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Introduction

Viewing, reading, and listening to the trials in Eastern Europe

Charting a New Historiography

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INTRODUCTION

VIEWING, READING, AND LISTENING TO THE TRIALS IN EASTERN EUROPE

Charting a New Historiography

Since the end of World War II, the legal pursuit of war crimes before national and international jurisdictions has generated a vast scholarly literature.¹ A broad range of multi-disciplinary writings have examined the political and diplomatic stakes of these trials, the legal professionals involved in the proceedings, the juridical advances they delivered, the establishment of proof and sentencing policies, as well as the didactic aims of postwar criminal justice.² Within this scholarship, the Nuremberg (1945)³ and Eichmann (1960-1961)⁴ trials have captivated the most

1. The author wishes to thank Vanessa Voisin and Valérie Pozner for their valuable comments and suggestions on an earlier version of this introduction.

2. For the relationship between justice and the Holocaust see Norman J.W. Goda, ed., *Rethinking Holocaust Justice: Essays across Discipline* (New York: Berghahn Books, 2018); Donald Bloxham, *Genocide on Trial: War Crime Trials and the Formation of Holocaust History and Memory* (New York: Oxford University Press, 2001); David Bankier, Dan Michman, eds., *Holocaust and Justice: Representation and Historiography of the Holocaust in Post-War Trials*, (Jerusalem: Yad Vashem & Berghahn Books, 2010); Lawrence Douglas, *The Memory of Judgment: Making Law and History in the Trials of the Holocaust* (New Haven: Yale University Press, 2001); Florent Brayard, ed., *Le génocide des Juifs entre procès et histoire* (Bruxelles: Complexe, 2000).

3. Guillaume Mouralis, "Le procès de Nuremberg: retour sur soixante-dix ans de recherche," *Critique internationale*, 73, 4 (2016): 159-175; Guillaume Mouralis, *Le moment Nuremberg* (P.: Presses de Sciences Po, 2019); Annette Weinke, *Die Nürnberger Prozesse* (Munich, 2006); Michael R. Marrus, *The Nuremberg War Crimes Trial 1945-1946: A Documentary History* (New York: Bedford Books, 1997). On the twelve subsequent trials held in Nuremberg, see Kim C. Priemel, Alexa Stiller, eds., *Reassessing the Nuremberg Military Trials: Transitional Justice, Trial Narratives, and Historiography* (New York – Oxford: Berghahn Books, 2014 (1st ed. 2012)); on the trial of the *Einsatzgruppen* (9th trial), see Hilary Earl, *The Nuremberg SS-Einsatzgruppen Trial, 1945-1958: Atrocity, Law and History* (New York: Cambridge University Press, 2009).

4. Sylvie Lindeperg, Annette Wieviorka, eds., *Le moment Eichmann* (P.: Albin Michel, 2016); Henry Rousso, ed., *Juger Eichmann. Jerusalem 1961* (P.: Ed. of the Shoah Memorial, 2011).

attention, followed by the second wave of legal proceedings in West Germany beginning in the 1960s.⁵

Yet few and far between are the works devoted to justice for war crimes in Eastern Europe—a relative lack of interest that can be explained in several ways. Until 1989–1991, attempts to reconstruct this history were held hostage to the normative categories and geopolitics of the Cold War.⁶ They were further curbed by the restricted access to East European archives, particularly for Western scholars. As a result, the role of so-called “Sovietized” states (or those on the verge of becoming so) in the production of national *and* international justice was relegated to a minor key.⁷ This is not to say that research on Eastern Europe has entirely neglected the topic. To the contrary, for several decades, criminal justice under socialism—viewed as merely one instrument in the service of political repression—was a common refrain within Western Sovietology. Most scholars, however, focused on the prosecution of political opponents, rather than on efforts to bring Nazi criminals and their accomplices to justice.

In the Soviet case, the “show trials” and Stalinist purges of the 1930s⁸ offered a classic model for such research.⁹ As for the countries of central and eastern Europe, the trials of late Stalinism (some of which targeted officials who had played an axial role in the establishment of a regime of terror) were framed as archetypal

5. Devin O. Pendas, *The Frankfurt Auschwitz Trial, 1963–1965: Genocide, History, and the Limits of the Law* (Cambridge: Cambridge University Press, 2006); Rebecca Wittmann, *Beyond Justice: The Auschwitz Trial* (Cambridge: Cambridge University Press, 2006); Annette Weinke, *Die Verfolgung von NS-Tätern im geteilten Deutschland Vergangenheitsbewältigung, 1949–1969, oder: Eine deutsch-deutscher Beziehungsgeschichte im kalten Krieg* (München: Paderborn, 2002).

6. Francine Hirsch, “The Soviets at Nuremberg: International Law, Propaganda, and the Making of the Postwar Order,” *The American Historical Review*, 113, 3 (2008): 701–730.

7. The same was true for the role of Soviet political, diplomatic and legal actors in defining the crimes and charges, the conduct of the investigations and the gathering of evidence before the Nuremberg trial. A silence also surrounded the participation of European states which were later to join the Eastern bloc (Poland and Czechoslovakia in particular) in the United Nations Commission of Inquiry into war crimes, and ignored the role of governments in exile in preparation for the London Conference of August 1945 (where the charter defining the statutes of the International Military Tribunal was adopted). See Francine Hirsch, *Soviet Judgment at Nuremberg: A New History of the International Military Tribunal after World War II*, New York: Oxford University Press, 2020; George Ginsburgs, *Moscow’s Road to Nuremberg: The Soviet Background to the Trial* (The Hague: M. Nijhoff, 1996); Nathalie Moine, “Defining ‘War Crimes Against Humanity’ in the Soviet Union,” *Cahiers du monde russe*, 52, 2 (2012): 441–473; Kerstin von Lingen, “Setting the Path for the UNWCC: The Representation of European Exile Governments on the London International Assembly and the Commission for Penal Reconstruction and Development, 1941–1944,” *Criminal Law Forum*, 25, 1–2 (2014): 45–76.

8. On these trials and their uses for the purposes of socialization and surveillance of activists and ordinary citizens, see Nicolas Werth, “Les petits procès exemplaires en URSS pendant la Grande Terreur (1937–1938),” *Vingtième siècle. Revue d’histoire*, 86, 2 (2005): 5–23; Wendy Goldman, *Terror and Democracy in the Age of Stalin: The Social Dynamics of Repression* (New York: Cambridge University Press, 2007).

9. For a critical reading of these early writings on the ‘show trials’, see Vanessa Voisin, “Du ‘procès spectacle’ au fait social: historiographie de la médiatisation des procès en Union soviétique,” *Critique internationale*, 75, 2 (2017): 159–173.

for socialist justice. And when the actions of the People's Courts—those courts of exception established after the war to repress former political and social elites *and* to punish war criminals—were discussed, the politicized nature of their action worked to diminish the fact that some of the defendants had been charged with acts of collaboration and war crimes (and in some cases may have committed the deeds). This structure of the academic field had one chief consequence: images of forced confessions, fabricated evidence, and manufactured verdicts dissuaded many scholars from investigating the amnesty policies of the 1950s or the continued efforts of retribution against war criminals even during that decade; they tended, too, to ignore how Soviet justice was gradually reoriented towards pursuing only the most serious forms of collaboration (the mass crimes of the “torturers” or *karateli*).

