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KATYN: POLITICS OF THE DEAD POWS AT A DEAD END?

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Abstract: *The Katyn forest massacre, which refers to the murder of approximately 15,000 Polish military officers after they were taken as prisoners of war during the Second World War, both led to violent controversy for historians as to the identity of the true culprits and had inevitable consequences in politics. The real important question seems to be less whether the Soviet Government or Nazi Germany conducted the Katyn massacre than how it has been embedded in historical and political realities. This article attempts to move beyond the analyses of Katyn that have conventionally drawn on Realpolitik concerns of Germany and the Soviets as well as other relevant actors, and addresses how different actors have put the Katyn massacre to different political uses while changing, exploiting, manipulating and most importantly believing miscellaneous realities.*

Keywords: *Katyn, Prisoners of War (PoWs), Poland, Russo-Polish relations, Second World War.*

KATİN: ÖLÜ SAVAŞ ESİRLERİ SİYASETİNİN ÇIKMAZI

Öz: 2. Dünya Savaşı sırasında Polonya'nın Katın Ormanı'nda yaklaşık 15,000 savaş esiri Polonyalı subayın katledilişi, hem suçun faillerinin kimliği konusunda tarihçiler arasında uzun süre tartışmalara yol açması bakımından hem de olayın siyasi yansımaları dolayısıyla önemli bir sorun teşkil etmiştir. Bugün için sorulması gereken asıl soru, Katın katliamından Nazi Almanyası'nın mı yoksa Sovyetler Birliği'nin mi sorumlu olduğundan daha çok, bu olayın tarihsel ve siyasal açıdan ifade ettiği anlamların ne olduğu olmalıdır. Geleneksel olarak konu üzerindeki tartışmalar ve araştırmalar Almanya'nın ve Sovyetler Birliği'nin Realpolitik kaygıları üzerinde yoğunlaşmıştır. Makale, aktörlerin Katın hakkındaki gerçeği kendi öznel perspektifleri açısından değiştirmekle ve siyasi bir araç olarak kullanmakla kalmayıp, kurgulanan gerçekliğe inandıklarını da vurgulayarak Realpolitik analizlerin ötesine geçmeyi amaçlamaktadır.

Anahtar Kelimeler: İkinci Dünya Savaşı, Katın, savaş esirleri, Polonya, Rusya-Polonya ilişkileri.

Introduction

The Katyn forest massacre, which refers to the murder of approximately 15,000 Polish military officers after they were taken as prisoners of war (hereinafter PoWs) during the Second World War,¹ is one of the most atrocious crimes that took place in an era associated with Enlightenment ideals. The common Enlightenment themes and the modernity project have reshaped both national and international law, which applies to the conduct of warfare next to the protection of human rights. Since The Hague and the Geneva Conventions represent a pioneering stage, if not the peak point, of the law for the parties to the armed conflicts to follow,² it might initially be bewildering that the most shocking atrocities have been committed in post-Hague and post-Geneva era. However, targeting the non-combatants including the military personnel despite legal and political attempts to protect them represents neither a deviation from, nor a controversy with the modernity project in general.³ Different techniques of violence have been projected upon both civilians and non-civilians, citizens or non-citizens, humans or non-humans in each and every section of a society by all types of regimes without exempting even the most liberal ones. For the reader

- 1 Cienciala, Lebedeva and Materski estimates the total number as 14,500 (Anna M. Cienciala, Natalia S. Lebedeva and Wojciech Materski eds., *Katyn: A Crime Without Punishment* (New Haven: Yale University Press, 2007), 1); for Zayas the exact number of officers from whom the relatives received no news since the spring of 1940 was 14, 700 (Alfred-Maurice de Zayas, "The Wehrmacht Bureau on War Crimes," *The Historical Journal* 35, no. 2 (1992): 393).
- 2 The Geneva Convention of 1864, which guaranteed neutrality to medical personnel, expedition of supplies for their use, and adopted a special identifying emblem to be soon recognized as The Red Cross, and The Geneva Convention of 1906, which revised and replaced the first one should not be confused with the four Geneva Conventions of 1949. The Hague Conventions of 1899 and their successors of 1907 regulating warfare are followed by the Four Geneva Conventions of 1949 (dealing with wounded and sick on land, wounded, sick and shipwrecked at sea, prisoners of war, and civilians), and the two 1977 Additional Protocols to those Conventions. Those interested in the history of international humanitarian law might begin with Theodor Meron, *Human Rights and Humanitarian Norms as Customary Law* (Oxford: Clarendon Press, 1989); Jean-Marie Henckaerts and Carolin Alvermann, *Customary International Humanitarian Law* (Cambridge: Cambridge University Press, 2005), 1.
- 3 The failure of modernity and the Enlightenment project in that the latter has brought unprecedented violence despite its promise of equality, justice, peace and liberty has been subject to substantive critiques in various fields and will not be repeated in this article. The reader may wish to look at some of the outstanding references for an introduction of the modernity critique and novel ways of violence in the modern society: Michel Foucault, "Society Must Be Defended", *Lectures at the Collège de France, 1975-1976* (New York: Picador, 2003); Mark Neocleous, "Perpetual War, or 'War and War again' Schmitt, Foucault Fascism," *Philosophy & Social Criticism* 22, no. 2 (1996): 47-66; Anibal Quijano, "Coloniality and Modernity/Rationality," *Cultural Studies* 21, no. 2-3 (2007): 168-178; Johan Galtung, "Cultural Violence," *Journal of Peace Research* 27, no. 3 (1990): 291-305; Mitchell Dean, *Governmentality: Power and Rule in Modern Society* (London: Sage, 2010).

of 20th century history, this is not a novel discovery or a shocking reality hidden from the public eye today. Deployment of advanced violence techniques resulting in mass-scale atrocities notwithstanding, the Katyn affair is still a remarkable incident this article will attempt to discuss the reasons at large.

