BORN TO BE CRIMINAL

The Discourse on Criminality and the Practice of Punishment in Late Imperial Russia and Early Soviet Union. Interdisciplinary Approaches

Riccardo Nicolosi, Anne Hartmann (eds.)
This collection of essays explores the continuities and disruptions in the perceptions of criminality, its causes and ways of fighting it in late imperial Russia and the early Soviet Union. It focuses on both the discourse on criminality and thus the conceptualisation of criminality in various disciplines (criminology, psychiatry, and literature), and penal practice, that is, different aspects of criminal law and anti-crime policy. Thus, the volume is markedly interdisciplinary, with authors representing a variety of approaches in history and literary studies, from social history to discourse analysis, from the history of sciences to text analysis.

Riccardo Nicolosi (PhD) is professor of Slavic literatures at the Ludwig-Maximilians-Universität Munich. His latest publications explore the rhetorical and narrative interfaces between literature and science.

Anne Hartmann (PhD) is an assistant researcher und lecturer in the Slavic department at the University of Bochum. In her current research she concentrates on Western intellectuals visiting the Stalinist USSR and on Soviet labour-camp literature.

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Content

Acknowledgements | 7

Introduction
Riccardo Nicolosi/Anne Hartmann | 9

I. INBORN CRIMINALITY AND THE LATE RUSSIAN EMPIRE

The Empire-Born Criminal
Atavism, Survivals, Irrational Instincts, and the Fate of Russian Imperial Modernity
Marina Mogilner | 31

P. I. Kovalevskii
Criminal Anthropology and Great Russian Nationalism
Louise McReynolds | 63

Criminality, Deviance, and Anthropological Diversity
Narratives of Inborn Criminality and Atavism in Late Imperial Russia (1880-1900)
Riccardo Nicolosi | 85
II. **On the Treatment of Social Deviance and Criminals in the Late 1920s-early 1930s**

*Recidivism, Social Atavism, and State Security in Early Soviet Policing*

*David Shearer | 119*

*Cesare Lombroso and the Social Engineering of Soviet Society*

*Marc Junge | 149*

*Concepts of the Criminal in the Discourse of “Perekovka”*

*Anne Hartmann | 167*

III. **Political and ‘Other’ Prisoners – Literature of the Gulag**

*Criminals in Gulag Accounts*

*Renate Lachmann | 199*

*Varlam Shalamov’s Sketches of the Criminal World*

*Leona Toker | 233*

*On the Contributors | 247*
Introduction

Riccardo Nicolosi/Anne Hartmann

The title of the present volume – Born To Be Criminal – is intentionally ambiguous. On the one hand, it refers to Cesare Lombroso’s theory of criminal anthropology and his idea of the “born criminal,” and on the other it alludes to all those theories which connect criminality in a deterministic fashion to one’s original environment or social class. These are the two focal points that unite the contributions in this collection. The authors’ goal is to explore the continuities and disruptions in the perceptions of criminality, its causes and ways of fighting it that were dominant in late Imperial Russia and the early years of the Soviet Union. With this in mind, we collected here texts on both the discourse on criminality, that is, the conceptualisation of criminality in various disciplines and fields of research (criminology, criminal anthropology, psychiatry, journalism and literature) and penal practice, that is, different aspects of criminal law and of anti-crime policy. Thus, the volume is markedly interdisciplinary, with authors representing a variety of approaches in history and literary studies, from social history to discourse analysis, from the history of sciences and culture to text analysis.

In this volume, the concept of the “born criminal” covers theories of criminality which in the late 19th century postulated some kind of a biologically determined origin of criminal behaviour. It refers not only to Cesare Lombroso’s controversial theory of the existence of individuals born with a tendency to commit crimes, but also to all those interpretations of criminal behaviour which, grounded in degeneration theory, included hereditary factors among the causes of criminality. However, this medicalisation of the criminal is analysed in our volume not only in the imperial context of the late tsarist era. Another question addressed here concerns the extent to which the figure of the born criminal, understood in
a broad sense, played a role in the discourse of criminality and in the penal practices of the first Soviet years. Officially, anthropological explanatory models were decisively rejected in post-1917 Russia. The sociological school that replaced these models stressed the role of social factors as triggers of criminal behaviour, the assumption being that, as social conditions could be changed, the fertile ground for criminality would be eliminated. However, next to the prevailing discourse of resocialisation in the 1920s another approach set itself through, where the emphasis was on the importance of therapy and cure. According to this approach, which has not been sufficiently analysed until now, delinquents were to be seen as pathological cases and thus, their treatment was outside the realm of criminal law. However, the deterministic approaches to either social or biological factors do not exclude but rather complement each other (Beer 2008, 189-191).