Just as the growing influence of the revisionist historical school in the United States raised hopes for more nuanced interpretations of Soviet justice, as new legal counts were considered and the temporal and spatial scope of the studies expanded, in central Europe the fall of socialism breathed new life into totalitarian theories.¹⁰ The events of 1989 provoked both a desire to unveil the extent of Communist repression and a renewed commitment to historical writing on the part of victims, lay historians, and political actors. The moment also fostered the reestablishment of a national—and at times nationalist—historiographical canon.¹¹ At the crossroads of such social developments, the People's Courts became metonymically linked to Communist repression.¹² Meanwhile, several controversial figures, who had been active during World War II and sentenced as collaborators of the Nazis after 1944, underwent an equivocal process of political and legal rehabilitation.¹³

10. Particularly in writings on the former GDR: Eckart Jesse, *Totalitarismus im XX. Jahrhundert*, Bonn: Bundeszentrale für politische Bildung; Wolfgang Merkel, *Eine Einführung in Theorie und Empirie der Transformationsforschung* (Wiesbaden: VS Verlag für Sozialwissenschaften, 2010). For a critical discussion, see Clemens Vollnhals, “Der Totalitarismusbegriff im Wandel,” *ApuZ. Aus Politik und Zeitgeschichte*, 39, 6 (2006): 21–27. For an introduction to a new comparative approach between Nazi, fascist and Communist “totalitarianisms,” see Daniela Barateri, Mark Edele, Giuseppe Finaldi, eds., *Totalitarian Dictatorship: New Histories* (New York: Routledge 2014).

11. For the Polish case, see Valentin Behr's doctoral thesis, “Science du passé et politique du présent en Pologne: l'histoire du temps présent (1939–1989), de la genèse à l'Institut de la Mémoire Nationale,” directed by Vincent Dubois and Yves Deloye, Strasbourg, October 18, 2017.

12. Vladimir Tismaneanu, *Stalinism Revisited: The Establishment of Communist Regimes in East-Central Europe* (Budapest: Central European University Press, 2009). Regarding the controversies relating to Communism, see Laure Neumayer, *The Criminalization of Communism in the European Political Space after the Cold War* (London: Routledge, 2018); for a comparative treatment of the uses of Communist pasts and the Holocaust, see Muriel Blaive, Christian Gerbel, Thomas Lindenberger, eds., *Clashes in European Memory: The Case of Communist Repression and the Holocaust* (Innsbruck: StudienVerlag, 2011).

13. This issue is reflected in several essays in the excellent book by John-Paul Himka, Joanna Beata Michlic, eds., *Bringing the Dark Past to Light: The Reception of the Holocaust in Post-communist Europe* (Lincoln: University of Nebraska Press, 2013).

Submitting trials against war criminals and/or “internal enemies” to an ordinary sociological inquiry

Spurred by the opening of the Eastern European archives, however, a new generation of scholarship has emerged,¹⁴ one that aims to construct the legal procedures in the East as social facts amenable to ordinary sociological treatment.¹⁵ These authors have reaped the rewards of taking the notion of the “show trial” seriously, exploring the role of the cinematic and theatrical gaze as it was modeled throughout the 1920s in the staging and reception of the trials.¹⁶ By extending the radius of legal case studies, scholars have also illuminated the complexity and the evolving political and bureaucratic logics at work in the USSR.¹⁷

Taking account of this multiplicity, without ignoring the realities of political violence and repression, was one of the benchmarks for the research project “Nazi War Crimes on Trial: Central and Eastern Europe, 1943-1991” (2016-2020) coordinated by Vanessa Voisin at CERCEC (CNRS-EHESS),¹⁸ in which Emilia Koustova

14. On the Central and East European trajectories, see, among others, Gabriel Finder, Alexander Prusin, *Justice behind the Iron Curtain: Nazis on Trial in Communist Poland* (Toronto: University of Toronto Press, 2018); István Deák, *Europe on Trial. The Story of Collaboration, Resistance, and Retribution during World War II* (Boulder: Westview Press, 2015); István Deák, Jan T. Gross and Tony Judt, eds., *The Politics of Retribution in Europe. World War II and its Aftermath* (Princeton: Princeton University Press, 2000); Ildikó Barna, Andrea Pető, *Political Justice in Budapest after World War II* (Budapest — New York: CEU Press, 2015); Richards Plavnieks, *Nazi Collaborators on Trial during the Cold War. Viktors Arajs and the Latvian Auxiliary Security Police* (London: Palgrave Macmillan, 2017); Benjamin Frommer, *National Cleansing: Retribution against Nazi Collaborators in Postwar Czechoslovakia* (Cambridge: Cambridge University Press, 2005); Nadège Ragaru, “The Prosecution of Anti-Jewish Crimes in Bulgaria: Fashioning a Master Narrative of the Second World War (1944–1945),” *East European Politics and Societies*, 33, 4 (2019): 941-975; Christian Dirks, *Die Verbrechen der Anderen: Auschwitz und der Auschwitz-Prozess der DDR. Das Verfahren gegen den KZ-Arzt Dr Horst Fischer* (Paderborn: Ferdinand Schöningh, 2006).

15. On this methodological approach, see Vanessa Voisin, “Du ‘procès spectacle’ au fait social...”

16. Julie Cassiday, *The Enemy on Trial: Early Soviet Courts on Stage and Screen* (DeKalb: Northern Illinois University Press, 2000); Elizabeth Wood, *Performing Justice: Agitation Trials in Early Soviet Russia* (Ithaca: Cornell University Press, 2005).

17. The literature is extensive: see, for example, Juliette Cadiot, “Equals Before the Law? Soviet Justice, Criminal Proceedings against Communist Party Members and the Legal Landscape in the USSR,” *Jahrbücher für Geschichte Osteuropas*, 61, 2 (2013): 249-269; Vanessa Voisin, *L'URSS contre ses traîtres: l'épuration soviétique (1941-1955)* (P.: Publications de la Sorbonne, 2015); Tanja Penter, “Collaboration on Trial: New Source Material on Soviet Postwar Trials against Collaborators,” *Slavic Review*, 64, 4 (2005): 782-790; Franziska Exeler, “The Ambivalent State: Determining Guilt in the Post-World War II Soviet Union,” *Slavic Review*, 75, 3 (2016): 606-629; Lynne Viola, *Stalinist Perpetrators on Trial: Sciences from the Great Terror in Ukraine* (Oxford: Oxford University Press, 2017); David M. Crowe, ed., *Stalin's Soviet Justice: 'Show' Trials, War Crimes Trials, and Nuremberg* (London: Bloomsbury Academic, 2019); Alexander Prusin, “‘Fascist Criminals to the Gallows’: The Holocaust and Soviet War Crimes Trials, December 1945-February 1946,” *Holocaust and Genocide Studies*, 17, 1 (2003): 1-30. For a further bibliography, see Vanessa Voisin's contribution to this issue.

18. ANR-16-CE27-0001 (<https://anr.fr/Projet-ANR-16-CE27-0001>). This collective project was made up of an international team of a dozen researchers (French, German, Ukrainian, Hungarian, Romanian and Serbian) working in dialogue with other contemporary projects

and I led the research package devoted to “Temporalities of Justice.” This collective project rested on the assumption that the potential exceptionalism of legal proceedings under socialism could only be grasped by subjecting them to regular, ordinary methods and interrogations. The point was not to challenge the politicized dimensions of justice, but instead to examine how this politicization took place. Rather than characterizing “political” courts through a typology of proceedings, we have opted to reflect on the social and political uses of legal events. Echoing the insights obtained in another setting by Vanessa Codaccioni, we have envisioned political justice as a “collective construction by the state and by activists,” directing our investigation towards strategies of politicizing law.¹⁹ That the defendants’ political identity could prevail over the acts they committed did not, in our view, necessarily imply the absence of crime.