Despite the fact that Katyn victims account for only a minuscule percentage of the total number of Stalin's victims, it stands arguably as a distinct case for several reasons. Academic studies on the Katyn massacre have focused heavily on the historicity of the massacre, or the dispute between Nazi Germany and Soviets as to the true culprits of the crime. Few, or so it seemed, wanted to reflect on how the traumatic loss of the elite corps (re)constructs the victimhood of the Polish nation which historically was torn between neighboring imperial powers, Germany and Russia.⁴ Even fewer attempted to deconstruct the discursive practices to uncover how the Katyn massacre was exploited by various actors including but not limited to the Nazi Germany, the Soviet Union, Britain or the USA. Research, concluding that the perpetrators of the crime were not Germans but Stalin's NKVD,⁵ tends to overlook that Poles were not particularly the most threatening of national, ethnic, religious, racial, social, economic or political groups that the Soviet regime attempted to eliminate.⁶ The victims of the Soviet regime were much more diverse than their counterparts in other dictatorships, and Stalinist terror did not limit itself with a particular ethnic, national or religious community.⁷ Nevertheless, Katyn differs from other atrocities of the Soviet regime in becoming a touchstone by which Polish identity associated with victimhood was constructed in the Polish nation-building process especially after the Cold War.

Beyond the nation-building process of Poland and reflections on how Katyn is positioned within this process is the post-Soviet Russian state's

4 For the reader who may wish to review how Katyn has been metonymically meant to stand for a series of historical traumas in Poland's history, Alexander Etkind et al., *Remembering Katyn* (Cambridge: Polity Press, 2012).

5 The Soviet security apparatus NKVD is the acronym for *Narodny komissariat vnutrennih del* in Russian, Peoples' Commissariat of Internal Affairs in English.

6 Alexander Etkind, "Post-Soviet Hauntology: Cultural Memory of the Soviet Terror," *Constellations* 16, no. 1 (2009): 185, 186.

7 Poland itself was established as a multi-ethnic state including some five million Ukrainians, three million Jews, one million Belarusians, and above half a million Germans after the Polish-Bolshevik War of 1919-1920, which divided territories inhabited by Belarusians and Ukrainians between Russia and Poland. (Timothy Snyder, *Bloodlands: Europe Between Hitler and Stalin* (London: Random House, 2011), 21.)

noteworthy reference to Katyn in order to demonize the old regime and develop its relations with Poland, while avoiding a formal apology. Katyn demonstrates that the Soviet Union, despite being a member of the Allied powers against the fascist regimes in WWII, perceived no limit in achieving its goals under Stalin's rule. While exemplifying Soviet terror, the Katyn massacre is not an exceptionally well-hidden secret of the past either since it has received significant publicity along with other Soviet terror campaigns. The horrific news of murder, torture, and persecution subjecting resisting or noncompliant individuals and groups in the Soviets or in its client states came to be known by the Western public before the end of the Cold War and even during the Second World War. For instance, in the spring of 1943, Germans exhumed about nine thousand bodies in Vinnytsia, Ukraine, who were supposedly executed by the NKVD during the Great Purge of 1937-1938.⁸ Nikita Khrushchev recognized mass murders, arrests and deportations immediately in the post-Stalin era in 1956.⁹ The publication in 1973 of the first volume of Aleksandr Solzhenitsyn's "The Gulag Archipelago" describing the Soviet Union's prison camp system was not only a major literary event, but rather a disillusioning and demystifying political moment.¹⁰ In July 1997, independent researchers from St. Petersburg and Petrozavodsk uncovered another mass gravesite nearby Sandarmokh where approximately nine thousand victims were transported from the Solovetskii camp and executed in 1937 and 1938.¹¹ Given the Soviet record in committing atrocities, it is evident that Katyn is not an exception in this sense. It is not a primary intention of this article to (re)explore the crime scene or the political stage at the time of the Katyn massacre to identify the guilty. Indeed, the article will remind the reader that the historical evidence leaves hardly any question about the perpetrators and the circumstances of the incidence. The real puzzle both for the historian and for the legal-judicial scholar is how to interpret the politics of silence as well as communication particularly when the responsible ones represent the victors of war or agents of order in times of peace. In doing so, the

8 Ilya Bourtman, "Blood for Blood, Death for Death: The Soviet Military Tribunal in Krasnodar, 1943," *Holocaust and Genocide Studies* 22, no. 2 (2008):260; Zayas, "The Wehrmacht Bureau on War Crimes," 393.

9 Etkind, "Post-Soviet Hauntology," 184.

10 For an evaluation on how Solzhenitsyn's "Gulag Archipelago" might have demystified the Soviet revolution in general and affected the dissident movements in particular, see, Robert Horvath, "'The Solzhenitsyn Effect': East European Dissidents and the Demise of the Revolutionary Privilege," *Human Rights Quarterly* 29, no. 4 (2007): 879-907.

11 Etkind, "Post-Soviet Hauntology," 182.

article's concern extends to the complicity of the West through silencing and at times (re)surfacing claims over Katyn.

The article also attempts to move beyond the analyses on Katyn that have conventionally drawn on *Realpolitik*¹² concerns of Germany and the Soviets as well as other relevant actors, and addresses how different actors have put the Katyn massacre to different political uses changing, exploiting, manipulating while also believing miscellaneous realities, the last of which contradicts Realist claims. Realist analyses base Stalinist terror and policies on whether cost and benefit calculations prompt committing, unveiling or covering atrocities as if reality implies an inherent stability. Despite a stable and objective reality, actors might convert, distort and manipulate facts according to their interests while keeping the awareness that the crooked reality they present is not in fact real. However, what we observe in relation to atrocities similar to Katyn is that the actors including the perpetrators and beneficiaries are capable of removing and (re)inserting, erasing and placing, forgetting and remembering different and at times conflicting representations of reality which they embrace themselves at the end. In the latter case, actors are not independent from the reality they purport to represent, rather they become central to the articulation of a particular reality, which each time opens up new possibilities or hindrances in politics. The historical background of the affair will precede the discussions on articulations of different realities in Part I. In this section, the article will successively deal with the search for the missing officers, the discovery of the graves, the examination processes, the accusations and arguments by the parties and a general interpretation as to why the Stalin administration might have committed such an act. Part II examines the turns and twists in the politics of the dead PoWs in the aftermath of the Second World War. In the concluding remarks, the emphasis will be on the inherent instability of reality through invoking the specters of the dead PoWs.

