanish: it is cleansed, ennobled and elevated... A boy, making use of the methods of science provided him, leaves any melamed at an impasse, whether it is in ancient Hebrew, in the understanding of the Bible or the interpretation of the Talmud.”⁴¹

Moreover, in the eyes of the Slavophile Bessonov, the historical uniqueness of the Jews living in the empire became still another attribute of the uniqueness of Russian culture, its dissimilarity with the West. In a speech, delivered before the teachers of the Rabbinical seminary, on the occasion of his resignation, he said: “I from now on consider myself tied to you forever, we are linked specifically by Russian civilization on your Jewish soil, the fruits of Jewish thought and activity on Russian soil.”⁴²

It is understandable that separate Jewish schools seemed to Bessonov to be the most important instrument for the assimilation of Jews. In a programmatic memorandum of May, 1865, he emphasized that even the ten year course of the Rabbinical seminary was sufficient for becoming acquainted only with the bases of Jewish learning. Without the mediation of separate schools, with Russian language instruction of both secular and religious subjects, Jews would not receive the inclination for Russian culture. General educational institutions in Russia were for the time being too alien to the majority of Jews to expect a

40 LVIA, f. 567, ap. 6, b. 1204, l. 16 v.

41 LVIA, f. 567, ap. 6, b. 1204, l. 18-18 v. There is an intriguing parallel with later imperial attempts to modernize the teaching of religion for Muslims in the Kazan Educational District, especially in the Kazan Tatar Teachers' School. For a statement by the Orientalist and inspector of Kazan District, Vasilii Radlov, echoing Bessonov's earlier judgement about Judaism, see: Geraci, *Window on the East*, p. 144.

42 OPI GIM, f. 56, d. 332, ll. 87v-88.

flow of Jewish children into them. Bessonov defended this view with fervor, accusing opponents of a conspiracy with the Germans. In his opinion, conversations in the Ministry of Education about non-intervention of the state in matters regarding the Jewish faith were only a specious pretext for a reorientation of Jews toward secular educational institutions in Germany.⁴³

Concern for the menace of Germanization (linked also with Slavophile doctrine) predetermined the ambivalence of Bessonov's project, its mixture of reformism and traditionalism. According to his idea, the introduction of Russian language instruction meant not so much to integrate the Jews as to create the conditions for their *future* integration into Russian society. In the immediate future, the chief goal was creating a barrier to the secularizing influence of the German reform Judaism. Such a concept of the dynamic of acculturation did not correspond with European experience. In European states, the Jews' adoption of the language of the dominant population proceeded more or less simultaneously with their gaining of new civil rights. In distinction to this model, Bessonov, who was so fearful of the competing project of assimilation, assigned special importance, along with Russian language, to the religiosity of Jews, and so considered it beneficial to limit the granting of those rights that might cause the secularization of Jewish identity. Neither in his official memoranda, nor in his private correspondence does one encounter opinions about the abolition of the Pale of Settlement. He did not wish to facilitate the flow of Jews into the *gimnazii* by introducing a course of Jewish religion (even in Russian).⁴⁴ He was not opposed to the entry of alumni of the Rabbinical seminary into the university, but limited this privilege to able pupils whom he took informally under his own patronage.⁴⁵

At the end of 1865, the curator of the Vilna Educational District Kornilov approved Bessonov's view of maintaining separate Jewish schools and presented such a conclusion to the Ministry of Education. In it, the chief task of the Vilna Rabbinical seminary was defined to partly correspond with the conception of the instruction of *inorodtsy* by their Russified co-ethnics (exemplified

43 Ibid., ll. 20-20 ap., 21; RO IRLI, f. 3, op. 4, d. 45, l. 21 (Bessonov to Aksakov, 5 June 1865). The above-mentioned Aleksandr Postels was regarded by Bessonov as a principal coordinator of this alleged German-Jewish rapprochement. See: Dolbilov, "Ochishchenie' iudaizma," pp. 191-192.

44 Contrary to the Russificatory trend of officials in Vilna, Minister of Public Education Aleksandr Golovnin insisted that Jewish religious instruction in *gimnazii* be conducted not in Russian, but in German, in accordance with the program for Jewish pupils in general schools sanctioned by the Ministry in 1863 (Staliūnas, "In Which Language," pp. 52-53; Georgievskii, *Doklad*, p. 243-245). Noticeably, in the Rabbinical seminary, Bessonov introduced Russian-language religious instruction in spite of the absence of official sanction from the Ministry.

45 YIVO Institute for Jewish Research in New York City (hereafter YIVO), Record Group 24, folder 135, folios 1-3; folder 136.

in the system of N.I. Il'minski in the Volga – Kama region).⁴⁶ The local educational officials saw in the graduates of the Vilna Rabbinical seminary the bearers of a hybrid identity combining secular education and fluency in Russian speech with Jewish religiosity. Only such teachers were considered capable of inculcating their “ignorant” fellow tribesmen with a taste for knowledge: “The problem is that to act on the convictions of the Jewish masses, and that is attained only under the condition that educated Jewish leaders are respected by the Jews themselves as learned and pious. Therefore even the pupil of the Rabbinical seminary, entering the university...can be considered lost for the enlightenment of the Jewish people...”⁴⁷ In opposition to the tendency of the heads of the Ministry of Education to encourage the merger of separate Jewish and general institutions, the Vilna Education District insisted that the Uvarov strategy of reforming Jewish identity through the “purification” of Judaism, had not outlived its usefulness.

In spite of the brief tenure as director (less than a year), Bessonov was able to unite the young maskilim teachers of the Rabbinical seminary around his project and to reinforce their missionary feeling. The turn towards Russian language education of religious subjects realized by Bessonov responded to their self-identification as “Russian Jews” and to their professional and career interests. They enthusiastically planned an attack, under Bessonov’s protection, on such centers of traditional Jewish learning as for example the famous yeshiva in Volozhin.⁴⁸ Under Bessonov, the teachers of the Rabbinical seminary began to prepare translations of Jewish prayer books into Russian, text books on Jewish history, and even parts of the Talmud. A translation of the Hebrew Bible (Tanakh) was planned. In the following years, this activity continued, and a whole series of translations was published.⁴⁹

“KAHALOMANIA”: STATE NON-INTERVENTION IN THE RELIGION AND SEGREGATIONISM IN THE EDUCATIONAL POLICY

Although Bessonov’s project of Russian language instruction of the Jews by the Jews themselves did not incur the (expressed officially) doubt of the local bureaucracy at least until the end of 1867, as early as 1866 a new turn in the “Jewish” policy of the Vilna administration became evident, and that was in the direction of the abolition of separate Jewish schools. However, now the motive was not the enlightened effort to secularize Jewish education, but an in-

46 On the similarities and differences between the system of N.I. Il'minski and separate Jewish schools, see: Mikhail Dolbilov, “Prevratnosti kirillizatsii: Zapret latinitzy i biurokraticeskaja rusifikatsiia litovtsev v Vilenskom general-gubernatorstve, 1864-1882,” *Ab Imperio* 2 (2005), pp. 280-289.