One of the aims of our research has been to emphasize how legal procedures were publicized, with a focus on the crafting of popular support for the legal pursuits, the visual rendering of the trials, and their reception by the audience.²⁰ The essays gathered in this thematic issue build on such earlier reflections. More precisely, the purpose of this volume is to situate the manufacture and representation of the proceedings against war criminals and/or those characterized as “internal enemies” within a threefold line of questioning: the interlocking strands of written, visual, and audio captures of the trials. A brief review of the historical construction of relations between image and justice will help chart the path that led to this choice.

Image and justice: Mutually constitutive?

Is it because the legal ritual is so surprisingly graphic—so very theatrical? The fact remains that, for two decades, research on trials for war crimes and/or against political opponents has crystallized around an interest in the image, mainly with respect to two themes: the deployment of visual sources as evidence, on the one hand; and the pictorial narrative production of the hearings and rendering of the judgment, on the other. The capacity and legitimacy of images to become evidence—evidence in the eyes of judges as documenting crimes, in the first place; evidence and legitimacy in the eyes of spectators to the legal scene, in the second—served as a point of contact between these two analytic axes.²¹ From their intertwining emerge lines

(Jusinbelgium, Free University of Brussels, a French-Russian project on media coverage of war crimes trials in the Soviet Union, 2016-2018, among others).

19. Vanessa Codaccioni, *Punir les opposants: PCF et procès politiques, 1947-1962* (P.: CNRS Éd., 2013), 8-12.

20. Eric Le Bourhis, Irina Tcherneva, Vanessa Voisin, eds., *That Justice be Done: Social Impulses and Professional Contribution to the Accountability for Nazi and War Crimes, 1940s–1980s* (Rochester, NY: Rochester University Press (forthcoming)).

21. Christian Delage, *La vérité par l'image: de Nuremberg au procès Milošević* (P.: Denoël, 2006). On the use of images during the Nuremberg trials, see Lawrence Douglas, “Film as Witness: Screening Nazi Concentration Camps Before the Nuremberg Tribunal,” *The Yale Law*

of inquiry regarding the evidentiary value of images, the didactic scope of visual recordings, and the contribution of filmed trials to writing the history of the crimes as well as of justice.

Over time, one of the most notable shifts has been in the belief, one that was gradually disseminated throughout amateur and professional milieus, that filming a trial would grant access to its intrinsic truth. This assumption—that what is seen can be instantly intelligible—was at the origin of an exponential growth in the length of trial shootings: some 30 hours for Nuremberg, approximately 500 hours for Jerusalem, and tens of thousands of hours for the International Criminal Tribunal for Rwanda (from its creation to 2010). A problematic assumption, as Sylvie Lindeperg (to whom we owe these figures) has duly argued: “a trial film offers an angle on the trial, not the pure recording of what took place there; if only because the cameras break up the space, isolate the protagonists, and neutralize the effect of co-presence that constitutes the very rule of any process.”²² Together with Annette Wieviorka, S. Lindeperg has demonstrated the role of the Eichmann case—extensively filmed and broadcast on television worldwide—in attributing such truth-telling power to images.²³ Yet many historical situations have belied the metonymy between visualizations of the proceedings, an understanding of the alleged crimes, and the granting of legitimacy to the legal decisions by lay audiences. One emblematic instance of these uncertain connections is the International Criminal Tribunal for the former Yugoslavia (ICTY).²⁴ Examining the filmed images’ reception highlighted how difficult it was for the victims’ experiences to translate into legally qualified and sanctioned facts.²⁵

Journal, 105, 2 (November 2005): 449-480; Cornelia Brink, *Ikonen der Vernichtung: Zum öffentlichen Gebrauch von Fotografien aus nationalsozialistischen Konzentrationslagern nach 1945* (Berlin: De Gruyter, 1998); Ulrike Weckel, “The Power of Images. Real and Fictional Roles of Atrocity Film Footage at Nuremberg,” in Priemel, Stiller, eds., *Reassessing the Nuremberg Military Trials*, 221-249; Laura Jockush, “Justice at Nuremberg? Jewish Responses to Nazi War-Crime Trials in Allied-Occupied Germany,” *Jewish Social Studies*, 19, 1 (2012): 107-148.

22. François Ekchajzer, “De Eichmann à Barbie, comment filmer les procès historiques?”, *Télérama*, June 5, 2011, at the website: <https://www.telerama.fr/television/de-eichmann-a-barbie-comment-filmer-les-proces-historiques,69667.php>

23. Sylvie Lindeperg, Annette Wieviorka, “Les deux scènes du procès Eichmann,” *Annales. Histoire, sciences sociales*, 63, 3 (2008): 1249-1274; Sylvie Lindeperg, Annette Wieviorka, *Univers concentrationnaire et génocide: voir, savoir, comprendre* (P.: Ed. Mille et une nuits, 2008); Lindeperg, Wieviorka, eds., *Le moment Eichmann*.

24. Pierre-Yves Condé, “Justice must not only be done, it must be seen to be done. Outreach et politiques de médiation de la justice pénale internationale,” in Sandrine Lefranc, ed., *Après le conflit, la réconciliation?* (P.: Michel Houdiard, 2006), 133-152; Magali Bessone, “Apories de la publicité et de la transparence au Tribunal Pénal International pour l’ex-Yougoslavie,” in Isabelle Depla, Magali Bessone, eds., *Peines de guerre: la justice pénale internationale et l’ex-Yougoslavie* (P.: EHESS Éditions, 2010), 181-196; Nadège Ragaru, “Les réceptions du TPIY en Croatie et en Serbie,” research note produced for the Analysis and Forecasting Center (CAP), Ministry of Foreign Affairs, August 2006, 32 p.

25. Isabelle Delpla, “Catégories juridiques et cartographie des jugements moraux: le TPIY évalué par victimes, témoins et condamnés,” in Delpla, Bessone, eds., *Peines de guerre*, 267-285.

Within the framework of this issue of *Cahiers du monde russe*—in an endeavor to move past conventional discussions of the relationship between the truth of the image and truth through the image—I have sought to extend our purview to the intertwining of image, sound, and text. Scrutinizing these diverse sources together offers at least two added insights. First, it gives proper place to all the forms of documentation that have composed experiences, representations, and understandings of justice. And second, it invites further into the field of inquiry a universe of techniques, senses, and gestures that model creation as well as reception. More precisely, two lines of investigation—the practices of the social actors, as well as their refraction in scholarly practice—underlie the five essays gathered here. First, given the didactic aims imparted to justice in socialist regimes, how to grasp the effects of aggregating visual, sound, and written materials in molding the legal spectacle and in the public's deciphering of this spectacle? Second, how has each of these means of reconstructing legal proceedings affected the social production of academic knowledge? What benefits can be expected from the entanglements between only partly overlapping data? Considering this methodological proposal in further detail requires a detour through art history, cultural history, anthropology, and political science.²⁶

Legible, Audible, Visible: (Dis)connections

It is striking to note the sense of fragility expressed both by historians of the image *and* those accustomed to handling written documentation. Arlette Farge, a historian of eighteenth-century France, has often deplored the poverty of the word in contrast to the evocative power of images—their ability to instantaneously capture scenes teeming in details and characters. The textual realm, in her view, is overwhelmed by the sluggishness of words as aligned on the page, painstakingly thinned out through the time of reading, incapable of producing an overall effect other than by addition. In turn, historians of the image have never ceased to emphasize the primacy of written sources over visual archives, which they confine to the ancillary. As Francis Haskell argues in a classic work, “There were certainly many civilizations which left no other archives than what can be seen, touched, measured; and even for others, it has seemed at certain times that one could have a better chance of grasping the past by looking than by reading”;²⁷ Peter Burke concurs in regretting the primarily descriptive use of the visual in history.²⁸

26. This follows upon a broader set of reflections initiated as part of the thematic issue coordinated for the journal *Critique internationale*: Nadège Ragaru, ed., “Voir l’histoire: sources visuelles et écriture du regard,” *Critique internationale*, 68 (July–September 2015): 9–102.