12 The genesis of the German term *Realpolitik* can be traced back to the days of Bismarck that evolved into a tradition later associated with scholar-diplomats of the postwar era such as George Kennan and Henry Kissinger. *Realpolitik* with a capital "R" is translated into the Anglo-American world with a small "r" that refers mainly to politics based on practical objectives rather than on ideals. John Bew's book "Realpolitik: A History" provides an elaborate biography of the concept. (John Bew, *Realpolitik: A History*. (Oxford: Oxford University Press, 2016).)

Katyn: The Forest of the Dead PoWs

Poles, like other relatively more advanced nationalist movements of Finnish, Ukrainian, Latvian, Georgian and Armenian peoples, proved historically to be resistant and problematic for both tsarist Russia and the Bolsheviks.¹³ Polish insurrections of 1831 and 1863 were still haunting the Soviets while “scapegoating of Poles for Soviet policy failures”¹⁴ became the common approach dominating 1930s. Under these circumstances, it came as no surprise that the Soviets put the policy to destroy Polish cultural, political and economic influence into force following the Ribbentrop-Molotov Pact of 23 August 1939. Besides the official document, we are now aware of a secret protocol denied by the Soviet authorities until 1989. According to the protocol, which partitioned the territories of the Baltic States, Finland, Poland and Besarabia, Hitler attacked Poland on 1 September 1939. Stalin immediately followed him ordering the occupation of Eastern Polish territories on 17 September either with the fear of being left out of the sharing of the spoils or to avoid any friction between Germany and the Soviets.¹⁵

To the outer world, the Soviets tried to provide justifications on legal grounds: the invalidity of the Soviet-Poland treaty of non-aggression signed in Moscow in July 25, 1932, due to the nonappearance of the Polish government,¹⁶ and the urgent need to protect their persecuted minorities – the Ukrainians and Byelorussians – inhabiting Poland.¹⁷ Immediately after the invasion, Germany and the Soviet Union signed a “Boundary and Friendship Treaty” on 28 September 1939, which specified the precise division of the Polish territory and included a special article that provided mutual agreement on the suppression of any kind of Polish agitation in the territories of both parties.¹⁸ Both the

13 Ronald Grigor Suny and Terry Martin Ronald, “Introduction,” in *A State of Nations: Empire and Nation-making in the Age of Lenin and Stalin*, ed. Grigor Suny, Terry Martin and Terry Dean Martin (Oxford: Oxford University Press, 2001), 8.

14 Snyder, *Bloodlands: Europe between Hitler and Stalin*, 98.

15 George Sanford, *Katyn and the Soviet Massacre of 1940: Truth, Justice and Memory* (New York: Routledge, 2005), 20.

16 Wladyslaw T. Bartoszewski, “Foreword,” in *The Road to Katyn: A Soldier's Story*, Salomon W. Slowes, (Oxford: Blackwell Publishers, 1992), xi, xii; Louis FitzGibbon, *Katyn* (London: Tom Stacey Ltd., 1971), 19-21.

17 Stanisław Mackiewicz, *Colonel Beck and His Policy* (London: Eyre and Spottiswoode, 1944), 55.

18 Documents on German Foreign Policy, 1918-1945, Vol.VIII, no.161, London: HMSO, 1956, cited in Bartoszewski, “Foreword”, xiii. It should also be noted that the Treaty stipulated the exchange of information on the activities and measures taken by both parties in order to suppress the agitation in Poland.

Ribbentrop-Molotov Pact and the “Boundary and Friendship Treaty” establish that the two powers agreed upon the partition of the territory and the extermination of any kind of resistance –even before this kind of a resistance arose. The mere fact that it was the German forces discovering the massacre site does not remove the bare truth of the deal between Germany and the Soviets to suppress the Poles.

Retrospectively, the execution of the Polish elite corps seems to be part of a systematic plan consisting of four major deportation waves during 1939-1941. In the first wave, the potential disloyal civilians were arrested, conscripted and sentenced which is followed by the deportation of their relatives who were mainly women and children; then, foreign nationals who fled from the German occupation in western and central Polish territory, and finally the Baltic States became the target in order to eliminate anti-Soviet elements.¹⁹ Over 1,6 million Poles were sent to the Soviet Union in a series of deportations. Around 200,000 of them were PoWs among whom there were around 15,000 officers – professionals, cadets and reserve officers. The reservists were representing the highly educated class of Polish society: lawyers, doctors, university lecturers, artists etc. The officers were separated from the other deported population and the prisoners of war and were kept in three special camps at Kozielsk, Starobielsk and Ostaszkw. The distinctive character of the three camps was the fact that the NKVD, not the Red Army, guarded them until the NKVD began to abolish the camps in 1940. From mid-April 1940, no information was taken from the 15,000 Polish PoWs who were detained in these three camps.²⁰

In the first few months following the attack against the Soviet Union on June 1941, Germany achieved a fast and unimpeded advance into Russian territory. The shock of the attack, and the heavy losses pushed the Soviet Union to look for the assistance of the Western Allies. Poland was also a critical country under these circumstances and the Soviet Union agreed to sign an agreement with Poland recognizing as invalid the treaties concerning territorial changes in Poland by the Soviet Union since July 1939 and stipulating the release of the PoWs.²¹ A Polish Army under Polish command, but under the direction of Soviet military

19 Sanford, *Katyn and the Soviet Massacre of 1940*, 25-29.

20 Bartoszewski, “Foreword”, xiv. Approximately 4,500 PoWs were kept in Kozielsk, 3,920 at Starobielsk and 6,500 at Ostaszkw. Out of the total number, only 448 managed to survive due to the transportation to a fourth camp, *Pavlishchev-Bor*.

