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**Titre du projet:** [Prosecuting Crimes against Jews before Nuremberg: Holocaust and Justice in Wartime Bulgaria](#)  
**Durée du projet :** 3 years

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**Coordinateur(s) du projet et centre(s) de recherche impliqué(s):**  
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### Description du projet :

**Bulgaria was among the first states in Europe to hold a trial with an exclusive focus on anti-Jewish persecutions** (Deák, 2015, pp. 191-209). On November 24, 1944, a chamber dedicated solely to the prosecution of crimes against Jews was established within the Bulgarian People's Courts (1944-1945). Exceptional tribunals were set up to prosecute war crimes *and* to promote revolutionary change. The decision to create the new entity was made only a few weeks after the Red Army invaded Bulgaria and a broad antifascist coalition dominated by the Communists came to power (September 8-9), **several months before the termination of the war and a full year ahead of the Nuremberg Trials**. *The Bulgarian investigations were conducted in tandem with the westward advance of the Soviet troops, the opening of the extermination camps and the discovery of the horrendous persecution that the Jewish people had suffered*. It is in this exceptional context that the local prosecutors struggled to make sense of events whose nature and sheer magnitude no observer had yet managed to fathom.

Surprisingly, **this attempt in Bulgaria to define the uniqueness of crimes against Jews and to bring the perpetrators to justice has received little attention in the literature on the Holocaust and the European legal systems** (Sage, 2013; Ragaru, 2015). However, as an unprecedented experiment in the formulation of charges, the use of material and testimonial evidence, the establishment of standards of proof and the devising of sentencing policies, Bulgaria's judicial action may indeed offer a major contribution to our understanding of efforts to judge crimes against Jews in the immediate aftermath of the events. More broadly, **the Bulgarian case study may afford new insights into the interplay between the administration of justice, regime change and geopolitical transformation at the end of the Second World War**.

The purpose of the present project is to address these issues and **to broaden the examination of trials for anti-Jewish persecutions to include countries "behind the Iron curtain"** (Finder & Prusin, 2018). More specifically, the trials for crimes against Jews in Bulgaria will serve as *a vantage point for consideration of a major historical juncture made critical by dramatic political change, the end of the war and the negotiation of a new international order*. The Bulgarian configuration is exceptional in more than one respect. Bulgaria joined the Tripartite Pact in March 1941 but refused to send troops to fight on the Eastern front. In this "half-ally, half-satellite" country (Raoul Hilberg, 2006), 48,000 Bulgarian Jews—albeit subjected to a wide array of anti-Jewish measures—were not deported. By contrast, 11,343 Jews living in the Yugoslav and Greek territories occupied by Bulgaria were rounded up, surrendered to the Nazis and exterminated in Poland (Chary, 1972; Ragaru, 2018). On the eve of the Soviet invasion, the country opportunistically switched sides and took part in the freeing of the Yugoslav lands that it had previously occupied. Within a few years, Bulgaria would become one of Moscow's most faithful allies.

This research project will entail **reconsideration of at least three conventional assumptions**. The first of these—a remnant of Cold War thinking—is that the persecution of the Jews was not documented in countries under Soviet influence. A second common assumption holds that the People's Courts carried out a kind of political justice exclusively aimed at repressing political opponents. The present approach will break with a retrospective reading of postwar justice that is overshadowed by later developments such as the establishment of communist dictatorships. The social and political uses of the legal proceedings will be put in context to bring historical (dis)continuities into relief. Third, rather than scrutinize archival records in a search for intimations of the coming Cold War, the study will direct attention to *the web of transnational dynamics that underpins the creation of an exceptional jurisdiction* and a new political system.

## I. State of the Literature

### 1. Documenting the Holocaust in Eastern Europe

The topic of the wartime persecutions of the Jews was long deemed taboo in socialist Eastern Europe. Of late, historians of the Soviet Union have called attention to the work done to unearth archival materials during the war and the immediate postwar years (Hicks, 2012; Pozner et al., 2015; Shneer, 2011). The Soviets did not fail to document the mass violence against the Jews, the historians point out; rather, the point at issue is the specific lens through which the events were seen, namely, the Soviets' insistence on antifascism and reluctance to underline the specificity of the Jewish predicament. This **scholarly re-evaluation of the early documentation of**

**the Holocaust in Eastern Europe** has paralleled the development of a new body of research on postwar efforts of Holocaust survivors to “collect and record” evidence of Nazi crimes (Jockusch, 2012; Cesarani & Sundquist, 2012). *Bulgaria may well offer another telling case in which anti-Jewish policies were documented before the end of the Second World War* and trials were employed as a “didactic” instrument in the determination of historical truth (Douglas, 2010, pp.11-22).

## **2. Prosecuting war crimes: Narratives hostage to the Cold War**

In the decades since 1945, a large body of literature has addressed the prosecution of war crimes in the postwar era. This literature has provided important findings regarding the pedagogical uses of justice, the role of judicial proceedings in the remembering of wartime events, and the effect of the Cold War on the search for justice for the victims (Wittman, 2008; Weinke, 2014; Lindeberg & Wieviorka, 2016). **Scholarly attention, however, has centered on international criminal justice—chiefly the Nuremberg and Eichmann Trials—at the expense of trials held before local courts.** While the second wave of war-crimes trials in West Germany has received significant attention (Pendas, 2006; Weinke, 2014), *knowledge of local prosecutions in Eastern Europe remains scant* (Finder & Prusin, 2018; Barna & Pető, 2015; Deák, 2015; Deák et al., 2000).

Indeed, *the account of international efforts to prosecute war crimes was long hostage to the competition between East and West* (Hirsch, 2008; Voisin, 2017). The Cold War context eclipsed the role of Soviet lawyers and diplomats in the preparatory work for the International Military Tribunal (IMT). Similarly, the transnational dimensions of local judicial proceedings were neglected in countries that were to become Soviet allies (Prusin, 2010). Recently, research addressing the treatment of crimes against Jews has made significant progress, raising questions about the relevant courts’ grasp of the exceptional nature of anti-Jewish persecution and the role of Jewish survivors in the quest for justice (Marrus, 2000; Douglas, 2001; Bloxham, 2001; Bankier & Michman, 2010). *However, most studies dealing with the immediate postwar era have concluded that attention to crimes against Jews was often secondary* and commingled with other charges against “collaborators.” Here again, a consideration of the Bulgarian case may invite **a reconsideration of such prosecutions.**