47 LVIA, f. 567, ap. 6, b. 1204, l. 26.

48 OPI GIM, f. 56, d. 335, ll. 129-130, 137-138.

49 See also: Staliūnas, “In Which Language,” pp. 48-49.

crease of the Judeophobic urge to segregation, and according to the expression of one official, to “make the Jews ignorant” (*onevezhestolenie*) of the Jews. The sharpness of this turn should be no surprise. The changes in “Jewish” policy from the end of the 1850s to the first half of the 1860s did not at all touch the roots of cultural and emotional alienation of officials from the Jewish population. As a result of stereotyped ideas of Jewish distinctiveness and otherness, the position of the authorities in relation to the principle of separate education was subject to the influence of personal and irrational factors.

Owing to conflict with his superiors, for ideological as well as personal reasons, Bessonov left Vilna in the middle of 1866 in the midst of scandal.⁵⁰ Among the accusations leveled against him were reproaches for his excessive Judeophilia. In the same period, Iakov Brafman, a convert to Russian Orthodoxy from the Jewish lower classes, emerged in the role of expert on the “Jewish question.” In a short time, appeared Brafman’s ill-famed *The Book of the Kahal*, which would become a guide for Russian Judeophobes and a universal explanation of all problems connected with Jews. Brafman depicted the kahal (the organ of Jewish self-government abolished by the state in 1844) as an indestructible and ubiquitous institution – the treasured essence of the Jews’ social life, and therefore the prime reason for all their vices. Relying on the Talmud, the kahal presumably had everyone and everything under its control and had extended its influence far beyond its boundaries.⁵¹

The views of Brafman have been well studied in the context of Russian Judeophobia. However, the connections of “kahalomania” with the idioms of Russification, on the one hand, and with the European tradition of discrediting Judaism, are more interesting for the historian. Brafman formed his narrative of the kahal in close cooperation with the so-called “pedagogical circle” in Vilna – an informal company of nationalistically minded officials and journalists, for the most part subordinates and protégés of Kornilov.⁵² The members of the circle cultivated a populist notion of Russification as a weapon against particularistic, retrograde, and allegedly conspiratorial elites who prevented a face-to-face encounter between the reforming state and the “masses” of the people. At the basis of *The Book of the Kahal*, exposing the “Talmudic aristocracy,” lay those same emancipatory and anti-elitist tropes that before then were used, for example, in the campaign against the Catholic clergy. The Russian officials lack of acquaintance with Jewish realities made the populist conspiratorology of Brafman especially plausible. E. Gintsburg’s secretary Emmanuil Levin ex-

50 RO IRLI, f. 3, op. 4, d. 297, ll. 15v-16 (Mikhail Koialovich to Aksakov, 30 October 1865).

51 Klier, *Imperial Russia’s Jewish Question*, pp. 263-283; Dmitrii A. Eliashevich, *Pravitel’svoennaia politika i evreiskaia pechat’ v Rossii: Ocherki istorii tsenzury, 1797-1917* (St. Petersburg-Jerusalem, 1999), pp. 289-300.

52 On the pedagogical circle’s affection for Brafman, see mentions in the letters of the editor of *Vilenskii Vestnik* M. De Pule to Petr Bessonov: OPI GIM, f. 56, d. 515, l. 52 etc. (letters of 9-13 and 18 February 1867).

pressed this aspect of *The Book of the Kahal* well: "The accusations set forth in it represent a mixture of falsehood and *truth*, so skillfully woven together that not every Jew would be able to disentangle them...Brafman argues in this work not as the *enemy* of the Jews, but, to the contrary, as the *friend* of the indigent masses of the people and a defender of the poor classes against the rich, the *plebes*, as he expresses himself, against the *patricians*, and this lends great force to his philippic."⁵³

In Vilna, Brafman was appointed a member of the special commission on Jewish affairs under the authority of the Governor-General, which also included several Russophile maskilim – Lev Levanda, Asher Vol' (one of the Rabbinical seminary's *bessonovtsy*), and later on Iona Gershtein. Differences between them and Brafman became increasingly evident during the course of the commission's activity. The first initiative of Brafman, however, was indirectly reflected in the fate of the separate Jewish schools. He proposed a plan of administrative unification of the Jews with Christians in the towns, the shtetls, and the settlements. A year later, in August 1867, Governor-General Baranov, developing an idea of Brafman, issued a well-known circular, sharply condemning any forms of Jewish "kahal" self-government and proposing the inclusion of all Jews residing in the shtetls and peasant settlements, in the volost, without providing them with land. Two years later, in 1869, a detailed project of Brafman, formulated on this basis, was subjected to bitter criticism at the conference with Jewish deputies and was rejected.⁵⁴ Brafman's goal was some kind of "shock" integration of the Jews: placed under the "constant and merciless supervision" of rural assemblies and elders (*starosty*), they would be compelled to engage in "productive" toil as landless laborers (*batraki*) and in this way, by Brafman's logic, be retrained as worthy Russian subjects. Without touching on the psychological motivations for such a cruel experiment, it is worth noting that Brafman actually thought about the integration of the Jewish population, although at the cost of cultural uniqueness and of their religion as well. But the bureaucrats taking an interest in his plan, hoped rather for an indefinitely long preservation of a new subordinate situation of the Jews within peasant volosts. In other words, Brafman's plans could be read both in an integrationist and segregationist sense.