21 The first agreement was signed on July 30, 1941. The following military agreement was signed on August 14, 1941. From then on all the Polish PoWs and civil internees deported from Poland were released from camps and prisons and they began to join the Polish units organized on Soviet territory. (Cienciala, Lebedeva and Materski eds., *Katyn: A Crime Without Punishment*, 208; FitzGibbon, *Katyn*, 75, 76.)

authorities, was to be established in the Soviet Union. The release of the PoWs held under Soviet detention made clear that about 15,000 officers, from whom nothing was heard since April 1940, were missing.²² Official initiatives were taken to find the whereabouts of the missing PoWs, but the efforts yielded no result.²³ The Soviets continued to give divergent explanations about the fate of the missing PoWs. The Polish ambassador to the Soviet Union, Stanislaw Kot, who was responsible for the release process of all the Poles held in camps in the Soviet Union, received no accurate answers to his questions directed to Deputy Foreign Minister Andrei Vyshinsky. The latter refused to accept that there was a problem regarding the PoWs and continuously argued that it was only a matter of discovering the whereabouts of the officers. When Kot met with Stalin, Stalin talked about the need to leave behind the disputes between the two countries and the issue of the number of the soldiers in the to-be-formed Polish Army.²⁴ It was evident that Stalin did not want to concentrate upon the problem of the missing PoWs. But when Kot presented the list of missing officers, he phoned or pretended to phone the NKVD – it is not clear if there was indeed a phone call and asked whether all the Poles had been released or not.²⁵ In a following meeting, the problem was reiterated this time by Sikorski, the head of the Polish Government-in-Exile in London. Stalin said there was no reason to detain even one Pole while Molotov stressed that it was impossible that these people could still be in camps. Stalin even went further to argue that the missing PoWs might have escaped to Manchuria or hid somewhere in the Soviet Union.²⁶

22 Cienciala, Lebedeva and Materski eds., *Katyn: A Crime Without Punishment*, 209; FitzGibbon, *Katyn*, 76.

23 General Anders, who had been released from Lubianka prison in Moscow in Beria's limousine to head the Polish Military Mission in the Soviet Union, started his own investigation even before the initiation of the Polish government's official investigation. At the following official meetings with the Soviet authorities, the Soviets either made unsatisfactory explanations telling that they had not exact information or deficient explanations arguing that they had released the missing PoWs. (Cienciala, Lebedeva and Materski eds., *Katyn: A Crime Without Punishment*, 209; FitzGibbon, *Katyn*, 77-82.)

24 It is cited in some sources that either Beria, the head of NKVD, or Merkulov, who was second-in-rank after Beria, had said "We made a great mistake with them," when the organization of a Polish Army to fight the Germans was being designed and the Polish general Berling had mentioned that there were excellent cadres in the camps at Starobielsk and Kozielsk. (FitzGibbon, *Katyn*, 94; Slowes, *The Road to Katyn*, 204.)

25 George Sanford, "The Katyn Massacre and the Polish-Soviet Relations, 1941-43," *Journal of Contemporary History* 41, no. 1 (2006): 101. FitzGibbon considers that it was impossible to take such an important decision related to the fate of 15,000 Polish officers without the personal approval of Stalin and concludes that the phone call scene was merely a play to give the impression that Stalin had not been personally involved in the fate of the missing officers. (FitzGibbon, *Katyn*, 83.)

26 FitzGibbon, *Katyn*, 85; Sanford, "The Katyn Massacre and the Polish-Soviet Relations, 1941-43," 102; Paul Allen, *Stalin's Massacre and the Triumph of Truth* (Dekalb: Northern Illinois University Press, 2010), 172.

The puzzle was finally solved when Germany's invasion throughout the Soviet Union comprised the territories the three camps were located. On April 13, 1943, Berlin Radio announced that the German Army had found bodies of thousands of Polish officers in a forest near Katyn.²⁷ Though it seems more reasonable to assume that neither state would inform the other regarding their atrocities they committed even in wartime, it remains odd enough to comprehend fully how the Germans discovered the massacre site three years after the massacre had taken place. In the official statement, it is notified that the German forces explored the gravesite while retreating under pressure of the westward-advancing Red Army.²⁸ Later reports, articles and communiqués stated that news came from local population about the murders taking place in the Katyn forest near Smolensk. According to a special report published by the German authorities, mounds with young pine-trees planted on them triggered the investigation.²⁹ Soviet Commissar Merkuloff is claimed to have informed the Germans that all Polish officers taken prisoner by the Soviets had been executed in 1941 without specifying the exact location of the graves.³⁰ A counter-view asserts that the Germans were aware of the time and place of the atrocity before 1943. The timing of the discovery – it happened just after the Battle of Stalingrad – suggests that Hitler exploited it to change the balance of power.³¹ However, there is no concrete evidence beyond the timing of the discovery and the consensus to inform each other about the suppression activities with respect to the 1939 Treaty, so the argument that the Germans were already aware of the Katyn massacre before they discovered the gravesites remains speculative.

Whether the Germans knew of the crime before the public announcement or not, Goebbels made use of it as a perfect opportunity to discredit the Soviets both in the region and at international level.³² It

27 Cienciala, Lebedeva and Materski eds., *Katyn: A Crime Without Punishment*, 215; FitzGibbon, *Katyn*, 97. The bodies in Katyn were later identified as belonging to the PoWs transported from the Kozielsk camp. PoWs from Starobelsk camp and Ostashkov camp were found in mass graves in Piatichatki near Kharkov and Mednoye near Kalinin/Tver respectively (Sanford, *Katyn and the Soviet Massacre of 1940*, 97-99).

28 Slowes, *The Road to Katyn*, 204.

29 FitzGibbon, *Katyn*, 99, 135, 136.

30 Bundesarchiv-Militärarchiv, RW 2/V. I49, I24, cited in Zayas, "The Wehrmacht Bureau on War Crimes," 393.

31 Vladimir Abarinov, *The Murderers of Katyn* (New York: Hippocrene Books, 1993), 318.

32 Toby Thacker, *Joseph Goebbels: Life and Death* (New York: Palgrave Macmillan, 2009), 256-258. Goebbels expressed in his diaries that this discovery showed everyone what was waiting for them in case the Bolsheviks defeated Germany (Joseph Goebbels, *The Goebbels Diaries, 1942-1943*. Doubleday, 1948).

was not an absurdity then to spread the story that “Jewish commissars” were in fact responsible for the murders,³³ and Goebbels even considered an invitation for Sikorski to visit Katyn,³⁴ German policy is also argued to be designed to divert attention from the liquidation of the Warsaw Ghetto and split the Poles and the Western Allies from the Soviet Union.³⁵ Three on-site investigations conducted by a German Military Field Police Commission, International Medical Commission,³⁶ and Polish Red Cross “Technical Commission” concluded that the shootings had occurred in the spring of 1940.³⁷ In the summer of 1943, the Soviets regained the control of the area and established their own commission denominated as Burdenko after the well-known Soviet surgeon, Nikolai Burdenko as its chair.³⁸ The Burdenko Commission evidenced that the guns and the bullets used in the killings were German-made while the bayonets and the ropes were Soviet-made. It ignored the Soviet-made bayonets and ropes in addition to the fact that the enterprise, which was producing the bullets, began massive exports to the Soviet Union, Poland and the Baltic countries after the Versailles Treaty.³⁹ Another claim of the Soviet Commission was that the documents, which the Germans declared they had found in the graves, had actually been taken from the Gestapo archives and placed on the bodies by the Germans.⁴⁰ The exact date of the murders was another key aspect in determining the responsible authority for the