It is much more difficult to conclude what image of the criminal determined the Soviet penal practice since the end of the 1920s, when diverse schools of legal theory had been silenced down and whatever was happening in this area was decided by functionaries and secret service officials. The consequences were tangible: offences against the law were politicised, and – according to a new definition of “normality” and “deviation” – whole groups were stigmatised. With the advent of the Great Terror in 1937 the public discussion concerning the causes of criminality and its treatment by penal bodies had been terminated. Information on life in camps was now channeled mostly through the so-called “Gulag literature” and thus documented only retrospectively and presented, once again, from a very particular angle. Its authors, all without exception former political prisoners, created an image of the criminal world that presented those imprisoned on criminal charges as fundamentally “different” and “alien.” This, too, had far-reaching consequences for the categories applied, even if the references were usually to professional criminals and hard-core crooks who imposed a regime of terror in prisons. There was not much to be learnt from these sources about petty criminals and repeat offenders.

Our slim volume cannot by any means claim to provide a comprehensive coverage of the complex and broad topic. Rather, we have collected here case studies which aim to highlight rarely explored issues, and which will hopefully inspire further research in the area.
The first part of the volume, *Inborn Criminality and the Late Russian Empire*, continues a discussion which has become quite heated in the past years and which concerns the presence and function of biomedical discourses in late imperial Russia, and primarily Cesare Lombroso’s criminal anthropology (Engelstein 1992; Sirotkina 2002; Goering 2003; Beer 2008; Morrissay 2010; Mogilner 2013). The lack of interest in the propagation of criminal anthropology and degeneration theory in Russian scientific discourse, which prevailed in scholarship for decades, had been justified by allusions to the “special paths” (*Sonderwege*) of Russian and Soviet culture when it came to biomedical theories and practices. A number of theoretical postulations were behind this trend. On the one hand, “social constructionism” was accorded a privileged position in Soviet medical historical research (see Iudin 1951 for a discussion specifically of psychiatry and criminal anthropology), and on the other hand, studies of Russia in Western Europe by and large rejected Foucauldian models. Researchers in the latter group claimed until very recently that tsarist Russia could not have been open to an understanding of society as a biological organism, which can potentially develop ‘healthy’ as well as ‘pathological’ states and which can, as a consequence, be ‘cured’ by scientific experts (physicians, psychiatrists, criminologists etc.). Adherents of this thesis argued that the populist-romantic, organic vision of society, which was prevalent in Russia until the beginning of the 20th century, would not have allowed biologically-based categories and stigmatisations to penetrate the social discourse. As evidence of this researchers would cite the preference for concepts such as *narodnost’* (folkness) instead of that of *race* (Knight 2000, 57-8; for a critical examination see Mogilner 2009).

Even Laura Engelstein, to whom scholars of Russia owe the long overdue re-discovery of biomedical visions of deviance in the last years of the tsarist rule, denies these discourses any significant role before 1905 (Engelstein 1992, 130). She attributes this to a special feature of the Russian culture in the late imperial era, which made it different from the West-European modernity and to which, as a consequence, Michel Foucault’s theses on biopolitics cannot be applied (Engelstein 1993). According to Engelstein, in 19th century Russia there were no “dispositifs of power” in the sense in which Foucault uses the term to describe the bourgeois societies of Western Europe with their practices of discipline and control, where power is grounded not in laws, but in normalising mechanisms based on scientific knowledge. Engelstein questions the
generalisability of Foucault’s model of social development, according to which the police state of enlightened absolutism, where justice, law and punishment are in the foreground, is superseded by the “liberal” modern state, in which power and control are exercised through practices of self-regulation. The historian claims that in tsarist Russia one cannot observe a similar emergence of the modern state (Engelstein 1993, 343).

While Engelstein’s critique of the applicability of Foucault’s explanatory model of modernity for late imperial Russia is undoubtedly correct, the conclusions she draws concerning the limited circulation of biomedical concepts in Russia at the end of 19th century are questionable. While Engelstein deals exclusively with the discourse of sexual deviance, more recent studies have produced a more broad and varied picture of the emergence and development of biological discourses in Russia and thus convincingly refuted the claim of the Russian “special path.” Of central importance here are the works of Daniel Beer (2008) and Marina Mogilner (2013). Coming from completely different theoretical and methodological perspectives, these scholars brought back forgotten biomedical discourses and practices of late imperial Russia and examined them as subjects of an archaeology of knowledge.

Daniel Beer, who performs a detailed analysis of biological models of crime as they were applied in criminology and criminal anthropology together with the degeneration discourse in psychiatry and the theory of psychic epidemics in mass psychology, explains the role of human sciences in the conceptualisation of the “liberal modernity” during the transition period from the tsarist rule to the early years of the Soviet Union. Beer criticises Laura Engelstein’s thesis that in Russia the “modern liberalism” associated with human sciences failed. According to Beer, biomedical concepts were commonly used in late imperial Russia for discussions of the social body in categories of the normal and the pathological, as a driving force behind the “liberal and disciplining” project of the “healthification” (ozdorovlenie) of Russia (Beer 2008, 8). Beer also traces the survival of these pre-revolutionary discursive practices in the early bolshevik social experiment.