The administrative fusion of Jews and Christians proposed by Brafman implied specifically the liquidation of all remaining autonomous systems of Jewish self government, including the special tax assessment, upon which the system of separate Jewish education depended. Therefore, the beginning of the discussion of this plan in Vilna in 1866 was perceived by lower officials in the Vilna Educational District and the teachers in the Jewish school as a signal

53 YIVO, Record Groups 80-89, file 756, ff. 63532-63533.

54 LVIA, f. 378, BS, 1869, b. 40, ll. 118-120; Klier, *Imperial Russia's Jewish Question*, pp. 173-181; Nathans, *Beyond the Pale*, pp. 174-180. For the original copy of the project, see: LVIA, f. 378, BS, 1869, b. 40, l. 350, etc.

of the precariousness of the system. Brafman, on his part, spared no effort in his polemic against the supporters of the separate Jewish schools. In his opinion, their very existence promoted separatism and the "Talmudic propaganda," which was understood as the art of evading integration with the surrounding non-Jews, the Gentile population. Brafman chose as his chief target the Rabbinical seminary, where in that period the administration sponsored transition from German language to Russian language instruction of the Bible and even the Talmud. In his letter to Kornilov, Brafman wrote: "...The Jewish ignoramus was better and less dangerous than the educated Jew, remaining in a systematic and sensible Judaism...who teaches Talmud in an attractive, sensible form."⁵⁵ From Brafman's point of view *mitnagdim* (adherents of traditionalist rabbinism) with their *yeshivas* and *heders* were less dangerous for the cause of Russifying the Jews, than the *maskilim* who mastered Russian speech. The latter, according to Brafman, were an incarnation of the "Talmudic" elite. Under the mask of devotion to the authorities, they devised a new strategy of separating their fellow believers from the outside world.⁵⁶

In the same way, Brafman discarded the project of the improvement of religious education and the upbringing of the Jews going back to Uvarov. For him this project was erroneous in its very essence from its inception. Besides the closing of separate elementary schools, Brafman proposed removing religious subjects from the program of Jewish women's pensions and warned against permitting the teaching of Jewish religion in the *gimnazii*.

Brafman's discourse was not an expression of an extraordinary example of Judeophobia. In a comparative historical context, his ideas resemble techniques of discrediting Judaism in several European states (in particular, Prussia and the Hapsburg empire) of the first half of the nineteenth century. Michael Meyer calls such a policy "encouraging the dissolution of Judaism through inner decay." Intentionally distancing themselves from the regulation of the Judaic cult and taking the side of traditionalist Jews against the reformers, the authors of this policy calculated on discrediting Judaism in the eyes of their subjects, including the Jews themselves, as a backward sect with absurd rituals, and without a clergy recognized by the state.⁵⁷ Such a policy of non-inter-

55 Russian State Historical Archive (hereafter RGIA), f. 970 [I.P. Kornilov], op. 1, d. 103, l. 15.

56 Staliūnas also observes Brafman's enmity toward *maskilim's* idea of translating Jewish religious books into Russian, but does not treat it in a broader context of contemporary debates on how to reshape the Jewish religious identity (Staliūnas, "In Which Language," pp. 51-52, 57). Brafman was fearful not only of a legitimizing influence that Russian-language instruction was supposed to exert on Judaism as a state-tolerated faith, but also of the upgrading of the religious teaching itself.

57 Meyer, *Response to Modernity*, pp. 103-110, 146-149, the quote is from the p. 104; Itzkowitz, "The Jews of Europe," p. 162; Marsha Rozenblit, "Jewish Assimilation in Habsburg Vienna," in Frankel and Zipperstein, eds., *Assimilation and Community*, pp. 228-229. Later in the second half of the 19th century the Russian imperial authorities took a similar attitude toward Islam in Turkestan. See: Daniel Brower, "Islam and Ethnicity: Russian Co-

vention in religious affairs aimed at discrediting the Jews was advocated by Brafman in Russia in the 1860s. He associated any attempts at “regulating” or “cleansing” Jewish religion, especially through the system of education, with the machinations of a sophisticated or selfish elite. He thought that it was necessary “to help” the Jews to take Talmudic interpretations to complete absurdity, without introducing improvements in the traditional teaching of the Talmud. Brafman was confident that the publication of the Russian translation of the full text of the Talmud “in all its confusion” would make Judaism a laughing stock.⁵⁸ The officials of the Vilna Educational District heeded this advice. At first, they demanded an exact translation of the Talmudic tractates in order to convince Jews that the change in language would not affect the essence of faith. And after Brafman’s advice they began to watch closely to make sure that the translations did not omit what was seemed to the Gentiles to be illogical or “indecent.”⁵⁹

Brafman’s “theory of the kahal” was of course not the only reason for the reversal of policy toward Jewish education in Vilna. For officials of the educational administration, Brafman made it simpler to articulate Judeophobic emotions, which had already been aroused simply by the growth of the number of Jews in the sphere of Russian language instruction. In 1866, the newspaper *Vilenskii Vestnik*, under the control of the direction of the Educational district, was overflowing with Judeophobic materials.⁶⁰ Divergence from the Bessonov system became evident in practice as well: in the Jewish schools of the provinces that were furthest from Vilna – Mogilev and Vitebsk instruction in religious subjects was completely terminated. In other provinces Kornilov encouraged reducing the number of classes in Bible and Hebrew.⁶¹ A few of Kornilov’s

lonial Policy in Turkestan,” in Daniel Brower and Edward Lazzarini, eds., *Russia’s Orient: Imperial Borderlands and Peoples, 1700-1917* (Bloomington: Indiana University Press, 1997), pp. 115-135; Adeeb Khalid, *The Politics of Muslim Cultural Reform. Jadidism in Central Asia* (Berkeley: University of California Press, 1998), pp. 50-61.