33 Jeffrey Herf, “The ‘Jewish War’: Goebbels and the Anti-Semitic Campaigns of the Nazi Propaganda Ministry,” *Holocaust and Genocide Studies* 19, no. 1 (2005): 59. This kind of propaganda supports the view that one of the aims should have been to strengthen the Anti-Semitic sentiment in Poland. The discovery of Katyn graves and the Nazi propaganda also strengthened the determination to fight against the Bolsheviks. (Lawrence D. Stokes, “The German People and the Destruction of the European Jews,” *Central European History* 6, no. 2 (1973): 186-187).

34 Ribbentrop also recognizes the opportunity of propaganda, but because of the then German official policy of not having any contact with the Polish Government-in-Exile, he refuses the offer. (Akten zur Deutschen Auswärtigen Politik, Series E, Vol.V, 579-581, cited in Victor Zaslavsky, “The Katyn Massacre: Class Cleansing as Totalitarian Praxis,” *Telos* 114 (1999): 90, footnote 61).

35 Sanford, “The Katyn Massacre and the Polish-Soviet Relations, 1941-43,” 108.

36 The word “international” should not cause any confusion since the representatives of the commission were only from twelve countries, which were allied with Germany or under German occupation. (Zaslavsky, “The Katyn Massacre: Class Cleansing as Totalitarian Praxis,” 91).

37 FitzGibbon, *Katyn*, 135-146.

38 The full name of the Soviet Commission was “*Special Commission for Ascertaining and Inquiring into the Shooting of the Polish Officers in the Katyn Forest Carried out by the Nazi Invaders*”. (FitzGibbon, *Katyn*, 173, 182.)

39 Zaslavsky, “The Katyn Massacre: Class Cleansing as Totalitarian Praxis,” 93, footnote 66.

40 FitzGibbon, *Katyn*, 173.

murders since the area was under Soviet control in 1940 until it fell under German control in 1941. The Soviet argument that the date of the murders was not 1940, but sometime between August and September 1941, generated the foremost absurdity as the exhumed bodies were wearing winter clothes. Realizing the contradiction, the Soviets changed the timeframe to “between August and December 1941.”⁴¹

The Soviets, just like the Germans, exploited the Katyn case as a means of propaganda to convince the people of Eastern Europe, claiming that the Allies were fighting a just and defensive war against the barbarism of Nazis. Therefore, there was nothing to fear of Bolshevism and it was the Nazis, not the Soviets, who were responsible for the murders at Katyn, and the Sudeten Germans could safely surrender since the Russians treated their prisoners well and took no revenge.⁴² Stalin used the turn of the Polish Government-in-Exile to the Red Cross for an investigation as an excuse to break off diplomatic relations and establish its own communist Polish government. The Polish Government-in-Exile was accused of collaborating with the Nazis against the Soviets.⁴³ By using this excuse and breaking off relations, Stalin began to realize his plan of shaping post-war Poland as a Soviet client state.⁴⁴ Poland was already becoming divided between Polish communists supported by the Soviets and the Polish Government-in-Exile which had serious doubts about Germany’s role at Katyn.

After the Second World War

During the Second World War, the Western Allies hesitated to accuse the Soviets while the latter were a crucial ally and played a critical role in the war against Hitler’s Germany. The denial policy accompanied

41 Zaslavsky, “The Katyn Massacre: Class Cleansing as Totalitarian Praxis,” 93. Burdenko Commission’s findings and discussions arising from these findings are available at: Gosudarstvennyi arkhiv Rossiiskoi Federatsii (GARF) [State Archive of the Russian Federation].

42 Mark Cornwall, “Stirring Resistance from Moscow: The German Communists of Czechoslovakia and Wireless Propaganda in the Sudetenland, 1941-1945,” *German History* 24, no. 2 (2006): 230. Charges of mistreatment are regarded as one of the most effective means of propaganda. (Gerald H. Davis, “Prisoners of War in Twentieth Century War Economies,” *Journal of Contemporary History* 12, no. 4 (1977): 625).

43 Witold Kieżun, “The International Significance of the Warsaw Uprising of 1944,” *Dialogue and Universalism* 16, no. 7/9 (2006): 36.

44 R. J. Raack, “Stalin Fixes the Oder-Neisse Line,” *Journal of Contemporary History* 25, no. 4 (1990): 471.

the suppression of media coverage about Katyn between 1943 and 1945.⁴⁵ Roosevelt always saw the Katyn massacre as a Nazi attempt to split the Grand Alliance.⁴⁶ His conviction on Germany's responsibility was so strict that he rejected the counter-evidence presented by Capt. George Earle, his special emissary to the Balkans in 1944.⁴⁷ Because the Polish Government-in-Exile was based in London and its forces began to operate under British command after 1940, subordination of truth about Katyn became more problematic for Britain.⁴⁸ Churchill differed from Roosevelt in recognizing what the Soviets were capable of doing, yet he still echoed Roosevelt's policy of not upsetting the existing cooperation.⁴⁹

After the war, the Soviets insisted upon appending the Katyn affair into the indictment of the International War Crimes Tribunal at Nuremberg to put the blame on the Nazis.⁵⁰ The Russian prosecutor, Colonel L. N. Smirnoff, pointed the finger at two men: Dr. Markov, one of the leading figures in the International Commission examining the bodies in 1943,⁵¹ and Colonel Ahrens, who was the man with whom the Soviets had tried to establish linkage with the crime. Colonel Ahrens resisted the harsh questioning and proved that he was neither present at the alleged time

45 Cienciala, Lebedeva and Materski eds., *Katyn: A Crime Without Punishment*, 235.

46 Steven Casey, "Franklin D. Roosevelt, Ernst Putzi Hanfstaengl and the S-Project," *Journal of Contemporary History* 35, no. 3 (2000): 357.