Emphasising overlaps between the political discourse and that of science, Beer explains how the biomedical discourse medicalised the earlier idealistic and positivistic paradigm of social organism and thus deprived it of its metaphoric character. He also talks about how this discourse became a diagnostic, therapeutic and repressive instrument in
the struggle against expressions of social deviance by labelling them as pathologies, through the introduction of binary differentiations between the normal/healthy and the abnormal/sick. For Beer, what is special about the Russian discourse of degeneration is that it was seen ambivalently. Degeneration was understood simultaneously as an external and internal element of the Russian social organism, being both a manifestation of the ‘atavistic’ state of a backwards, uncivilised country, and a consequence of the ‘harmful’ modernisation processes associated with capitalism, urbanisation etc. Thus, Beer conceptualises a Russia-specific form of biopolitical modernity, in which – according to the Foucauldian model – the discursive authority of experts in human sciences (psychiatrists, criminologists, psychologists) played a central role, but which was different from the ‘West European’ modernity in that deviance was understood as omnipresent and normality was first of all to be created, before it could be protected.

A different interpretation of biomedical discourses in 19th century Russia is offered by Marina Mogilner in her work on the Russian tradition of “physical anthropology.” Mogilner criticises Beer for giving an oversimplified picture of a heterogeneous Russian reality of the time, and for not differentiating between rather diverse scientific and ideological positions which are instead presented as equally important elements of a single, homogeneous biomedical discourse. Most importantly, she says, Beer fails to take into account the imperial factor, which she sees as fundamental for the biosocial imagination in Russia of the time (Mogilner 2010). Mogilner refers to more recent research on imperial cultures as cultures of difference and heterogeneity (Kappeler 1992; Burbank and Cooper 2010) to argue for a co-existence of contextually determined and variable understandings of ‘norm’ and ‘deviance’ in the Russian empire. The scholar reminds her readers that the Russian empire brought together multiple and sometimes incompatible with each other social and cultural realms, and that the definition of categories such as ‘population’ or ‘ethnicity’ was all but clear.

According to Mogilner, it is first of all the imperial flexibility in dealing with social and ethnic heterogeneity that provides the key to the special character of the Russian biomedical discourse, for which the “strategic relativism” of the empire (Gerasimov et al. 2009) represented an epistemological problem. This “strategic relativism” ran counter to the normalising practices of modern science with its clear distinction between
the normal and the degenerative. Mogilner shows how the biomedical knowledge in Russia was adapting to the conditions of the empire with Lombroso’s criminal anthropology being interpreted within the context of degeneration theory. While Lombroso understood the difference between the normal and the criminally pathological as anthropologically universal, Russian scientists tended to interpret “the born criminal” as a collective category in order to stigmatise social and ethnic groups and thus to control imperial diversity. For example, the psychiatrists who were also theoreticians of Russian nationalism, such as Ivan Sikorskii, Vladimir Chizh and Pavel Kovalevskii, diagnosed degenerative deviations from the norm among Tatars, members of religious sects, Jews and ethnic groups from the Caucasus and called for “an imperial monotony” by designating the borders of ‘healthy’ Russia. At the same time, when it came to conceptualising the figure of ‘a born criminal,’ the heterogeneous nature of the empire was reflected in a variety of theories defended by Russian criminal anthropologists of the time.

Marina Mogilner develops this interpretation of criminal anthropological discourses in the imperial context in her essay that opens the first part of the volume. According to Mogilner, the adaptation of Lombroso’s criminal anthropology under the motto of the imperial “strategic relativism” gives rise to various new images of “the savage within” as an atavistic phenomenon, all them grounded in the “method of imperial comparison.” Especially in the time before the Revolution of 1905 sociologists such as Maksim M. Kovalevskii, or even criminal anthropologists like Lombroso’s follower Pras’kova N. Tarnovskaia, tended to postulate different manifestations of atavism and degeneration for different ethnic groups. Mogilner points out that between the Revolution of 1905 and until the collapse of the empire in 1917 there occurred a shift in the biologistic discourse of criminality: physiognomic and anthropometric markers of a retarded criminal now played a secondary role with respect to “the hidden and therefore illusive and frightening signified” of the criminal.