- 58 Ivan P. Kornilov, *Russkoe delo v Severo-Zapadnom krae. Materialy dlia istorii Vilenskogo uchebnogo okruga preimushchestvenno v murav’evskuiu epokhu* (St. Petersburg, 1908), p. 251; RGIA, f. 970, op. 1, d. 103, l. 15.
- 59 RGIA, f. 970, op. 1, d. 103, ll. 9v-10; Manuscript Division of the Russian National Library in St. Petersburg (hereafter RO RNB), f. 377 [I.P. Kornilov], d. 836, ll. 12v, 15v. (inspector of Vilna Educational District Vasiliu Kulin to ex-curator Kornilov, 5 July 1869).
- 60 Klier, *Imperial Russia’s Jewish Question*, 166-169. Contributors found pretexts for showing their Judeophobia even writing on apparently apolitical subjects, such as, for example, beekeeping: field bees in the region were reported to perish in great numbers because of overeating the “impure honey” produced mainly by Jews. A subsequent blunt comparison of idle drones with the “Polish lords” (*pany*) explicates the association of unfortunate field bees with Russianness (“Tsarstvo pchel (Posviashchaetsia uchenikam narodnykh shkol),” *Vilenskii Vestnik* 164 [3 August 1866]).
- 61 LVIA, f. 567, ap. 6, b. 1266, l. 12. There were 17 separate Jewish schools in Mogilev and Vitebsk provinces, and 21 in the four other provinces of Northwest Region.

subordinates, reacting to the change of mood in the district administration, presented reports that opposed the overemphasis on Russian language in the acculturation of the Jews: "To transform the Jews, to make them Russian, [it is insufficient] to simply teach them Russian language." They seconded Brafman who asserted: "That the Jew speaks Russian, will not bring great benefits; he remains the same Jew if he studied Russian from a Jew in a Jewish school." They even advanced the opinion that separate schools for Jews were an exclusive privilege, separating them from "other peoples and tribes."⁶² The special status of Jewish education, wrote Kornilov's assistant, A.K. Serno-Solov'evich, prevented the authorities from recognizing the unconditional priority of the education of Russians, including the mass of the peasantry: "This broadens the intellectual horizon of our people..., provides them with a reliable means for competition with other peoples and tribes inhabiting Russia..." Only after education of Russians had progressed would it become possible for the Jews to do the same; they then willy-nilly would have to catch up to the "masses." As result of this, they "would begin to accept Christianity, or, at least, would cease to believe in the Talmud, and, consequently, would cease being Jews."⁶³

So as early as 1866, the idea of discrimination against Jews in the sphere of education was expressed, though at first not officially. But it proved not so simple to move from words to practice. The integrationist policy of Uvarov was imprinted both on institutions and in the discourse about Jewish education, so that Kornilov and his assistants, as a result of the bureaucratic order, often would find they could not challenge the institution of the separate Jewish school. The situation was complicated by the fact that at the end of 1866 and the beginning of 1867, the voice of still another participant was added to the debate about Jewish education – the traditionalists (*mitnagdim*). This was one more reminder that different groups among the local Jews were not passive objects of government measures. The most notable were two evidently coordinated petitions from the Vilna and Kovno (now Kaunas) Jewish communities, signed by merchants and other well-to-do individuals. The petitioners sharply criticized the *maskilim*, particularly state rabbis and teachers, who numbered among the alumni of the Vilna Rabbinical seminary, for ignorance of the *Halakhah*, open violation of Jewish law, and, most important, inculcating atheism in their students. Such complaints had come from *mitnagdim* earlier, but the tactic chosen by these petitioners was new. In the first place, they took into account the political changes taking place after the attempt of Karakozov on the life of Alexander II in 1866 – the importance of atheism and nihilism in the new hierarchy of administrative anxieties, and the related redefinition of the tasks of the Ministry of Education headed by Count D.A. Tolstoi. They stressed that

62 RGIA, f. 970, op. 1, d. 103, l. 15; LVIA, f. 567, ap. 6, b. 1319, ll. 13-14. On how the Judeophobic point about Jews as a "privileged tribe" in Russia emerged in the press, see: Klier, *Imperial Russia's Jewish Question*, pp. 193-194.

63 LVIA, f. 567, ap. 6, b. 1319, l. 14-14 v.

Russian language without firm religious belief would not make “loyal subjects of the Tsar and true sons of the Fatherland” from Jews. Secondly, objecting to the Uvarov schools staffed by the Rabbinical seminary’s alumni, the petitioners unexpectedly turned out the enlighteners more than did the maskilim. They asserted that at the present time there was no need at all for intermediary educational institutions for Jews and that their fellow Jews striving for education could enter the general educational institutions in Russia, up to the universities. The petitioners considered the Russian teacher in the elementary school more beneficial for Jewish children than the secularized graduate from the Rabbinical seminary. As a Gentile, his conduct did not offend the religious feelings of his pupils, and he “would inculcate in them much more of the spirit of Russian nationality.”⁶⁴

The petitions of the mitagdim prompted contradictory reactions among the heads of the Vilna Educational District. The web of interests that had formed around the question of Jewish education proved truly fantastic. Kornilov and his assistants were convinced (admittedly not without reason) that the unexpected benevolence of the mitnagdim toward Russian Orthodox teachers concealed an isolationist calculation – to scare all Jewish students away from schools with such teachers and to provoke the administration to close the schools completely. Rejecting the petitions, Kornilov was compelled to defend the credentials of the maskilim (which at the same time Brafman also attacked from his ultra-integrationist position) as enlighteners of the Jews.⁶⁵ However, only shortly thereafter, the conservative arguments advanced by the mitnagdim against the maskilim and the Vilna Rabbinical seminary, along with Brafman’s invectives, were appropriated by bureaucrats to justify the abolition of separate Jewish schools.

THE FATE OF SEPARATE JEWISH SCHOOLS: LOOKING FROM VILNA AND PETERSBURG

At the end of 1867, after a period of uncertainty about the question of Jewish education in Vilna, Kornilov decided to present a plan to abolish the separate schools. The misgivings of the maskilim, who already at the beginning of 1867 felt “contempt” in the dealings of the Vilna Educational District with the teachers of the Rabbinical seminary,⁶⁶ now proved justified. The circular mentioned above by Baranov about the prospective complete administrative fusion of Christians and Jews was the starting point. In his reports to Baranov, Kornilov relied on the fact that Jewish schools enjoyed an impermissible advantage: each of the 48 Jewish elementary schools (including both state and

64 LVIA, f. 577 [Vilna Rabbinical seminary], ap. 1, b. 16, ll. 35-36; f. 567, ap. 6, b. 1317, ll. 1-10.

65 LVIA, f. 577, ap. 1, b. 16, ll. 9-10, 17. See also: Dolbilov, “Prevratnosti kirillizatsii,” pp. 287-288.

66 OPI GIM, f. 56, d. 515, l. 60 v. (Mikhail De Pule to Bessonov, 13 May 1867).

people's schools) received an average of 1100 rubles annually, while each of the approximately 100 parish schools, only 460 rubles. Since Jewish communities were richer, part of their means would be used for the good of their Christian neighbors. The curator of the Vilna Educational District proposed the abolition of the candle tax, of separate Jewish schools, and the introduction of a general tax for Christians and Jews commensurate with their economic status to support the elementary schools. In the spirit of Brafman's "theory," this measure was depicted as the rescue of the Orthodox peasants and the poor "majority of Jews" from the exploitation of Jewish upper class, for whom the candle tax was presumably a source of expenses "for the support of exclusively Jewish interests."⁶⁷ This proposal, segregationist in its essence, was covered with integrationist rhetoric to the effect that there was no more need for separate schools, since Jewish children were already prepared to enter general schools directly, and even parish schools. Kornilov thus repeated the very argument of the *mitnagdim* that he had considered hypocritical.