47 Benjamin B. Fischer, "The Katyn Controversy: Stalin's Killing Field," *Central Intelligence Agency*, April 14, 2007, accessed September 05, 2019, <https://www.cia.gov/library/center-for-the-study-of-intelligence/csi-publications/csi-studies/studies/winter99-00/art6.html#rft7>

48 Sanford, *Katyn and the Soviet Massacre of 1940*, 166, 167.

49 Sanford *Katyn and the Soviet Massacre of 1940*, 166, 167; Martin Folly, *Churchill, Whitehall and the Soviet Union, 1940-45* (New York: Palgrave Macmillan, 2000), 114.

50 Michael Biddiss, "The Nuremberg Trial: Two Exercises in Judgment," *Journal of Contemporary History* 16, no. 3 (1981): 607.

51 The fate of some of the members of the International Commission is also an interesting topic. Markov, a well-known Bulgarian expert in forensic medicine and criminology, revoked his signed statement and claimed at Nuremberg that he and the other members of the Commission had been under psychological pressure and they had been forced to sign the document in an isolated airfield at *Bela* without seeing it in *Smolensk*. (FitzGibbon, *Katyn*, 176.) Markov changed his mind for a second time just after being arrested and staying in prison for three months in Sofia. (Bourtman, "Blood for Blood, Death for Death," 94.) A communist member of the Swiss Grand Council challenged another well-known expert and professor at forensic medicine and criminology at the University of Geneva, Dr. Naville, after the latter published his well-known report on Katyn. Though he had declared many times that he hated the German policies after 1914, he had been accused of taking gold from the Germans and serving to German interests. The case was discussed at the Swiss Grand Council in 1947, which approved Dr. Naville's testimony at the end. (For Professor Naville's testimony, see FitzGibbon, *Katyn*, 155-161).

of the massacre, nor the commander of the unit accused. The Soviets' next move was to blame Colonel Bedenk, Colonel Ahren's predecessor, but when the German defense produced Colonel Bedenk, the case was dropped. When the Soviet claims were not evidenced, the counsel for the German General Staff and High Command asked who was responsible for the Katyn case, but the Head of the Judges Lawrence retorted, "I do not propose to answer questions of that sort."⁵² The controversial attempts to prosecute the Katyn atrocity offenders at Nuremberg represented yet another deficiency of the law in judging the perpetrators of international crimes, and an example of the distortion of history in courtrooms, particularly when the perpetrators are linked to the authors and practitioners of law and justice.⁵³ It is also noteworthy that the Soviets not only strove to fabricate a case for German guilt in the international arena, but they followed the very same policy at the domestic level as well. The wartime law *ukaz* that was put into force on April 19, 1943 was intended to counter the German accusation regarding Katyn.⁵⁴ The law envisaged that Axis personnel and their accomplices found guilty of committing crimes against the Soviet Union would be executed or sentenced to lengthy prison terms. Soviet Military Tribunals and laws functioned as a response to such accusations.⁵⁵

Compliance with the Soviets continued throughout the Cold War only with an exceptional period in the early 1950s when the Soviets became a foe rather than a desperately needed ally in the context of the Korean War. In 1951, with a sudden twist in the former foe-ally setup, the US Congress House of Representatives established a special

52 FitzGibbon, *Katyn*, 177. Another Bulgarian expert, who took part in the International Commission, was also arrested in Sofia. The Soviets also asked Italian communists to follow the activities of the Italian member of the Commission Professor Palmieri. (Bourtman, "Blood for Blood, Death for Death," 94, 96).

53 For more details on prosecuting Katyn massacre at Nuremberg, see, Allen, *Stalin's Massacre and the Triumph of Truth*, 335- 337; for a wider look at the defection at the courts, see Lawrence Douglas, "The Didactic Trial: Filtering History and Memory into the Courtroom," *European Review* 14, no. 4 (2006): 513-522. But Douglas errors in telling that the Tribunal misattributed the crime to the Nazis (Douglas, "The Didactic Trial," 516). It is evident that the case was dropped at Nuremberg leaving ambiguity in order not to blame the Russians.

54 Alexander Victor Prusin, "'Fascist Criminals to the Gallows!': The Holocaust and the Soviet War Crimes Trials, December 1945- February 1946," *Holocaust and Genocide Studies* 17, no. 1 (2003): 4,5; Bourtman, "Blood for Blood, Death for Death," 249.

55 Approximately 100 German officers including 18 generals were sentenced to death at Stalin's prosecution trials. Stalin even proposed to execute 50,000 German prisoners in retaliation for the Katyn massacre in the Teheran conference. Roosevelt rejected the proposal. (Kiezun, "The International Significance of the Warsaw Uprising of 1944," 36-37).

Katyn investigation commission known also as The Madden Committee named after its chair Ray John Madden from Indiana.⁵⁶ Though the committee concluded its investigation recognizing explicitly the responsibility of NKVD for the killing of Polish PoWs, there was no further attempt mainly because of the end of the Korean War and the changing political assessments concerning US-Soviet relations.⁵⁷

It was finally in 1989 that the General Secretary of the Communist Party of the Soviet Union Mikhail Gorbachev admitted the guilt.⁵⁸ In 1992, Yeltsin's personal emissary delivered copies of the long-hidden files about the Katyn case to the Poles.⁵⁹ The opening of the archives evidence that the confidential files related to the Katyn killings were handed repeatedly to the succeeding Soviet leaders. Khrushchev knew what happened to the Polish officers. The information passed to Brezhnev and Andropov through Chernenko, the head of the General Department of the Central Committee, who kept the sealed envelope in his safe. Gorbachev was also informed like his predecessors by the then head of the General Department. The notorious envelope, which was examined on Yeltsin's instructions in 1992,⁶⁰ consisted also of a note from Beria to Stalin. The note, dated March 5, 1940, was actually a proposal regarding the problem of the Polish officers held in the Soviet camps.⁶¹ The documents show that the Politburo approved the

56 The full name of the Madden Committee is "The Select Committee to Investigate and Study the Facts, Evidence, and Circumstances of the Katyn Forest Massacre"; its final report published in 1952 is of 2,360 pages with 181 items of evidence and 100 written statements by witnesses. Full text of the Madden Committee report is accessible through http://www.archive.org/stream/katynforestmassa03unit/katynforestmassa03unit_djvu.txt.