Mogilner shows convincingly how even in this late imperial phase of the biologistic discourse of deviance in Russia what was thought of as primitive instincts, which Lombroso understood as atavistic in a universal sense of word, could be seen in completely different ways, depending on the context, – as healthy or degenerate, progressive or regressive. The aspiring Russian psychiatry post-1905 profited from this discursive shift, because it had at its disposal efficient scientific tools for diagnosing
criminal deviance. At the same time, however, it had to always adapt its practices to the reality of the Russian ‘imperial diversity,’ where every attempt to medicalise the “atavistic savage” was doomed to have mixed, unstable and thus unsettling consequences, as Mogilner convincingly shows on the example of the first generation of Russian psychiatrists (Ivan Sikorskii, Pavel Kovalevskii, Vladimir Chizh). Even their colleagues who came after them (E.M. Budul, Ernest Erikson) and who tried to overcome the ambiguity of the Russian discourse of deviance by resorting to race theory, had to use the method of “imperial comparison” in order to construct “the savage within” (primarily the Jews). Mogilner concludes that only the early Soviet Union was able, thanks to its clear ideological orientation, to transcend the instability of the discourse of exclusion and to introduce the clear category of social “savagery.”

The connection between criminal anthropology and Russian nationalism, the flip side of imperial diversity, is explored by Louise McReynolds in her text on Pavel I. Kovalevskii, one of the pioneers of Russian psychiatry. Kovalevskii, head of the department of psychiatry at the universities of Kharkov and Kazan and rector of the Warsaw University, founded in 1883 the first Russian psychiatric journal *The Archive of Psychiatry, Neurology, and Forensic Psychopathology* (*Arkhiv psikhiiatrii, neirologii i sudebnoi psikhopatologii*). Its very title points to an affinity with Lombroso’s journal *The Archive of Psychiatry, Criminal Anthropology, and Penal Sciences* (*Archivio di psichiatria, antropologia criminale e scienze penali*), and from the beginning of its existence the journal became an influential medium for propagating criminal anthropology in Russia (Salomoni 2009).

McReynolds shows how Kovalevskii’s political conservatism influenced his work as a forensic psychiatrist when it came to a socio-political interpretation of biologically determined criminal deviance. His nationalistic philosophy became even more apparent after 1905, and criminal anthropology for him became an instrument for modelling a healthy Russian nation. Both his internationally recognised professional publications and his popular writings for a broad audience with a consistently high print run, composed in the “alarmist” style reminiscent of Richard v. Krafft-Ebing, show clear evidence of the political implications of that particular version of forensic psychiatry, inspired by Lombroso and practiced by Kovalevskii.
Kovalevskii’s forensic psychiatry is in the centre of Riccardo Nicolosi’s contribution, which focuses on the narrative dimension of Russian criminal anthropology where scientific and literary discourses come together. Kovalevskii’s case studies are examined here as prime examples of the special style of writing in criminal anthropology. Until now researchers have almost completely ignored this side of the specialist texts, which emphasise the interconnection between atavism and degeneration – on the one hand, and narrativity – on the other. Nicolosi explores the mythopoetic foundation of Lombroso’s idea of “inborn criminality” and its high potential of “tellability” by placing it in the context of psychiatric degeneration theory. In Kovalevskii’s case studies the born criminal, characterised as an atavistic monster, is incorporated into a genealogical theory of degeneration, thus allowing the psychiatrist to come up with a comprehensive interpretation of the offender’s bestiality which needs to be restrained.

Exploring atavistic phenomena and degeneration as narrative models allows Nicolosi to demonstrate a close interconnection between the poetics of science and the epistemology of literature in the field of criminal anthropology in late 19th century Russia. Seen from this perspective, the Russian literature of the time no longer appears to be “immune” to biologistic theories of crime, as researchers have been claiming. Instead, various narrative models of ‘inborn criminality’ become apparent, be it in the works of classical authors like Lev Tolstoi and Fedor Dostoevskii or in the writings of authors less popular today, such as Aleksei Svirskii und Vladimir Giliarovskii.

The second part of the volume, On the Treatment of Social Deviance and Criminals in the Late 1920s-early 1930s is dedicated to analyses of a period in which, as it would seem, the use of biological models for an explanation of criminal offenses completely died out. The October Revolution was perceived by its supporters as a breakthrough into a new era where, as many optimistically believed, a reconstruction of social relations would also lead to a gradual decrease of crime rates, with crime finally disappearing once the transition to communism has been achieved. In contrast to Lombroso scholars like Mikhail Gernet emphasised social reasons of criminality and its “changeability and dependence on place and time” (ee izmenchivost’ i zavisimost’ ot uslovii mesta i vremeni; Gernet 1974, 437). Evgenii Pashukanis, an influential legal scholar, even argued that the legal system as a whole would vanish as a remnant of the bourgeois
society, just as the state itself would eventually die out (Pashukanis 1924). Whatever few delinquents might remain would be taken care of by welfare services. It is possible that there is a connection between this vision and the gradual suppression of concepts such as “crime” and “punishment” and their replacement through sociological categories such as “a socially dangerous act” and “a measure of social defense” (Berman and Hunt 1950, 640-641). The new legislation from the years of the New Economic Policy (NEP) was indisputably progressive. For example, _The Corrective Labour Code of the Russian Federation (Ispravitel’no-trudovoi kodeks RSFSR)_ from 1924 contained a gradation of penalties and listed five types of detention institutions with regimes of varying strictness.

