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Dmitriy E. Komarov, Olga V. Komarova

K. G. Razumovski Moscow State University of Technologies and Management — Vyazma branch, Vyazma, Russian Federation

Law and Legal Order in the Smolensk Region after Enemy Occupation: 1943–45

Abstract

The article addresses the issue of legality in the Smolensk region after its liberation from the invaders during the Great Patriotic War. Combining the totality of crimes in 1943–45 into three groups seems justified: crimes caused by the consequences of occupation; criminal offenses;

crimes related to violation of labour discipline in the wartime. The first group includes such crimes as desertion, espionage, treason, and aiding the invaders. As the facts indicate, unlike traitors, to whom no exemptions were provided, accomplices could expect that mitigating and justifying circumstances will be taken into account. Crime was mostly kept down in the Smolensk region (unlike other rear regions). Violations of wartime labor law constituted the largest group of crimes. Moreover, from 1943 to 1944 their number grew by 50%. There was a discussion on adequacy of penalty to the gravity of offense in this category. The authors' position is based on the severity of the situation. The state used all available resources to achieve victory in the war, including forced labour. The Smolensk region data, when compared with other regions, show difficulties in reconstructing nationwide picture of law and legal order. Summarized data should take into account regional specifics. When studying the issue, it is appropriate to divide the country into at least two territories: rear areas not affected by the warfare and combat or occupation zone. Moreover, criminal statistics of the Smolensk region, where the vast majority of population were rural residents, differs significantly from the industrial areas of the country.

Keywords

Archive, sources, criminal offence; violation of labour discipline in the wartime, Great Patriotic War, legality, crime, Smolensk region, law enforcement system.

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About the authors

Komarov Dmitriy Evgenievich, PhD in History, associate professor, K. G. Razumovski Moscow State University of Technologies and Management — Vyazma branch, professor, Vyazma, Russian Federation,

+7-910-780-17-80, buffel1943@mail.ru

Komarova Olga Valerievna, K. G. Razumovski Moscow State University of Technology and Management — Vyazma branch, senior lecturer, Vyazma, Russian Federation,
+7-906-517-04-51, ubileika@yandex.ru

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