27. Francis Haskell, *L’historien et les images* (P.: Gallimard NRF, 1995), 14. [1st ed.: Francis Haskell, *History and Its Images. Art and the Interpretation of the Past* (New Haven – London: Yale University Press, 1993)].

28. Peter Burke, *Eyewitnessing: The Uses of images as Historical Evidence* (London: Reaktion Books Ltd., 2019 (1st ed. 2001)), 12–13. See also Christian Delage, Vincent Guigueno, *L’histoire et le film* (P.: Gallimard, Folio histoire, 2004).

Not that the links between knowledge of language and image, the questions of legibility and visibility and the historical imaginations associated with these two worlds have remained untheorized. Nor that the relationship between written sources (language of the speech act here is amputated) and audiovisual (sound added to sight, not to mention, potentially, the word) have been neglected. Three kinds of rapprochement, at least, can be identified. The first has been placed—ironically, perhaps—under the sign of irreducible otherness. It is to Louis Marin, a historian who has unswervingly pursued reflections on the relationship between legibility and visibility, that we owe an exposition of the basic dilemma: “How to invest an image constructed in and through words with its own power; or, to the contrary, how to transfer power to words, to their arrangement and their components—the power that image obtains by its very visibility, the imposition of its presence?”²⁹

Without challenging this premise of estrangement, some writers have looked to the image as a corrective to the key role of scientific knowledge conferred on writing. In 1995, the anthropologist Michael Taussig defended the use of the sharp line of the sketch so as not to “write reality away.”³⁰ The phrase merits more careful attention: could writing really cause reality to escape? The socializing power of a written norm (grammatical, idiomatic, rhetorical, even aesthetic) certainly acts on what is related and, incidentally, shown. But how exactly does this work? By a hasty arrangement of people and places? By evacuating the emotions and feelings that a drawing provides, given its expressiveness and even clumsiness in an amateur? By its inattention to supposedly peripheral details, which, once reconsidered in light of the many materials available, might reveal themselves to be the master craftsmen of the reconstructed scenes? At a moment when language purports to recall an age, that of an older cartography, when etchings, drawings, text, and graphic symbols jointly participated in the production of scientific knowledge, a recurrent warning sounds against the effect of grasping the visual, that false tangibility no less dangerous than the supposed rigor of writing: “The notions of representation and archival image,” Gyl Bartholeyns stresses, “share the presupposition of surface added to that of transparency.” Whether photographic or cinematic, the archival image, when considered as a document, heightens the presence of the referent and as a result the difficulty of taking a step back in order to truly ‘see’ the image, to consider it as a visual object.”³¹

Thus, what next? Abandon the vision of worlds foreclosed in order to identify proximities or resemblances? Many scholars have taken this path, playing with idioms, terms, and metaphors: countless are the invitations to a “close reading of images” (an expression that usually designates the work of contextualizing, situating, and translating images in order to make them speak) or references to

29. Louis Marin, *Des pouvoirs de l'image: Gloses* (P.: Éd. du Seuil, 1993), 72.

30. Michael Taussig, *I Swear I Saw This. Drawings in Fieldwork Notebooks, Namely my Own* (Chicago: The University of Chicago Press, 2011), 13.

31. Gil Bartholeyns, “L'ordre des images,” in Julie Maeck, Matthias Steinle, eds., *L'image d'archives: une image en devenir* (Rennes: Presses universitaires de Rennes, 2016), 35.

“visual narratives” that might assign the image a role in narrative scenography. The heuristic contribution of these trends is unfortunately rather tenuous. All the more so given that curiosity often operates in a one-sided way, overshadowing any necessary reflection on the visual in writing, on materiality and gestures together, on words written by hand and in print, perceived and touched as much as read. The German art historian Horst Bredekamp has suggested another parallel, introducing the notion of the *pictorial act*, with reference to the *speech act*, in order to highlight the living, active existence of the image—one that even exceeds the relationship established with those who contemplate it.³² Hans Belting had already opened this path of inquiry by interrogating the co-production of the image by those who make and use it, consumers and spectators.³³ Here, however, words and writing disappear from our equation.

More promising—as a third avenue—has been the search for correspondences not at the level of the essence of image and language, but rather with respect to the efforts involved in deciphering them. In his study of the production of the majestic, the sacred, and the legitimacy of the royal figure in the classical age, Louis Marin returned to the acting power of the portrait of the king. His remarkable intuition involved refusing to attribute questions on representation to the sole visual reign. He thus juxtaposed the written representation of the king (that is, the verbalization of his portrait) and his painted representation (the portrait itself): “The descriptive discourse is, in the model, on an equivalent rank and equal competition with the portrait painting [...]. To write them on a piece of paper in book, or to paint them on the canvas, to transcribe (these qualities of the king) in signs or to capture them in lines and colors, is to gain access in mysterious ways to the very substance of the august person of the king.”³⁴ Interrogating this intensification of presence—exposed and exhibited—constituted by re-presentation, Marin addresses visual and written registers alike, associating visibility and legibility through a single interrogation.

Finally, this budding dialogue between the written and the visual has benefited from a growing interest for material culture and the history of sensibilities.³⁵ Experiences of the gaze, we now know, cannot be understood through vision alone, but rather in its relational and sensory dimensions, or rather in a bundle of connections that include touch, hearing, taste, and smell. In other words—bringing us closer to the theme of this issue—film has become unintelligible without the camera(s), reels, microphones, projectors, and editing tables. Instead, it now rubs shoulders with a form of writing inked with meaningful colors, and with paper cut, pasted, annotated and classified in multiple ways. Extending the field of vision to unite theme, movement, and gaze has underlined with renewed force how the introduction of the

32. Horst Bredekamp, *Image Acts: A Systematic Approach to Visual Agency* (trans. Elizabeth Clegg, Berlin: De Gruyter, 2018).