The project of humane punishment was aimed, programmatically and propagandistically, against the legal system of the West, which was supposed to be driven exclusively by a desire for revenge and humiliation of delinquents, and also against the tsarist _katorgas_ and prisons with their chains and torture instruments. The Museum of Revolution in Moscow featured a special room with walls covered in black tapestries. This “Museum of Horror,” as it was officially called, contained documents and objects from the earlier reign of terror. But as René Fülöp-Miller, who described the exhibition in his book _The Mind and Face of Bolshevism (Geist und Gesicht des Bolschewismus)_ noted, for all its alleged condemnation of the tsarist practices, the Soviet government retained “the tried and tested” strategies of the previous regime, especially when dealing with political adversaries (Fülöp-Miller 1926, 430; see Leggett 1981, 175-176; Stettner 1996, 44-45).

Those who were seen as “socially close elements” could get away with a relatively mild sentence, usually just “correctional labour” (_ispravitel’nyi trud_). However, those who were regarded as oppositional to the system (high-profile tsarist officials and officers, clerics, business people, members of the Constitutional Democratic Party etc.) were treated as not eligible for correction and not suitable for integration into the society. Many of them were shot, others were sent away to concentration camps and forced labour sites (_prinuditel’nyi trud_). As early as on 5 September 1918 the decree “On Red Terror” was passed, which ordered that all necessary violence be applied to liberate the Soviet Republic from “class enemies” and “counterrevolutionaries.”

Thus dangerously prescriptive and imprecise concepts were introduced, which postulated that it was one’s origin and belonging to a social class,
rather than a committed crime, that counted as the decisive criterion for
the kind of measures that were to be taken by the state in a particular
case. One of the consequences of the distinction between “socially close”
elements and “socially distant” ones was the establishment of a double-
track penal system, whose fatal results were not long in coming. Cheka was
responsible for the first wave of terror. The “Extraordinary Commission”
was not accountable either to courts of law or to any law-enforcing body.
Even though Cheka and its special camps were dissolved in 1922 with
the passing of the executive decision on the “reconstruction of socialist
legality” *(vosstanovlenie sotsialisticheskoi zakonnosti)*, its successors GPU
and OGPU were awarded a similarly broad warrant to arrest, to interrogate
and to punish. The “Northern camps of special purpose” *(Severnye lageria
osobogo naznacheniia, SLON)*, set up on the Solovetskii Islands as a special
detention facility for political prisoners, were the seed from which the
Gulag evolved.

In contrast, the detention centres of the People’s Commissions for
Justice and for Internal Affairs (the responsibilities of the rival authorities
changed frequently) were primarily in charge of implementing regular
court sentences, with “labour, health conditions, medical care and
education” in prisons being controlled by external committees (Stettner
1996, 66). The guiding principle in the administration of punishment at
that time, obvious also in the writings of most of those who were involved
in these matters in practice, was the belief that delinquents could be re-
socialised.

However, any examination of the *discourse* of the time on the subject
of crime and its causes must take into account also a third group of
institutions. As early as in 1922 the so-called “Cabinet for Criminal
Anthropology and Forensic Medical Expertise” was opened in Saratov
*(Kabinet kriminal’noi antropologii i sudebno-meditsinskoi ekspertizy)*,
whereupon similar institutions were organised in Moscow and other
big cities. The State Institute for the Study of Crime and the Criminal
under the auspices of the NKVD, opened in Moscow in 1925, was charged
with coordinating the activities of the various cabinets, centres and
institutes. The effort that went into the study of criminality in the hope of
understanding and – hopefully – eliminating it altogether is remarkable.
The great number of tested individuals, as well as numerous publications
(partly in foreign languages) all testify to the dedicated engagement of
those involved.
The markedly medical and psychiatric profile of most of the “cabinets” is also worth noting. For example, the “cabinet” in Saratov had a sociological department, but also departments researching the psychological, physical and nervous-psychiatric state of delinquents, as well as a section for hypnotherapy. The goal of the work was formulated as follows: “A study of the aetiology, pathology and pathogenesis of criminality as well as the personality of delinquents as carriers of the latter” (izuchenie etiologii, patologii i patogenezisa prestupnosti, a takzhe i lichnosti prestupnika kak nositelia poslednei; Ivanov 1925, 85). Significantly, the “Cabinet for the Study of the Criminal Personality and Crime” (Kabinet po izucheniiu lichnosti prestupnika i prestupnosti) in Moscow was subordinate to the Institute of Health in the capital (Moszdravotdel).