Kornilov's calculation of the positive fiscal effect of introducing a general tax was both unscrupulous and speculative. He completely ignored the question of how rural Jews could protect their economic condition and solvency after their incorporation in the *volosts* without allotments of land. The support of parish schools was just a pretext. The abolition of the institution of the separate Jewish school was the principal goal. The point is that by the end of 1867 the Jewish phobias of Kornilov and his assistants had reached critical proportions. The disagreements between the Vilna Educational District and the Petersburg Society for the Dissemination of Enlightenment among the Jews played an important role in this. The Petersburg Society was engaged in the publication and dissemination of literature providing secular knowledge in Hebrew, which Vilna bureaucrats saw as proof of the existence of the ramifying "kahal."⁶⁸ As early as fall 1866, Kornilov made a paradoxical remark that the protectors and leaders of the Society, which included Evzel Gintsburg, represented "a party of cosmopolitan-nationalists." He had in mind the presumed close ties of the Society with rich Jews abroad, "Rothschilds, Pereiras, Montefiores, etc." were being organized in order to "to keep the Jews nationally and religiously separate from other peoples and also to attain full equality with Russians in civil rights." Moreover, the Society was presumably "able to purchase or influence views in the press to its own benefit" and wished "to take Jewish education in government schools into its own hands, and use force to influence the appointment of teachers and rabbis."⁶⁹

Blinded by this conspiratorial mystification, Kornilov ignored the serious disagreements between the Society and the Vilna *maskilim* of the Rab-

67 Kornilov, *Russkoe delo*, pp. 294-298 (Kornilov's report to Baranov, 11 November 1867); RO RNB, f. 377, d. 185, ll. 2-3v. (Kornilov's report to Baranov, 13 September 1867).

68 Cherikover, *Istoriia*, pp. 64-65, 79-80, 114-115.

69 RO RNB, f. 377, d. 185, l. 13 v.

binical seminary. The Society, as indicated above, was not at all a supporter of the Uvarov type schools, including Rabbinical seminaries, while the young maskilim in Vilna considered the Society's Hebrew-language undertakings a waste of money and energy. But the leaders of the Vilna Educational District conflated the two generations of maskilim and suspected both of being adherents of Jewish nationalism. In December, 1867, the director of the Vilna Rabbinical seminary N. Sobchakov composed a programmatic memorandum recognizing that the Uvarov project had collapsed and stressing that in the new era, with the spread of "the spirit of separatism," special Jewish schools would become particularly dangerous: "[They] promoted and still promote the strengthening of a distinct and autonomous Jewish nationality in Russia, which, *although it existed earlier, was not recognized by the representatives of Jews in Russia themselves...* [Italics is mine. – M.D.] Together with the dissemination of religious fanaticism, they are cultivating Jewish national fanaticism."⁷⁰

This conclusion of the leaders of the Vilna Educational District may be described as a halfway insight. On one hand, the admission of the possibility of a modern Jewish national organization was a bold, innovative thesis for the discourse of Russian nationalism (even Bessonov, fearing the Germanization of the Jews in the sense of their entering into modern nationhood, did not imagine a specifically Jewish national community). On the other hand, these Russian nationalists could not conceive of real collisions of the modern Jewish nation-building and seriously exaggerated when they saw one of its forces in the Rabbinical seminary. The seminary fulfilled its function of acculturation of Jewish youth into Russian society fairly well, though not always the way the authorities had wished. Its graduates became imperial officials, scholars, teachers, state rabbis or radicals oriented towards the Russian populists,⁷¹ but it did not become a laboratory of Jewish national thought.

The characteristic ambivalence of the imperial conception of assimilation is evident in the distrust and suspicions of the Vilna Russifying bureaucrats toward the Vilna maskilim. The formation of Russified elites in non-Russian ethnic or ethno-confessional groups was at once the goal and the fear of the Russifiers. So Kornilov in these years complained that Russian language schools for Lithuanians "were not capable of producing a single reliable and energetic Russian Lithuanian."⁷² In the context of the Lithuanian case, the maskilim appeared as the ideal allies of the authorities – an entrepreneurial and loyal elite, ready to introduce their fellow Jews to Russian language and culture (though not to Russian Orthodoxy). But it was exactly their educational level and activism that prompted the doubts of the Russifiers about whether Russification

70 RGIA, f. 970, op. 1, d. 455, ll. 1-2. See also: Staliūnas, "In Which Language," pp. 56, 75-76 note 121.

71 Eric Haberer, *Jews and Revolution in Nineteenth-Century Russia* (Cambridge: Cambridge University Press, 1995), pp. 77-80.

72 RO RNB, f. 523 [N.N. Novikov], d. 711, l. 19-19 v.

had turned into a formulation of a modern mindset that could also promote indigenous nation-building. This makes it more understandable why the policy of Russification wavered between integration and segregation. The latter seemed a means of benevolent isolation of the population from the enticements of modernity. In a sense, the case of the Vilna maskilim proved paradigmatic of the imperial bureaucracy's eventual empire-wide loss of trust in the groups of educated non-Russians engaged in the gradual process of reshaping their co-ethnics' identity. Robert Geraci has aptly described this phenomenon regarding the Russifiers' vision of the Tatars: "Many Russians would have accepted the full Russification of the Tatars if it could be achieved by the wave of a magic wand..., yet felt they could not endure the intermediate stages in a more gradual process." The Vilna maskilim's falling out of favor of the local authorities anticipated a far later failure – that of the Kazan jadids to prevent a "bizarre alliance" between the government and traditionalist, conservative mullahs based on the former's wish to see Muslims "parochial and ignorant rather than enlightened and active citizens."⁷³