33. Hans Belting, *Pour une anthropologie des images* (P.: Gallimard, 2004).

34. Louis Marin, *Le portrait du roi* (P.: Éd. de Minuit, 1981), 253.

35. Elizabeth Edwards, Janice Art, “Introduction: Photographs as Objects,” in *Photographs Objects Histories. On the Materiality of Images* (London: Routledge, 2004), 1-15, here 5.

printing press with moveable type impoverished a form of writing that was once invested with sound, tactile and graphic qualities.³⁶

This trend began in the seventeenth century, as Carlo Ginzburg has elegantly suggested: “At first, all elements connected with voice and gesture were considered irrelevant to the text; later all elements connected to the physical aspects of writing were deemed irrelevant. The result of this double process was a progressive dematerialization of the text; it gradually came to be purified of all sensory references. [...] That this choice was not occasioned by mechanical reproduction replacing writing by hand is proved by the striking case of China, where the invention of printing did not cut the ties between literary text and handwriting.” In parallel, in the age of Galileo, scientific knowledge would be excised from “sensory data” involving “figures, numbers and movements, but not odors or tastes or sounds.”³⁷

To historicize the belated partition between writing, speech, and image,³⁸ has offered a fascinating path of research. In anthropology, for instance, Pierre Délégé has recalled analogies that have long existed in Amerindian societies between writing and traditional graphic motifs, used for ornamental purposes. He has shown how, in deciphering the kind of writing introduced by the colonizers, they drew on preexisting semantic and cognitive connections between writing and drawing.³⁹ In history, Roger Chartier has underlined the persistence of variations in forms, styles, and writing techniques beyond the invention of print, necessitating a broader consideration of materiality and the senses.⁴⁰ Political science, finally, has recognized the wealth of knowledge at the margins of written archives, with the relationship between the text and its empty spaces, and the importance of handwriting, coming to enrich, nuance, and/or ensure the appropriation as well as the bureaucratic circulation of their working documents.⁴¹

36. Here we might recall the “reduction of speech to graphic forms” elaborated by Jack Goody, amidst his classic reflection on writing as a mode and form of thought. Jack Goody, *The Domestication of the Savage Mind* (Cambridge: Cambridge University Press, 1977).

37. Carlo Ginzburg, “Clues: Roots of a Scientific Paradigm,” *Theory and Society*, 7, 3 (1979): 275.

38. Anne-Marie Christin, *L'image écrite ou la déraison graphique* (P.: Flammarion, 2009). One cannot resist the temptation to mention, here, the rich work of Armando Petrucci on the socially codified and aesthetically shifting historical forms of arranging words on paper over centuries, and on how these methods were linked to ways of reading and appropriating the written word, that is, ways of “dividing, browsing, ordering, and decomposing the surface of the page”: “To arrange writing on the line in as many identifiable segments, decipherable, and therefore highly legible; to see the splendid historical journey offered by the writing surface, the pattern of black and white, units of meaning, writing as drawing, the organization of lines on the surface, writing surfaces, graphic spaces, the diversity of methods for deploying words on the surface, in order to manage reading speed, the logical articulations of meaning, references and citations, the hierarchy of significance, the placement of the text on a full-page document.” Armando Petrucci, *Promenades au pays de l'écriture* (Le Kremlin-Bicêtre: Zones sensibles, 2019), 24-31.

39. Pierre Délégé, *Lettres mortes. Essai d'anthropologie inverse* (P.: Fayard, 2017), 39-69.

40. Roger Chartier, *Au bord de la falaise. L'histoire entre certitude et inquiétude* (P.: Albin Michel, 1998); Roger Chartier, *Inscrire et effacer: Culture écrite et littérature (x^e-xviii^e siècle)* (P.: Gallimard & Le Seuil [Coll. Hautes Études], 2005).

41. Sylvain Laurens, “Les agents de l'État face à leur propre pouvoir. Éléments pour une micro-analyse des mots griffonnés en marge des décisions officielles,” *Genèses*, 72 (2008): 26-41.

But it is without a doubt the anthropologist Tim Ingold to whom we owe the greatest heuristic developments for our discussion on these (dis)connections between writing and the image. Ingold has paid special attention to the place of sound in the process by which sensory data was gradually extricated over the course of centuries from its former association with language. In his “brief history” of the line, Ingold traced the historical conditions that led to a caesura between a kind of music whose modes of inscription and annotation made the word (replaced by the portrayal of notes) slowly disappear from a language progressively divested of sound (that is, detached from its orality, tonal inflection, rhythm and elocution). In antiquity, it was the co-presence between word and sound that had made of writing a corridor between the spoken, transmitted orally; the written, as offered by the scribe; and the read, as shared aloud in public. In the monastic world, lip reading long persisted, intellect rendered in a whisper, a mode of deciphering fed by rereading and recollection, one that refused to confine the printed text and its appropriation by a silent, interiorized, solitary intellectual. What do these days of yore teach us? Words can only be read by not being excised from the material of sound, from the moment of enunciation and its own rhythms.

Any historian who has forayed into the written archives of justice (investigation files, hearing transcripts, technical and financial documentation) knows how a textual interpretation can thicken over the course of re-reading. One rues the inability of court transcripts to capture the social contrasts and differing levels of ease and comfort between the various defendants and legal professionals. Lost are the moments when emotional cracks appeared or when a sense of authority and legitimacy was reaffirmed between the accused, their accusers, and the members of the court; the reactions of the audience, loud or quiet, enthusiastic or weary, and the very feeling, absorbed into the sound system of the room, of the flow of time—often austere and technical, more rarely dramatic. One may imagine that these voices, their range from high to low, link faces and bodies with the impression of vocal power or weakness, advance hypotheses as to the way in which their prosody captured the viewers and spread throughout the courtroom, whether relayed by the microphones or not. The fact is obvious, and yet frequently elided: the notes taken for the session minutes only show the protagonists of the trials at the moment when they speak; they espouse an essentially dialogic form, with voices raised or spaced out in different ways across time. The reader knows that the legal stage is populated by other actors: judges, the prosecution, clerks, translators, local and foreign journalists, audience, etc. She knows, but does not see: one ends up forgetting how much verbal jousting owed to these presences silenced by words.

In a superb essay towards a history of the voice, Arlette Farge has attempted to revive the realm of sound from written documentation, the realm of music and orality for ordinary people in Paris.⁴² This thematic issue of *Cahiers du monde russe* owes much of its conception to Farge’s attempt, one that wagers to take a circuitous

42. Arlette Farge, *Essai pour une histoire des voix* (P.: Bayard, 2009).

route around the silences of print, supplementing them with the no lesser mystery of filmed images and sounds on tape.

Tracing the perimeter of an investigation: The making and afterlives of the trials in Eastern Europe

In the following pages the reader will mostly encounter trial films. But these cinematic productions will be examined so as to advance our comprehension of sound and writing as well, particularly towards literary reconstructions and radio broadcasts. This approach is to lay the groundwork for a material history of the trials in Eastern Europe, at the crossroads between the deployment of the eye, the ear, and the hand. In doing so, the dossier also purports to offer a contribution to the sociology of production and circulation of knowledge.

Each of the authors was invited to pursue three lines of investigation. First, to trace how filmmakers and film commissioners had, in different ways, weighted the use of these materials in manufacturing a supposedly exemplary justice, and how they had gauged their respective powers of demonstration, persuasion, and transmission. Attention to the impact of technological change (the introduction of synchronized sound, in particular) was to be placed within a broader political, social, and cultural context. Second, to highlight the singularity of each mode of entry—seeing, reading, listening—into the past, without omitting written inscriptions and spoken performances as two facets of language. Limiting the inquiry to a dialogue between image and text would be tantamount to conceding the definitive excision of sound from language.