The delinquents were regarded as products, or rather – as victims of their circumstances, whereby social factors received much less attention than medical ones. A clinical diagnosis was supposed to establish psychological and physical anomalies, so that the criminal could then be classified as a sick person, who was first of all to be cured. The popularity of this approach came from a dogmatic interpretation of the belief in the “anti-criminal” character of socialism, in which there was no room for antagonistic social tensions. Hence, crime had to have a different cause, it had to come from the “nature” of the delinquent, even though Lombroso’s thesis of the born criminal was allegedly rejected (for a critical discussion of this topic see Prozumentov and Shesler 2014, 52-53).

In the late 1920s the theories of the “criminal cabinets” came under attack as “bourgeois,” their work and the academic publications of their staff were superseded by other developments in the Soviet society and ultimately suppressed. Professional publications as well as journalistic statements and generally available statistics on crime dynamics gradually disappeared from the public domain. A 1930 report on the state of crime, where the Head of the NKVD of the Russian Republic Vladimir Tolmachev listed various offences committed in the second half of the 1920s and grouped them based on factual information, rather than with reference to them as “counterrevolutionary activities,” was the last document of this kind for decades to come (see the contribution by David Shearer in this volume). Now it was no longer legal scholars and experts in penal law who set the tone, but secret police. Head of the secret service Iagoda, his colleagues and successors had no knowledge of the penal code, and they most certainly did not have much interest in theoretical debates
or empirical research (*ibid.*), which makes it difficult to reconstruct the motives behind their actions (on this, see the article by Marc Junge in this volume).

The change of direction occurred against the background of forced industrialisation and collectivisation as part of the First Five Year Plan, which brought about a massive increase in crime rates. At the same time it is hard to say to what extent there was an actual sudden explosion in the number of criminal acts, and to what extent the increase was due to a new taxonomy of crime as well as stricter and longer sentences. Such sentences were often imposed for a reason, namely, in order to transform OGPU camps into a “production giant” (Stettner 1996). In any case, it is obvious that the “traditional reading of crime” (Shearer 2009, 26) was now replaced with a politicisation of all acts criminal. This held true for all manifestations of social deviance including prostitution, hooliganism and alcoholism, which authorities in the 1920s still tried to handle by means of philanthropic measures. Now, an alcoholic could be accused of being an enemy of the people or “an accomplice of the Trotskyite-Zinovievite gang” (Lebina 1997). The transferral of responsibilities from the judiciary apparatus to secret police, as well as the substitution of a regulated legal process with speedy sentencing administered by extra-judicial committees (the Police and Kulak Troikas), accompanied this shift.

This “great turn” of the 1920s to the 1930s is the initial focus and point of departure of the contributions in the second part of this volume. The authors reconstruct the activities of bodies of state security and ask what became of the idea of “improvement” and why people who were once seen as “socially close” were now victims of mass repressions.

In January 1933 at a plenary session of the Central Committee of the VKP(b) in the presence of hundreds of delegates Stalin announced “the fundamental victory of socialism.” This speech is the starting point of David Shearer’s chapter. Shearer shows that Stalin’s declaration was accompanied by warnings as well as threats, whose spirit determined the future policy. According to Stalin, even if organised class resistance had been broken, it continued under the surface, as “quiet sabotage,” “in the form of crime and lawlessness.” Stalin saw theft and pilfering as particularly threatening, especially when it was socialist property that was being stolen or damaged. These acts were now regarded as counter-revolutionary activities, as they could destabilise the social order. In this vision, class enemies and criminals merged into one group. The counter-
measures had to be correspondingly powerful, in order to protect the state whose integrity had top priority. These measures were implemented primarily by the secret police, thus significantly broadening its authority to exert power.

As Shearer shows, the consequences of thus policising or statising crime were far reaching. The so-called state crimes (gosudarstvennye prestupleniia) and crimes against administrative order were now considered to be as severe as political offenses to which Article 58 of the Penal Code referred: people with anti-social tendencies were mutating into anti-Soviet elements. Repeat offenders especially were seen as a fundamental danger for the Soviet order. They were, in Iagoda’s view, incorrigible, being inherently hostile to the Soviet power. According to him, a tendency to commit repeated offenses was an atavistic trait, which he, however, interpreted not in biomedical but in social terms. The same mechanism drove the attribution of essentialist qualities to whole groups of the population that were branded as “hostile class aliens” or – somewhat later – as “ethnic aliens” and as such excluded from the society in the course of grand campaigns. Even if the Soviet officials emphatically rejected the thesis of a biological genesis of crime, they still believed, as Shearer says in his conclusion, “in a social and ethnic kind of atavism that produced recidivist criminals, incorrigibly harmful social elements, and enemy nations even within Soviet borders.”