57 Eisenhower administration, after the Korean War, immediately changed the US attitude on Katyn and avoided pressing the Soviets concerning the crime. (Robert Szymczak, "The Vindication of Memory: The Katyn Case in the West, Poland, and Russia, 1952-2008," *The Polish Review* 53, no. 4 (2008): 420.

58 Bartoszewski, "Foreword", in Slowes, *The Road to Katyn*, xxviii; Mark B. Harmon and Fergal Gaynor, "Ordinary Sentences for Extraordinary Crimes," *Journal of International Criminal Justice* 5, no. 3 (2007): 700. Gorbachev admitted the guilt not only regarding Katyn, but also Kalinin and Starobielsk. (Irina Paperno, "Exhuming the Bodies of Soviet Terror," *Representations* 75, no. 1 (2001): 90).

59 Patricia Kennedy Grimsted, "Displaced Archives and Restitution Problems on the Eastern Front in the Aftermath of the Second World War," *Contemporary European History* 6, no. 1 (1997): 63.

60 Zaslavsky, "The Katyn Massacre: Class Cleansing as Totalitarian Praxis," 72, footnote 8.

61 For a translated copy of the Execution Order, see Beria Memorandum to Joseph Stalin Proposing the Execution of the Polish Officers (Mar. 5, 1940), Cienciala, Lebedeva and Materski eds., *Katyn: A Crime Without Punishment*, 118-20.

shooting of the PoWs the same day.⁶² However, Yeltsin's initiative failed in the difficult political and economic environment of the 1990s. It was the Putin/Medvedev era that saw both rapprochement and estrangement between the two countries which seemed to be triggered mainly by relations with the EU, launching missile shields in Poland, and the Ukrainian crisis.⁶³ In 2010, only one month before Medvedev's visit to Poland, the Russian Duma accepted in its declaration that Stalin and other Soviet officials had ordered the "Katyn crime" in 1940.⁶⁴ With the missile shields issue becoming of secondary importance, the Russian Federation's Katyn initiative came to a standstill while Poland proceeded to introduce and to create awareness in the European context following its accession to the EU.⁶⁵ From this point on, genocide claims over the Katyn case also became part of political debates.

Conclusion: The Return of the Simulacrum of the Dead PoWs

After recalling the motives, location and methods for the execution of approximately 15,000 PoWs, after acknowledging that the Polish PoWs were representing only a small percentage of the overall murders committed by NKVD despite the strategic role they had played during the war, after recognizing that Katyn was part of the *modus operandi* of Stalin's rule rather than being an exceptionally horrendous crime, after realizing that no totalitarian government is different than the other and neither liberal democracies nor the law codified by these democracies bars or judges in courts these acts as long as they are committed by an ally, there remains the fundamental question raised earlier: What does Katyn really refer to?

62 Zaslavsky, "The Katyn Massacre: Class Cleansing as Totalitarian Praxis," 72. The PoWs from Starobelsk were shot in the NKVD prison cellars in Kharkov and buried in a forest park close to the city. The PoWs from Ostashkov were similarly shot in NKVD prison cellars in Tver and buried at Mednoe. The truth about Starobielsk-Kharkov came out in the early 1970s with the British documents being declassified according to the Thirty Years' Rule, while the truth about Tver-Mednoe was revealed after the end of the Cold War. (Sanford, "The Katyn Massacre and the Polish-Soviet Relations, 1941-43," 95-96).

63 Utku Yapıcı, "Gorbaçov, Yeltsin ve Putin/Medvedev Yönetimlerinin Bir Dış Politika Aracı Olarak Katyn Katliamı Söylemi," *Karadeniz Arastirmalari* 59 (2018): 1-33.

64 "Russian Parliament Condemns Stalin for Katyn Massacre," *BBC News*, November 26, 2010, accessed September 05, 2019, <https://www.bbc.com/news/world-europe-11845315>.

65 Matt Killingsworth, Malgorzata Klatt and Stefan Auer. "Where Does Poland Fit in Europe? How Political Memory Influences Polish MEPs' Perceptions of Poland's Place in Europe," *Perspectives on European Politics and Society* 11, no. 4 (2010): 365, 366.

Taking his inspiration from Jacques Derrida's hauntology, Alexander Etkind argues that it is not amnesia but a particular generation of memory that distinguishes the Russian experience of terror under a fascistic authority from its German counterpart.⁶⁶ Similarly, how the memory of the murder of PoWs developed in Poland is related to the subjective experiences of the survivors and their relatives which have been inherited by the following generations. When Etkind writes "[i]n a land where millions remain unburied, the dead return as the undead"⁶⁷, he refers to all the unburied victims of the Soviets. Yet, the impact of the Katyn affair both during and in the aftermath of the war is somehow unique in that it has been shaped by these subjective experiences giving birth to a ghostly image, which is not dead as it continues to live in a different form today, but not alive though not buried by fellows. "Nothing could be worse, for the work of mourning, than confusion or doubt: one *has* to know who is buried where-and it is *necessary* (to know-to make certain) that, in what remains of him, *he remain there*."⁶⁸ Poland mourns for her unburied PoWs, but mourning the physical death (re)invokes the victim simulacrum.

The repetitive apparition of the specter of the Katyn victims reminds us that this specter is "not merely larger and more powerful than an ontology or a thinking of Being;"⁶⁹ it has substantial political power to invade and to be invaded by political discourses. Polish officers did not simply die at the Katyn forest; their dead bodies were (ab)used and re(ab)used by Allies and Axis Powers; the specter was invaded by the Soviets and the Germans during the Second World War for propaganda reasons. The significant point here is that these actors embraced the crooked reality they constructed and reshaped themselves. When Germans explored gravesites of Vinnytsia's sizable Jewish population in 1943, they did not consider it a contradiction to blame the Soviets for their "crimes against humanity."⁷⁰ Jews were not humans when they became the enemy for Germany. The Katyn massacre was evidence to support the thesis that "the Jews would exterminate their enemies if the Germans did not first succeed in exterminating them."⁷¹ Yet, it was not

66 Etkind, "Post Soviet Hauntology," 182-200.

67 Etkind, "Post Soviet Hauntology," 182.

68 Jacques Derrida, *Specters of Marx: The State of the Debt, The Work of Mourning and the New International* (London: Routledge, 2012), 9.