Third, rather than a logic of unveiling one exclusive truth (image versus sound versus text), we have preferred to interrogate the effective devices arising from the intermingling of sources. The challenge was to linger over the points of overlap and, more importantly, the gaps within the print, sound, and visual archives, leveraging their discrepancies and apparent anomalies in order to guide our curiosity. The visual history of the Holocaust has recently traced the furrows of this approach: when facing silent sources—that is, sources with poorly documented authors, details of composition, recipients and subject—scholars have mobilized the junction between images, oral histories, textual sources, cartographic material, and digital technologies for reconstructing landscapes, environments, or specific objects.⁴³ For instance, the photographs collected under the name “Auschwitz album” have been the subject of especially rigorous studies, where the sphere of the

43. Tobias Ebbrecht-Hartmann, “Echoes from the Archive: Retrieving and Re-viewing Cinematic Remnants of the Nazi Past,” in Dora Osborne, ed., *Archive and Memory in German Literature and Visual Culture*, *Edinburgh German Yearbook* 9 (Rochester: Boydell & Brewer, 2015): 123-139; Tobias Ebbrecht-Hartmann, “Trophy, Evidence, Document: Appropriating an Archive Film from Liepaja, 1941,” *Historical Journal of Film, Radio and Television*, 36, 4 (2016): 509-528; Nadège Ragaru, Maël Le Noc, “Visual Clues to the Holocaust: The Case of the Deportation of Jews from Northern Greece,” *Holocaust and Genocide Studies* (to be published in winter 2021).

visible broadens as other sources affect how they are scrutinized.⁴⁴ Sylvie Lindeperg has also modeled a similar enterprise on her investigation on the documentary film *Night and Fog*, directed by Alain Resnais (1956).⁴⁵

What rules governed our choice of settings? Broadening the range of proceedings, charges, and defendants so as to challenge a linear and one-sided history of justice under socialism was our first methodological commitment. We also sought to offer spatial anchors beyond the USSR. The inclusion of a Czechoslovakian case study reflects a wish to accord Central European trajectories their due place in the historiography. In 2009, the editors of the journal *Kritika: Explorations in Russian and Eurasian History* rightfully observed that the break-up of the Soviet bloc had led to the disintegration of relations between Central and East European research circles—the bifurcation of their historical trajectories preceding that of the historiographical corpus.⁴⁶ Obviously, there is no question of pleading for a return to a time when Central European dynamics were inferred from those of the “Soviet brother,” as if they were a mere replication, in miniature form, of the USSR. Instead, our task has been to explore the socialist claim to unified ways of instituting, supervising, publicizing, and practicing criminal justice, as well as the different appropriations of such injunctions in countries with unique historical paths.

What kind of trial is the subject of the stories told in this collection? Prime attention has been granted to legal proceedings before national criminal courts, while also leaving room for the International Military Tribunal of Nuremberg. As we shall see, any formal dichotomy between national and international trials leaves us ill equipped to understand the dynamic circulations of the protagonists of justice (film included), as well as of trial representations. The national is not the antithesis of the international, but rather the product of movements that delimit its scale only by exceeding it. Finally, the temporal horizon encompasses four decades. It opens with the Soviet proceedings that defined the codes of a genre, the trial film, at the beginning of the 1930s (Valérie Pozner and Anna Shapovalova) and closes at the end of the 1970s, with links along the way including the immediate post-war (Victor Barbat), the late 1940s (Françoise Mayer) and the 1960s (Vanessa Voisin and Irina Tcherneva). This broad prism offers an opportunity to use the filming and, at times, the public broadcasting of the trials as a lens onto further developments—namely, in the institutions, conceptions, and practices of justice, of course, but also in the integration of Eastern Europe into a global world; in the legitimization strategies of the ruling elites, as well as in distinct professional milieus (movie artists, cultural elites, as well as police officers and surveillance agents, among others).

44. Serge Klarsfeld, ed., *The Auschwitz Album, Lilly Jacob's Album* (New York: Beate Klarsfeld Foundation, 1980); Tal Bruttman, Stefan Hördler, Christoph Kreuzmüller, *Die fotografische Inszenierung des Verbrechen: Ein Album aus Auschwitz*, Darmstadt: WBG Academic, 2019.

45. Sylvie Lindeperg, “Nuit et brouillard”: *Un film dans l'histoire* (P.: Odile Jacob, 2007).

46. See the editors' introduction to the dossier “Passing Through the Iron Curtain,” *Kritika: Explorations in Russian and Eurasian History*, 9, 4 (2008): 703-709.

One final note: the compass of alleged offenses traverses the border between crimes committed in wartime and in peacetime. Why bring together those proceedings held to be paradigmatic of the political violence of socialist regimes (the famous “show trials” brought against “internal enemies”) and processes that, though not devoid of political dimensions, reveal a more complex way of rendering justice? In Eastern Europe, post-1989-1991 memory struggles focused precisely on whether a line of continuity existed between the first and the second: some intellectuals and political actors called for invalidating all the verdicts, on the grounds that procedural irregularities might signal the innocence of the accused.

One way to defend this choice is to emphasize, as does Victor Barbat in his contribution, that the trial film constituted a single genre, one that indiscriminately embraced trials with defendants accused of acts committed in times of peace as well as war. Our choice here has stemmed from one additional consideration as well: the refusal to avoid confronting the methodological and ethical dilemma represented, for any historian working on legal proceedings under socialism, by the obligation of considering the failure to respect democratic legal norms, the broad work of framing and mobilizing the public, on the one hand, *and*, simultaneously, the potential perpetration of crimes, as well as societal calls for retribution, on the other.

Against this backdrop, several cross-sectional lessons emerge from reading the articles in the issue. The first: media captures of legal events are almost never unique products, let alone closed ones. There were usually multiple versions of the filmed trials, sound or silent, in the form of documentaries or newsreels, or even inserted into works of fiction. Again and again, the moving images were placed back on the editing table. As much as one strives to access the film’s supposed unity, an abundance of variations immediately bursts onto the scene: their careful examination is one of the most fertile vectors of analyzing legal pursuits.⁴⁷ This conclusion is even more striking when we widen the lens to radio, journalistic, or artistic captures of the legal events. Second lesson (though the two points are obviously related): this multiplicity of forms constituted the *sine qua non* condition of the spatial and temporal circulations of actions in justice, as well as of the political, ideological, and social arguments developed through them. Each contribution thus invites the reader to embark upon a voyage in space and time—sometimes within the Eastern bloc, usually beyond it. By the end, the multiple temporalities of socialism will, in and through their differences, be woven together.

The opportunity for Françoise Mayer to return to the Slánský trial (December 20-27, 1952) was enabled by the 2018 rediscovery of seven hours and twenty-four minutes of edited footage and about one hundred hours of audio recording of this trial, emblematic of the Stalinist phase of Czech socialism. Accused of conspiracy against the state and collusion with the enemy, eleven of the fourteen

47. For an elaboration of this observation, see Nadège Ragaru, “Bulgaria as Rescuers? The Social Lives of a 1943 Film Footage and the Visual Holocaust across the Iron Curtain,” *East European Jewish Affairs* (forthcoming, 61, 1, Spring 2021).

defendants, all former senior Communist officials, had been sentenced to death.⁴⁸ The trial reached a wide international audience. In particular, it became a metaphor for Communist violence and legal inequities following its cinematic reconstruction by Costa Gavras in *The Confession* (1970), an adaptation of the memoirs of one of the few survivors, Artur London, performed by Yves Montand. How can one scrutinize visual material shot contemporaneously with the events themselves, when a (fictional) visual tradition has already set a durable tone for the interpretation and imagination of historical events?