Here one can draw, even if with a slightly different emphasis, surprising parallels with the positions of some leading adherents of criminal anthropology in the 19th century. Could it be that in the 1930s the vacant position of the “born criminal” was taken over by the repeated offender, somebody who was accustomed to a life of crime, who had internalised it, so that it had grown into his flesh and blood? And was the ideology of “imperial monotony,” fixated on the concept of “healthy Russia,” now replaced by the project of Soviet homogeneity, so that the role of the “savage within” could again be played by somebody, namely by those groups that were socially or ethnically “different” from the “norm”?

Marc Junge, too, poses the question of possible political and historical roots of the state policy in the 1930s. His starting point is a puzzling fact: during the Great Terror it was precisely petty criminals, beggars, nomads, prostitutes etc. who were penalised systematically, collectively and with great severity, even though theoretically they were a “socially close element.” Referring to his own earlier works, most of them co-authored
with Rolf Binner, Junge asks himself and the readers whether the position commonly accepted in the Soviet Union in the 1920s, which demanded that criminality be regarded as a purely sociological phenomenon, was as broadly accepted as it was claimed, especially in light of the fact that the different institutions dedicated to the study of crime and criminals, as mentioned above, also had a pronounced biological and psychological profile. And did sociological approaches carry any weight at all later, in the 1930s? After all, it was becoming more and more difficult to characterise the Soviet Union as a society in transition, and thus to present criminals as victims of their social conditions. Junge suggests that addressing this question could also explain why the search for possible reasons of criminality was gradually abandoned, as were explanatory models that detected the roots of criminality in pre-revolutionary, capitalist conditions. According to the scholar, at that time an old principle from before the Revolution was revived, albeit in a different form, namely the classical theory of free will. Individuals had to decide whether they wanted to be integrated into the society, or else be excluded from it.

Like Shearer, Junge emphasises the determined position of the bodies of state security in the treatment of the repeat offenders classified as “incorrigible.” This policy, implemented under Iagoda, continued also under his successor Ezhov. Repeat offenders were regarded as “the most dangerous criminal group” and received a prominent mention in the notorious NKVD Order 00447 from July 30, 1937. Junge poses the question of whether this extreme fixation on repeat offenders “indicates a connection between Lombroso’s biological model and the penal policies instituted by the USSR.” Even if his tentative answer is “yes,” the historian refrains from a definite conclusion. He notes that more research is necessary, also in order to further investigate the thesis of the biological heredity of “class” postulated by Tracy McDonald and Lynne Viola.

For a significant number of camp inmates, even if by no means for all of them, there was hope that one day they would be released. According to Steven Barnes, on average about 20% of inmates were released every year (Barnes 2011, 10). At least until 1936 a reintegration of former prisoners into the Soviet society was propagated in both Soviet and foreign media as the official goal of the project. The word perekovka was used at the time to celebrate the successful “re-forging” of delinquents in the camps. However, there are few sources testifying to how the reintegration worked in practice. In her article Anne Hartmann shows how the concept of
perekovka emerged at the point of intersection of penal policy and literature. The metaphor reflects the technological spirit of the First Five-Year Plan and is linked to the idea of writers being “engineers of the human soul.” The Belomorkanal (White Sea Canal) project especially was a testing ground for the inmates as well as for the writers who were sent to the site in 1933 as members of a brigade of 120. Gor’kii and his fellow campaigners celebrated the Chekists as educators, and forced labour – as a source of inspiration for the writers. The impetus extended even further: as a “factory of human beings” and a “school of work” the camp was supposed to set an example for the whole country.

The Belomorkanal project was about the struggle against nature, also human nature. Except that, as Hartmann shows, there was no clear answer to the question of whether, and to what extent, the latter was to be transformed. While Iagoda, as we already mentioned above, did not believe that repeat offenders and class enemies could be “socially renewed,” his wife Ida Averbach was more optimistic. In her opinion, just as the flow of the Volga river could be reversed, so, too, deeply ingrained behavioural patterns could be changed. Despite this, the discussions of perekovka clearly show that there was no agreement as to the relative importance of, on the one hand, biological and social determinism, and on the other – free will, and of people’s potential for re-education versus the degree to which they could be deemed “incurable.” The writers who reported on the project resorted to the category of “wonder” in their descriptions of how one could be re-born (pererozhdenie) overnight as a “new man.”