By the end of 1867, Kornilov and his assistants were fully disposed to the abolition of the separate system of Jewish education. Nonetheless, no official resolution of this problem occurred. It turned out that the officials in Vilna and Petersburg understood the goal of abolition in different ways. At the same time as the reports of Kornilov to Baranov, the Minister of Education, Count D.A. Tolstoi ordered the heads of the educational districts in the west of the Empire to promote the entry of Jewish children into general educational institutions, particularly *gimnazii*. As an example, Tolstoi cited the *gimnaziia* of Odessa and other southern towns where Jews made up from a third to a half of the students.⁷⁴ As Benjamin Nathans has shown, in the 1860s and the 1870s, Tolstoi was a real advocate of selective integration of Jews by means of study in the *gimnazii* and the universities.⁷⁵ Tolstoi was dissatisfied with separate Jewish schools (including the Rabbinical seminaries) because he considered that they made too modest a contribution to the enlightenment of Jews. In contrast to Tolstoi, Kornilov wanted the abolition of separate schools not to promote assimilation but to isolate Jews (at least temporarily) from the sources of modern education. In response to the inquiry of the minister, the curator of the Vilna Educational District resorted to a conciliatory tactic. He tried to give the impression that no special measures to increase the flow of Jews into the general educational institutions were required in the Vilna Educational District: that

73 Geraci, *Window on the East*, pp. 151-152, 287-293, 346-349, quotations are from pp. 348 and 292. As was the case with the mitnagdim's denunciations of maskilim, in the 1900s the officials who were interested in fostering the cultural isolation of the Tatars took advantage of the conservative mullahs' correspondence to the Ministry of the Interior slandering the jadids.

74 LVIA, f. 567, ap. 6, b. 1411, ll. 1-2.

75 Nathans, *Beyond the Pale*, pp. 259-260, 263-264, 271-272.

it would happen by itself.⁷⁶ Leaving the issue of separate Jewish schools in limbo, Kornilov wanted not to give Tolstoi a cause to abolish them on his own grounds, i.e., that Jewish students actually would stream into the *gimnazii* and other general schools.

LAST ATTEMPTS AT PRESERVING THE UVAROV SYSTEM: MASKILIC PLAN OF CONFESSIONAL REFORM

The last major episode of this complex interplay of interests between the bureaucracy and the Jews was the effort of the Vilna maskilim to defend a separate system of Jewish schools. It seemed that favorable conditions arose for this in 1868. The new Governor-General, A.L. Potapov, an opponent of a hard line policy of Russification and, in comparison with other higher administrators, one sympathetic to the Jews, relieved Kornilov of his office. The working out of a plan to abolish Jewish schools came to a halt. Local initiative on "Jewish" policy shifted from the Vilna Educational District to the commission, mentioned above, under the Governor-General, where Brafman shared influence with Russophile maskilim. By the fall of 1869, members of the commission prepared a series of projects, which were not completely reconciled with each other, for discussion with Jewish deputies from the provinces. If Brafman relied on the plan to subordinate the Jews to peasant volosts, the maskilim and the Vilna Rabbinical seminary's alumni, Levanda, Vol', and Gershtein presented projects of reform of the Jewish religious administration and the system of Jewish education.

Both projects, like earlier proposals of Bessonov, who was respected by the maskilim, were based on the paradigm of state disciplinary intervention in the formation of the religious identity of the Jews. This was the maskilim's response to Brafman's version of the policy of confessional non-intervention that sought to discredit Judaism.⁷⁷ It was also an answer to the bureaucrats' suspicion that it was especially the Russophile maskilim who were promoting a sense of Jewish nationalism. The authors of the projects, without mention-

76 According to the data Kornilov cited, out of 54636 pupils (47873 boys and 6763 girls) of all the general secondary and elementary schools (that is, *gimnazii*, uezd schools, pensions, parish schools) in the Vilna Educational District, 1446 (1032 boys and 414 girls) were Jewish. (LVIA, f. 567, ap. 6, b. 1411, ll. 45-46, 49 - Kornilov to Tolstoi, 31 January 1868).

77 In John Klier's opinion, Brafman was one of the co-authors of the confessional project (Klier, *Imperial Russia's Jewish Question*, pp. 178, 473 note 42). However, as is clear from E. Levin's memorandum to be quoted further, in the debate Brafman declared himself an opponent to the draft. Most important, the draft by Levanda, Vol' and Gershtein *in principle* contradicted Brafman's *idée fixe* about state non-intervention in Jewish religious affairs. In his *The Book of the Kahal*, he sharply criticized the European experience of state-sponsored reforms of Judaism, particularly practice of giving the "rabbi's function" a clerical status. See: Iakov Brafman, *Kniga kagala. Materialy dlia izucheniia evreiskogo byta* (Vil'na, 1868), lxiii-lxxiv.

ing Brafman's name, refuted his point that "government intervention gives too much credit" to Judaism, and asserted that "intentional neglect will not destroy" one of the world's religions "based on revelation." On the contrary, "developing outside of government supervision, Judaism [in Russia] is turning from a religion, a confession into a unique nationality." The fault for this was placed on "the old generation," i.e. the *mitnagdim*, inimical toward "the youth, brought up in the Russian spirit... [who] do not want to know anything about Judaism as a nationality and who settle for Judaism as a religion..."⁷⁸

If Brafman's plan revived the Prussian method of "encouraging the dissolution through inner decay," the measures proposed by the maskilic drafters recalled the effort at restructuring Judaism in other German states of the first half of the nineteenth century, where reform rabbis instilled elements of the ceremonial, liturgical and pastoral practices of Christianity. However, a significant difference was that Vilna project did not suggest the formation of a central religious administration on the model of the Jewish consistories in France and the German states.⁷⁹

The project lifted the rabbi and the so called "rabbi's assistants" into some kind of semi-clerical office, above such traditional offices and titles of Jewish law as *magid*, *dayan*, *shokhet*, etc., and endowed the synagogue with the exclusive attributes of a parish church by forbidding "public prayers and devotions" in other traditional houses of prayers (like *beit-hamidrash*). In his administrative capacity, the rabbi resembled the Catholic dean or Orthodox *blagochinnyi* (superintendent). The rabbi and his assistant were assigned the obligations to supervise religious services, to deliver sermons and homilies regularly in Russian, and to restrict the custom of the interpretation of Jewish law to a circle of official individuals.⁸⁰