The article, teeming with analytical intuitions, takes as a counterpoint another trial from the Stalinist era—that of a parliamentarian affiliated with the National Socialist Party and women's rights activist, Milada Horáková (May 30–June 8, 1950). Three main conclusions can be drawn from this inquiry, as milestones for the collective reflection of this dossier. First, by examining the vast international media coverage of the trial, Françoise Mayer sheds light on how the film material can offer new insights, unavailable in previously collected sources (transcription of the minutes of the hearings, radio broadcasts, briefs, etc.). Writing and sound, as we have noted, can silence the diverse presences, as well as absences, in the courtroom. Hence the fascinating paradox that Mayer unearths: “Among the accused, only Slánský was present from the first to the final day. First to appear, he was the only one who remained after the end of public prosecutor Urválek's speech. London was present the first morning; after that, like the twelve other co-defendants, he was taken back to his cell until his own court appearance on the third day. [...] Apart from Slánský, only judges, magistrates, and lawyers were able to witness the entirety of the trial hearings.” In other words, legal professionals were (almost) the only spectators of the whole judicial spectacle—one in which they were also among the principal actors.

Secondly, Mayer's article reminds us of the possibility of grasping the Slánský trial and its public recollections through the “social lives” (Arjun Appadurai) of a cinematic object, one removed early on from the view of the Czech public, and fragments of which reappeared nearly twenty years later. She shows the advantages of following the reels in their peregrinations in order to apprehend the diverse historical contexts within which the trial could come to life and take on meaning—in this case, the Prague Spring (newsreels), the Communist movement and the circles of Czech exiles in France in 1971 (a documentary on socialist Czechoslovakia). Reflecting both Czech and French political contexts, the words affixed to these excerpts frame their reception as well. This leads us to the third and final insight of the article: the way in which observing the multiple visual, textual, and sound incarnations of the Slánský trial can ultimately enrich the history of international circulations under socialism.⁴⁹ Mediating the images' travels and the cognitive

48. The author would like to thank Jacques Rupnik for having told her, on a hopeful autumnal day, of the discovery of this archival material in the Czech Republic.

49. On this transnational history of socialism, attentive to the circulation of ideas, knowledge and people, see Paul Boulland and Isabelle Gouarné, eds., “Communismes et circulations inter-

frames applied to them were members—Czech as well as French—of the Communist movement, leftwing sympathizers, and former believers in socialism who had become disillusioned with the Soviet regimes. The approach to this visual data in France has stemmed from the state of the political and intellectual field in the two countries—a pattern that explains why the shots of the Slánský trial inserted into Albert Kobler's documentary, *Le bonheur dans vingt ans. Prague 48-68* [*Happiness in Twenty Years: Prague 48-68*] (1971), although introduced, were not seen by contemporaries.⁵⁰

At this point in the thematic issue, we leave Central Europe for Soviet territory, where we will linger until the end of our journey. With Valérie Pozner and Anna Shapovalova as our guides, we resume, here, a reconstruction of the cinematic recordings of the trials of war criminals and/or “internal enemies,” at a moment, the turn of the 1930s, when they took on a routinized form. Their articles relate the absorbing history of the filming, distribution, and afterlives of *13 Days* (Iakov Posel'skii, USSR, 1931, 1:50), a pivotal work in crystallizing the trial film as a genre in the USSR, and the first to benefit from synchronous sound. In their text, the notion of crossroads is omnipresent—as historical event as well as method. The production itself arose, incidentally, at the juncture between two trials: the Industrial Party Trial (targeting eight former members of the economic intelligentsia) and the Cine-Party Trial (the result of a campaign to reassert state control over the film industry). The intersection between these two events, the authors argue, was based on their common ends (denouncing breaches, reaffirming political control, asserting legitimacy, etc.) but also on the technologies (in both cases imported) and the actors involved (filmmakers whose relatives would be targeted by the second trial participated in the filming of the first). Considering these intricate connections leads them to recall—an invaluable insight—that if filming the proceedings most likely did stem from a political command, their meaning is not exhausted through political and judicial logics alone. The involvement of cinematic milieus in these political operations acquire significance in light of the internal stakes of this professional world (including the financing of the technical transition from silent film to sound).

nationales,” *Critique internationale*, 66 (2015): 9-104; Sophie Cœuré, *La grande lueur à l'Est. Les Français et l'Union soviétique, 1917-1939* (P.: Le Seuil, 1999); Yves Cohen, “Circulatory Localities. The Example of Stalinism in the 1930s,” *Kritika. Explorations in Russian and Eurasian History*, 11, 1 (2010): 11-45; Michael David-Fox, ed., “Circulation of Knowledge and the Human Sciences in Russia,” *Kritika: Explorations in Russian and Eurasian History*, 9, 1 (2008); Justine Faure, Sandrine Kott, “Le bloc de l'Est en question,” *Vingtième siècle. Revue d'histoire*, 109 (2011): 2-212; Ioana Popa, *Traduire sous contrainte: Littérature et communisme (1947-1989)* (P.: CNRS Éd., 2010).

50. On this context, and its consequences in relation to another circulation, the reception of the formalists in France, see the remarkable article by Frédérique Matonti, “L'anneau de Moebius. La réception en France des formalistes russes,” *Actes de la recherche en sciences sociales*, 176-177, 1 (2008): 52-67.

Of the hour and fifty minutes that were originally edited, however, there is no trace. It is thus from an array of filmed forms (reels edited with sound; silent filmed sequences intended for newsreels; cuts and sequences deleted during editing, etc.) that the authors undertake a reconstruction of this elusive work. They do this by placing sound—the technical constraints associated to its introduction, the new possibilities of expression that it offers—at the heart of their investigation. What follows is a demonstration of how sound features can affect the image (framing, shot length, the re-shooting of certain sequences) and the understanding that historians can offer of the film product as well as of trials. To point to only two of these aspects, we might underline the contribution of their research to studies of legal temporality (the sound equipment magnifies the sequences of the trial that the political actors considered essential), as well as to interpretations on how and to what extent the judicial ritual was laid out in advance: the verbal proximity between the cinematic and textual variants of the trial suggests a “meticulous preparation of the hearings, thus reducing the need for censorship,” as do the rhythm and flow of the depositions, which betray the staged dimension of the confessions.

With Victor Barbat’s contribution, the crystallization of a “model of Soviet representation” for justice in the act lends itself to a broader historical perspective. His object of study: the composition of a feature-length documentary by Soviet filmmaker Roman Karmen, devoted to the Nuremberg trial (1945-1946) before the International Military Tribunal. The underlying assumption of Barbat’s reflection here is that reconstructing this manufacturing process requires a double widening of the analytic focus—diachronic and synchronic; namely, one that historicizes Karmen’s film and joins Soviet shooting practices...to American ones.

Barbat thus shows us that the modes of representation of the Nuremberg trial build on a double—antebellum and wartime—heritage, over a narrative standardized in the 1930s (the central figure of the prosecutor and the confession; a play of contrast between accuser and accused through the use of shot/reverse shot, etc.). The experience of Soviet war reporting enabled filmmakers to weave in images of atrocities, which from 1943 on became a way to capture “the voice of thousands of victims.” By inserting shots of suffering and ruins into the course of the hearings, Karmen took up such a pictorial conception of testimony and evidence.