The beginning of the Great Terror put an end to the literary and journalistic celebrations of the ‘transformation’ of camp inmates as a grand experiment in reforming people. Visitors were no longer allowed on sites and there was to be no reporting. As many of the protagonists of perekovka disappeared almost overnight, victims to a wave of arrests, so did the media reports on the victorious achievements and, more generally, the narrative of re-education and correction. From that moment on, insights into the camp life of the time could almost exclusively be gained retrospectively, from the descriptions of former inmates. These are the subject of the third part of the volume: Political and ‘Other’ Prisoners – Literature of the Gulag, where both contributions address specifically the question of how the criminal world is represented in camp memoir literature. We should be mindful of one particularity of Gulag literature and a related methodical problem, namely, that all the texts come from so-
called “political prisoners,” who during their imprisonment felt exposed on many levels to the shenanigans of professional criminals, sometimes in a life-threatening way. Their point of view and narrative position are largely determined by the victim perspective. On the other hand, we learn next to nothing about “accidental” prisoners and petty criminals. They were and remain a group deprived of its own voice, a group that did not particularly interest the political prisoners who wrote the accounts. If they are mentioned at all, it is only as those who were also oppressed by the gang bosses, the latter acting as their masters and demanding unconditional service, quickly corrupting the younger ones and turning them into career criminals in their own right.

In her chapter “Criminals in Gulag Accounts” Renate Lachmann first analyses the literature of the early 1930s, where Gulag was presented from an external point of view and where, in the spirit of the propaganda of the time, re-education was celebrated as a heroic endeavour or else criminals were romanticised and made to appear harmless, in the tradition of the gangster folklore of the 19th–early 20th century. Nikolai Pogodin’s comedy *Aristocrats* (*Aristokraty*, 1935), which was also made into a feature film, is a representative example here. However, for those authors who had an immediate experience of life in the camps criminals represented hostile and threatening adversaries. Especially traumatic seem to have been encounters with serious or top rank criminals, who established their own terrifying regime and system of regulations in the camps. Remarkably, their reign usually receives more attention in the memoirs than the rule of guards and camp authorities.

Lachmann draws a distinction between an ethnographic and a moralistic view of the criminals, without, however, claiming that they are mutually exclusive. “Observers” such as Dmitrii Likhachev, Varlam Shalamov or Julius Margolin tried to learn the laws of this peculiar alternative society. They described its hierarchy and rank order, the code of honour and the punishments imposed internally. Of particular interest to them was the obscene language of the professional criminals (*urki, blatnye*), as well as the skin-language of prison tattoos and card games as the main leisure activity (whereby the professional criminals would normally try to dodge the labour duty). The moralistic perspective emphasises disgust and distancing, as the authors position themselves against what they experienced as a completely foreign, categorically different world. Lachmann quotes Aleksandr Solzhenitsyn and Evgeniia
Ginzburg: “they are not people,” “the criminals are beyond the human.” The scholar shows how this act of ‘othering’ turned the bandits into an “alien tribe” lacking human traits. Are we dealing here, yet again, with the figure of a “savage within”? In any case, the intellectual witnesses draw a clear border between themselves and the underworld of which they are not part. After all, they had the last word, and they could use the writing to compensate themselves for the loss of dignity they suffered: “In writing autobiographies, memoirs, diaries, stories, the victims recovered their intellectual and moral superiority.”

In Lachmann’s opinion Sketches of the Criminal World (Ocherki prestupnogo mira) by Varlam Shalamov offer a profound sociological analysis into the reality of the camps. This collection is also in the centre of Leona Toker’s contribution. For all the precision with which Shalamov depicted this counter-society and its corrupting influence on younger, still ‘innocent’ prisoners, he avoids two topics which apparently he saw as taboo zones of extreme horror: homosexuality and cannibalism. As Toker makes clear, the Sketches provide first-hand historical evidence, particularly on the “bitch war” (such’ia voina) which broke out when many criminals switched over to the service of the authorities. This phenomenon was especially widespread after the end of World War II. Such ex-gang members were seen by “criminals in law” (vory v zakone) as collaborators and thus enemies, but they enjoyed the support of camp bosses when it came to maintaining order and, if necessary, to settling bloody scores with those who were too unruly. On the other hand, the Sketches are “suffused with literary concerns.” Like Solzhenitsyn, Shalamov, too, criticises the harmful effects of literary glorifications of thieves as romantic rebels and free agents. The writers’ criticism reflects a particular understanding of literature, whereby literary texts are seen as exemplary models. However, both of them focus on the potential of literary texts to harm or to cause damage, while they apparently have little hope for the therapeutic power even of their own works.

We learn little about the causes of criminality from Shalamov’s texts, even if he, according to Toker, had a clear opinion on the matter of biological versus social conditioning. For him the decisive factor was the environment, not heredity. The literary tales of criminals’ heroic pursuits were part of the environment, as was the governmental policy that led to the spread of criminality. “The world of the blatnye must be destroyed,” – such is Shalamov’s conclusion, and it was not a plea for death
penalty or longer sentences. His own position was wrought with internal contradictions. He wrote literary texts in order to enlighten readers and make them immune to the “corrosive attractiveness” of seductive, but deceptive narratives, but at the same time he himself did not quite believe in the power of his writings and did not seek to have them published.

References