The project of confessional reform was complementary to that of reform of the Jewish schools. Just as the new rabbinate was invested with status and powers comparable with those of the Christian clergy, the maskilim proposed giving rabbinical seminaries the status of special institutions for the education of the clergy. In regard to the curriculum of the rabbinical seminaries, the intention was to leave the program of Jewish subjects unchanged, but at the same time to raise the course of general sciences to the level of classical *gimnazii* by introducing Latin, Greek and even Arabic, which were necessary "for the rabbinical specialty." The drafters tried to invoke the image of a rabbi of the new generation who was not only experienced in the fine points of Jewish law, but also erudite in secular learning. Separate elementary schools should be preserved because of the existence of "prejudices, accumulating in the dense masses of the Jewish population of Russia," and "the Orthodox direction" of rural schools. Instead of merger, the maskilim proposed to make the elemen-

78 LVIA, f. 378, BS, 1869, b. 40, l. 338.

79 See: Meyer, *Response to Modernity*, pp. 32-43, 104-105.

80 LVIA, f. 378, BS, 1869, b. 40, ll. 338-348.

tary Jewish schools functionally similar to the Christian ones. In the former, religious instruction should make up the essential part of the program, but it should assume the character of moral admonitions, education in the bases of the faith, and not the special study of texts according to Jewish tradition. As a result, according to the ideas of the maskilim, separate Jewish schools and Christian rural schools would become two similar versions of elementary civic education, with approximately the same number of religious subjects.⁸¹ As in the project of confessional reform, Judaism appeared like Christianity – not in the essence of its religious teaching, but in regard to civic institutions connected with religion. Of course, the maskilim gave free rein to their repugnance to traditional schools – yeshivas and heders. They summoned the authorities not to retreat from the realization of the rules promulgated in 1859, according to which melamdim should be replaced by certified teachers before 1875. The abolition of the institution of traditional Jewish education would become, it was proposed, a legislative norm: “Special private institutions for the study only of the laws of Jewish faith (heders, yeshivas and others) are not permitted.”⁸²

Both projects designated the boundary that the group of Vilna maskilim inspired by the ideal of militant enlightenment had reached in their effort to preserve their alliance with the authorities. The discussion of the projects at the conference with deputies in October, 1869, showed the isolation of these maskilim among the Jews. Even maskilim deputies, whom the projects of Levanda, Vol’, and Gershtein promised advancement in their careers, sharply rejected them as a crude intervention in matters of conscience. Brafman criticized the confessional reform from his point of view: “It is not religion and Talmudists who ruin the Jews, but the tax collectors.”⁸³ Governor-General Potapov supported the deputies and had all questions related to “the religious teaching of the Jews” taken off the agenda. When news of this spread through Vilna, the deputies had to dissuade their fellow believers from illuminating their synagogues in honor of Potapov. The maskilic drafters did not find understanding among officials of the Vilna Educational District, either. The officials were particularly irritated by the point about the attack on the yeshivas and heders, which threatened to draw the authorities into a conflict with the traditionalist Jews.⁸⁴

At the beginning of the 1870s, the maskilim of Vilna tried to prevent the closing of the Rabbinical seminary by submitting petitions to the Ministry of

81 LVIA, f. 378, BS, 1869, b. 40, ll. 58 v.-62.

82 LVIA, f. 378, BS, 1869, b. 40, ll. 38-45 v.

83 LVIA, f. 378, BS, 1869, b. 40, l. 66 (the session of 8 October 1869); YIVO, Record Groups 80-89, file 756, folios 63441v-63442 v., 63443 (E. Levin’s memorandum on the Commission’s deliberations). On the Commission’s sessions with the deputies, see: Nathans, *Beyond the Pale*, pp. 174-180.

84 RO RNB, f. 523, d. 114, ll. 12-20 (a memorandum by the inspector of the Vilna Educational District, N. Novikov).

Interior and Ministry of Education.⁸⁵ These petitions attest to the authors' uniquely anachronistic mode of thought. Hoping to regain the disposition of the authorities, they stubbornly appealed to the model of state supervision of Judaism, which, with the assistance of reformer rabbis, had been tested in the first half of the nineteenth century in several European countries. The applicability of this model in Russia a half a century later seemed indisputable to them, given "the backwardness" of the mass of Russian Jews, which allegedly required the benevolent intervention of the state in various spheres of their life. One could apply to these maskilim Benjamin Nathans's observation about "the limits of a diachronic analysis," drawing "the [seemingly compelling] analogies between Jews in late imperial Russia and their counterparts elsewhere in Europe fifty or one hundred years earlier."⁸⁶ In the new cultural context of the second half of the nineteenth century, to which various groups of Jews in Russia were sensitive, the very idea of state tutelage over Judaism was being rethought in modern terms as a violation of freedom of conscience. Professional bias and maskilic stereotypes prevented teachers who were defenders of the Rabbinical seminary from realizing that their proposals were playing into the hands of Judeophobe bureaucrats. The latter, while declining their proposals, took the opportunity to give the segregationist tendencies of Jewish educational policy the appearance of a liberal rejection of confessional supervision.

The Vilna maskilim decided too late, in 1873, to overcome their disagreements with the Petersburg Society for Dissemination of Enlightenment and its patron, Evzel Gintzburg, who had petitioned the government for the transformation of the Rabbinical seminary into a private institution, an autonomous center of reform Jewish learning.⁸⁷ Soon after the Society received letters from Vilna, the government reduced Rabbinical seminaries to the status of pedagogical schools graduating teachers for Jewish preparatory classes, i.e., the previous Uvarov system was brought down to an elementary level, while "the preparation of educated rabbis was left to the whim of fate."⁸⁸ As D. Tolstoi reckoned, many Jewish youth had even earlier begun trying to enter institutions of general education. However, that was an emphatically secular path of acculturation that would not mitigate the contradictions between selective integration and orthodox Jewish religiosity so characteristic of imperial Russia.