The article then develops a set of encounters between the minutes of the trial, the sounds (full or hollow—that is, recorded in the courtroom or the studio), and Soviet and American images in order to expose the composite nature of the completed film. These elements included Soviet and German visual archives, newsreels, shots taken in Nuremberg outside or within the hearing room: they demonstrate which sections of the documentary were shot twice (especially in order to deal with the technical constraints of synchronous sound) or subject to post-synchronization (in Moscow). If we needed yet another piece of evidence for the heuristics involved in entering into the very fibers of cinematic material, we might re-read the lines devoted to US-Soviet relations on the set: in these early postwar years we can already see the cooperation between the Allies begin to fissure, with the study of sites (the courtroom, the filming box) and schedules (the rotation of the film crews) illuminating

a daily web of meeting and exchanges between the Americans and Soviets. These, in turn, were underpinned by professional questions which in some cases they held in common, as well as negotiation practices that, on the miniature scale of the film world, mirrored those of the legal teams of both the great powers. Resulting from these altercations and shared professional conventions are certain camera angles of remarkable similarity. Following the path of materiality, patiently scrutinizing its details, is thus likely to extend knowledge over this period, so pivotal in shaping the confrontations between the Americans and the Soviets.

A decade later, Westerners' alleged inability to bring Nazi war criminals to justice had become the center of Soviet Cold War discourse, with condemnations of the past (in the USSR) deployed to wage a fight in the present (against the West and in particular West German "revanchism"). However, to keep to this agreed-upon narrative of the dynamics underlying the prosecution of perpetrators of mass crime (*karateli*) in the 1960s, would lead to an impoverished but also inaccurate understanding of the investigations and trials of this decade, as well as the cooperation between Soviet and West German legal apparatuses in prosecuting Nazi criminals.

In a kaleidoscopic exploration based on a dazzling wealth of archival documents, Vanessa Voisin offers a demonstration centered on the second Krasnodar trial (the first, known to have been one of the earliest Holocaust trials, had taken place in July 1943, following the recapture of these southern Russian territories from the Nazis), with charges pursued against nine former members of the SS Sonderkommando 10a, from October 10-24, 1963. The trial—public and subject to a media operation of unusual diversity and breadth (local and national press articles, documentaries, books, plans for feature films)—gained resonance throughout the Soviet Union and across the globe. These echoes were only amplified by the involvement of two great Soviet artists: director Leon Mazruho and journalist, writer, and screenwriter Lev Ginzburg.

Managing at once to explore various modes of capturing the legal proceedings, and to employ the latter as windows onto broader social processes, often presents a challenge. Here the links are constructed in a remarkable way. Through a rigorous reflection on the multiplicity of visual, audio, and textual forms that could illuminate the sentencing—as it happened as well as in the wake of the trial—Voisin succeeds at demonstrating, together, that media attention to the trials against the *karateli* did not only stem from KGB orders (but rather from complex negotiations between committed artists and the surveillance sphere); that highlighting how these proceedings were rendered visible cannot be dissociated from the production of justice itself (rarely has this been demonstrated so convincingly as with the impact of Lev Ginzburg's writings: several years later, in the Federal Republic of Germany (FRG), the prosecution of Germans who had been denounced in Krasnodar in 1963 began); and, finally, that the virulent propaganda against West German "revanchism" did not prohibit forms of legal cooperation between the USSR and West Germany, including prior to the institutionalization of relations between their Public Prosecutor's Departments in 1966. Moreover, by juxtaposing Ginzburg's journalism, screenwriting, and other writerly forms of political engagement, on the

one hand, with the various stages of the creative work, on the other, Voisin manages to trace an individual trajectory and a specific moment (the 1960s), as well as the production of Holocaust memory “from below.”

There are multiple echoes between Vanessa Voisin’s contribution and Irina Tcherneva’s article on the charges brought against collaborators in Latvia in the 1960s. In this Baltic republic, annexed to the Soviet Union in the wake of World War II, calls to render Nazi crimes inalienable mingled with denunciations of nationalism that were epitomized by former war criminals’ emigration from Latvia to the West. As in southern Russia, the period coincided with a phase of political liberalization (purges notwithstanding), and a revival in documentary cinema (particularly its experimental fringe).

Once again, we are in the presence of refracted images: here they are arrayed among three medium-length films produced at various points throughout the decade (1961, 1965, and 1969). The production of these films disclosed certain accents of the trial films’ objectives, on the one hand, and of ways of imagining and administering justice, on the other. By tracing the creative process, step by step—from screenwriting and cutting to filming and editing—Tcherneva shows how a libel, based on the juxtaposition of images of atrocities and photographs of the accused, hitherto predominant, gave way to a representation of justice more sensitive to the testimonies of victims, one able to lend the spectator greater latitude in interpreting pieces of evidence. She carefully reconstructs the shifts between image and text, the role of shot montage in scripts written after the filming, and the singular power of expression conferred on the visual. It is, we learn, specifically in the field of the image that filmmakers negotiated their margin of autonomy: Communist censorship was primarily textual censorship, such that shots of buildings, light and montage choices, all offered vectors for innovating and modulating the cinematic message. Gradually, multiple wartime experiences are thus made visible onscreen, while any assumptions of a Latvian film model as indifferent to social changes and sensibilities crumbles under the reader’s gaze.

In Latvia as in Russia, the spheres of the police, film, and law formed adulterous liaisons. The range of documentary works available gives a sense of the multiple ways they were intertwined, with directed or mediated involvement, collaborations that occurred far in advance of investigations or courtroom hearings. In reconstructing crime scenes, there were cases in which investigators and filmmakers converged: the practice swelled throughout the decade, enabling an increasingly diverse set of materials presented to those who viewed trial films. They also met in the aftermath of the filming, in ways that only a demanding scrutiny of the archives is able to elucidate. Tcherneva thus reveals that among the most distant spectators of Latvian documentary films were...the very Western investigators involved in tracking down war criminals. The conclusion is impossible to miss: in the last resort, the trial takes place, as a historical fact and as a source, through the entirety of its incarnations and of its journeys. These pathways transcend not only the boundaries between writing, sound, and image, but also those that separated East from West throughout the Cold War.

As these travels come to a close, what conclusions can we elicit? One of the key refrains of this thematic issue has been to carefully describe, and describe again; to put visual, sound, and written materials back into play in order to use them to suspend judgment, to resist the obvious—and as an invitation to humility. An assumption underlying these case studies was that trials should be viewed as they unfolded, and as they were captured, as co-producers of the events, rather than as mere records of the proceedings. Thus defined, the approach of the authors of this issue offers several contributions to the historiography of trials in the East as well as their media coverage. First, the politics of publicizing criminal justice in socialist worlds must be recognized as temporally mobile and changing even within the “Eastern bloc.” Above all, it cannot be interpreted through the sole prism of ideological framing for a supposedly passive audience. Thus, in certain segments of Soviet society, the demands of justice and/or vengeance (with the two sometimes held to be synonyms) were expressed, particularly after the 1955 amnesty and the return of deportees from the gulags, as confirmed by requests addressed to public institutions and responses to the investigators’ call for witnesses. That Communist socialization influenced the expression of these demands, or the sketch of enemy figures, does not exempt one from studying the cognitive and moral frameworks of these Soviet citizens.

Secondly, the legal practices in Eastern Europe were fashioned in the friction between political, bureaucratic, and social rationales, themselves inconstant. Forced confessions and forged evidence were not their only characteristic traits. Beginning with de-Stalinization, the politics of investigation were based on an increasingly diverse array of evidence (material evidence, photographic means of attesting to facts, filmed reconstructions of crime scenes, etc.) without following a linear development, nor tending towards a convergence between East and West. Finally, the cases presented in this issue of *Cahiers du monde russe* confirm that, in the 1960s, the anti-Jewish persecutions were not systematically elided in the USSR: The Holocaust at times was mentioned indirectly, at others explicitly evoked, verbally or visually, differently inflected according to the media as well as the settings. It is precisely in discerning these variations that an examination of the relations between image, sound and text can make a productive contribution.

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