69 Derrida, *Specters of Marx*, 10.

70 Paperno, "Exhuming the Bodies of Soviet Terror," 91-92.

71 Thacker, *Joseph Goebbels: Life and Death*, 258.

impossible to reverse the dehumanization process of Jews for the Germans when they became the victims of another enemy. Likewise, when the German state communicated the news on Katyn and other killing sites they explored, hardly anyone living under Nazi rule dared to question the irony of a fascist regime blaming another for committing atrocities. On the other side, the Soviet political body was in the process of erasing from political memory the victims of Terror including Vinnytsia. Purges, expulsions, anti-Semitism and ethnic-hatred campaigns were being transformed through reshaped myths, redemption to formerly executed “enemies of the people”, reconstruction of Bolshevik heroes or epic stories.⁷² Collecting false testimonies and fabricating fake stories were not regarded as a stark contradiction for the ones living under Stalin’s rule who had to live with the grim threat of being accused of collaborating with the Nazis.⁷³

Erasing and (re)writing memories rather than coming to an end after the war and Nuremberg continued also throughout the Cold War for the Poles and the West alike. Americans, when it seemed more appropriate to surface the soil of the dead at the Katyn forest, referred to it as a perfect example of what Soviet totalitarianism was capable of doing while Soviets maintained their persistent denial policy until the 1990s.⁷⁴ Specters of PoWs reappeared when relations between the Soviets and Western states were tense while the kinsmen of the dead – Poles – continued to suffer in a dispute that they could hardly raise their own voice during the Cold War. The major *volte face* came with Gorbachev and Yeltsin’s recognition of Soviet guilt which is interpreted as yet another political initiative to improve relations with Poland and the West through demonizing and blaming the Stalin era. The end of the Cold War was a milestone also for the Poles since their memory construction and transformation process had been “thwarted by the colonial occupation of Poland after the Second World War and earlier, in the period of the so-called partitions of Poland.”⁷⁵ For a population

72 Amir Weiner, “The Making of a Dominant Myth: The Second World War and the Construction of Political Identities Within the Soviet Polity,” *The Russian Review* 55, no. 4 (1996): 638-660.

73 Witold Wasilewski, “The Birth and Persistence of the Katyn Lie,” *Case Western Reserve Journal of International Law* 45, no. 3 (2012): 678-679. Wasilewski not only gives a detailed account of the Soviet investigations which fabricated a different version of Katyn, he also summarizes the general atmosphere of fear.

74 Sanford, *Katyn and the Soviet massacre of 1940*, 158.

75 Ewa M. Thompson, “Ways of Remembering: The Case of Poland,” *Toronto Slavic Quarterly* 23 (2005), accessed September 05, 2019, <http://sites.utoronto.ca/tsq/12/thompson12.shtml>.

that has been deprived of a stable geographical space to create collective memories, historical narratives replaced landscape in identity construction; family stories turned into national stories after (re)gaining the freedom to *remember* and *mourning* openly.⁷⁶ However, collective memory building for the Russians differed dramatically as reflected in the statement that “no apology for Katyn should ever be given, because the Soviets lost half a million people while *liberating* Poland.”⁷⁷ The degree of contestation between the Russian *liberator simulacrum* and the Polish *victim simulacrum* intensified and fueled the debate in the political space; ghosts of the Polish PoWs once more visited the collective memories of Poles and Russians. Soviet guilt emerged for the Polish right-wing nationalist endeavor to construct a Polish victim identity oppressed under communism.⁷⁸ For leftist revisionist historians like Gabriel Kolko, there was much ado about Katyn while millions of Poles dying at German concentration camps were pushed into the background.⁷⁹ In a similar vein, some Russian historians claimed “there was a “Polish Katyn” during the Polish-Soviet War of 1919–20, when the Poles allegedly murdered thousands of Soviet PoWs.”⁸⁰ Therefore, *organized forgetting* accompanied *organized remembering* through invoking Soviet victims against Polish victims.⁸¹

In addition to acceptance that the inherent instability of reality is neither particular to authoritarian regimes, nor does it apply exclusively to Realist explanations, Katyn reminds students of history and politics of the need to be wary of state-level memory disputes excluding domestic political struggles. Katyn’s position in foreign policy being in flux demonstrates powerfully that it is not simply a national-interest issue, which, according to the Realist point of view, would remain otherwise stable on the agenda independent of other security or energy concerns.⁸² Dead Polish PoWs will continue to visit memories and thus politics at

76 Vanessa Fredericks, “Remembering Katyn: Mourning, Memory, and National Identity,” *Memory Connection* 1, no. 1 (2011): 199, 200.

77 Thompson, “Ways of Remembering.”

78 Grover Furr, *The Mystery of the Katyn Massacre: The Evidence, The Solution* (Ohio: Erythros, 2018), 248.

79 Gabriel Kolko, *The Politics of War: The World and United States Foreign Policy, 1943-1945* (New York: Random House, 1968), 105.

80 Anna M. Cienciala, “The Katyn Syndrome,” *The Russian Review* 65, no. 1 (2006): 120.

81 Danielle Drozdowski, “Knowing (or Not) About Katyn: The Silencing and Surfacing of Public Memory,” *Space and Polity* 16, no. 3 (2012): 306.

82 Rolf Fredheim, “The Memory of Katyn in Polish Political Discourse: A Quantitative Study,” *Europe-Asia Studies* 66, no. 7 (2014): 1184.

different levels and spaces introducing different and at times conflicting realities. Yet, “[s]pectrality does not involve the conviction that ghosts exist or that the past (and maybe even the future they offer to prophesy) is still very much alive and at work, within the living present: all it says, if it can be thought to speak, is that that living present is scarcely as self-sufficient as it claims to be; that we would do well not to count on its density and solidity, which might under exceptional circumstances betray us.”⁸³ It will not be the facts of Katyn betraying us, but how they have been represented. Likewise, we, the reader of history and/or law, are prone to betray victims of the past unless we realize how these victims are forgotten or remembered on a slippery slope. Only through realizing the inherent instability of reality and the manifold ways of constructing its meaning can we avoid betraying the specters of PoWs.

83 Fredric Jameson, “Marx’s Purloined Letter,” *New Left Review* 209 (1995): 86.

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