CONCLUSION

The complexities of the Jewish question on the Russian Empire's Western periphery can be better understood if we take into account two perspectives of

85 RGIA, f. 733 [Ministry of Education], op. 189, d. 433, l. 2.

86 Nathans, *Beyond the Pale*, p. 375.

87 YIVO, Record Groups 80-89, file 756, folio 63535 (a copy of memo of 5 October, 1871).

88 Cherikover, *Istoriia*, pp. 196-197 (quoting a resolution of the Society for Dissemination of Enlightenment).

Russifying policy after 1863 – the Russification of ethnically and confessionally diverse *population* and that of the *territory*, the land.⁸⁹

In the first perspective, the Jews emerged as *inorodtsy*, as put by Petr Bessonov, to an even greater degree than Muslims in the Empire's eastern regions. Cultural alienation and otherness of orthodox Jews were striking in the eyes of bureaucrats who customarily described it in terms of "fanaticism" and "superstition." Throughout the imperial period, there were no serious attempts to introduce and even draft a hybrid of the Russian state schools and Jewish traditional ones, *heders* and *yeshivas*, like the so-called Russo-native schools (*russko-tuzemnye shkoly*) for Muslims in Turkestan or the "Russian classes" attached to Tatar *mektebs* and *medresses* in Kazan.⁹⁰ By means of the separate state schools for Jews, the authorities since the 1840s sought only to get some of them closer to secularized values of Russian culture and incorporate them in the Russian civilizational space, rather than assimilate the Jewish population or convert it to Orthodoxy.

However, the task of Russifying the territory of western provinces, made so crucial for the authorities by the challenge of the 1863 Polish uprising, came to reshape the bureaucratic perception of the region's ethnic heterogeneity. It implied a heavy accent on mental mapping and symbolic reconquering of the region as an inseparable part of the "Russian land from times immemorial." Symbols and spectacular signs of the Russian presence were given priority over step-by-step assimilationist efforts. In this perspective, there appeared a tendency to circumvent gradual acculturation of the non-Russian groups, including Jews, by imposing on them Russian-language education, banishing indigenous languages from public sphere (often without soberly assessing the state's potential for assimilation). As one higher official of the Vilna Educational District optimistically wrote in 1869,

...Lithuanians, Latvians and even Jews are eager to get Russified (*obruset'*), all of them understand and nearly all speak Russian. But even if there are those among them who do not speak Russian, then it is they who are obliged to learn the language of Government, not vice versa. All these small peoples (*narodtsy*) are not some pagans and savages (*ne kakie-nibud' dikari iazychniki*), while we are not missionaries among savages. We need not come down to their dialects and notions; rather, we should make them get up to our level (*podniat'sia k nam*)...⁹¹

The label *inorodtsy* (even in its informal usage) seemed to be out of place in the "ancient Russian land," and separate educational institutions, such as the Uvarov Jewish schools, as well as the very principle of instruction of non-

89 For an excellent analysis of different directions and versions of Russification, see: Aleksei Miller, *Imperiia Romanovykh i natsionalizm: Esse po metodologii istoricheskogo issledovaniia* (Moscow: Novoe literaturnoe obozrenie, 2006), pp. 54-95.

90 See: Khalid, *The Politics*, pp. 157-160.

91 RO RNB, f. 52 [P.N. Batiushkov], d. 28, ll. 1-2 v.

Russians by their Russified co-ethnics, became associated with separatism. What was still welcome in eastern borderlands proved to be unacceptable in the Western region. Characteristically, the Ministry of Education began to introduce its network of Russian-Tatar schools in the Kazan Educational District, partly modeled after the Uvarov Jewish schools, as late as 1870, i.e., when the latter themselves were evidently on the edge of being dismantled. (However, by 1910 the so-called new-method (*jadid*) schools – a fruit of the 1870s and 1880s cooperation between the reform-minded bureaucrats and the Muslim reformers – in their turn fell victim to the growing regime’s fear of indigenous nation-building).⁹²

Drawing Jewish children into *gimnazii* and declaring elementary Russian-language education mandatory for Jewish boys soon resulted in a new dynamics of bureaucratic Judeophobia. Paradoxically, the seeds of forthcoming segregationist policy were to be found in relative success of the state’s efforts to integrate Jews. The enthusiasm the educated Jews showed at the prospect of the enlightenment of their coreligionists quickly aroused suspicion and anxiety among the Russifiers. The rapid success of Jews in education rendered the Russophone Jew a highly suspicious figure in the eyes of bureaucrats. No longer was he associated with loyalty and reliance. Instead, his linguistic skills were considered one more reason for mistrust. Such a Jew was regarded as a dangerous stranger, an unwelcome newcomer in a Russian milieu or an agent of the German reformed Jewry striving to secularize and Germanize the masses of Russian Jews, that is, to destroy their beneficial isolation.⁹³ Such were the misgivings of the Vilna bureaucrats of Ministry of Education who, under the cloak of integrationist rhetoric, strove to abolish the Uvarov system and at the same time hinder a reorientation of Jewish children toward general schools.

This vacillation between integrationism and segregationism overlapped with an important change in confessional policy. In the beginning of Alexander II’s reign, the pattern of state non-intervention in Judaism was viewed by a number of bureaucrats and pedagogues as an alternative to Uvarov’s interventionist attempt to enlighten Jews by means of “purifying” their religion. In Nikolai Pirogov’s both humanitarian and condescending rendering, non-intervention in Judaism and Jewish religiosity meant neglecting what was considered “superstition” in order to facilitate secular education and secularization of Jewish identity. In the middle of the 1860s, Petr Bessonov of Vilna Educational District, supported by a group of Russophile maskilim in Vilna, tried to rehabilitate the role of religion in the state-sponsored education of Jews. He suggested combining the “purifying” approach to Judaism with Russian-language education, justifying his experiment by the alleged menace of secular Germanization of Russian Jews. His project was short-lived. From the middle of the 1860s,

92 Geraci, *Window on the East*, pp. 136-50, 287-293.

93 For a study of the Russian fear of assimilated Jews, see, e.g.: Gabriela Safran, *Rewriting the Jew: Assimilation Narratives in Imperial Russia* (Stanford: Stanford UP, 2000).

the non-interventionist approach began to affect the “Jewish” policy more and more. However, unlike Pirogov, such “non-interventionists” as Iakov Brafman were more interested in a destructive aspect of neglecting Judaism. For them, it was a way of “encouraging the dissolution of Judaism through inner decay” (as put by Michael Meyer) – a pattern of policy that somewhat later found its proponents also among imperial bureaucrats dealing with Islam in Turkestan. In conjunction with educational policy, confessional non-interventionism that might have borne a resemblance to the liberalism of the 1860s Great Reforms contributed to legitimizing the abolition of the religion-based Uvarov system in 1873. In an indirect way, it interacted with the rise of segregationist sentiments among the architects of imperial “Jewish” policy. Thus, the imperial state’s failure to play its traditional role of confessional supervision in regard to Judaism helped thwart Russifying efforts to integrate the masses of Jews into the imperial society through education.